



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
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TRANSCRIPT OF TRIAL PROCEEDINGS
PUBLIC
Case File N° 002/19-09-2007-ECCC/TC

10 June 2013
Trial Day 191

Before the Judges: NIL Nonn, Presiding
Silvia CARTWRIGHT
YA Sokhan
Jean-Marc LAVERGNE
YOU Ottara
THOU Mony (Reserve)

The Accused: NUON Chea
KHIEU Samphan

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
JUDGE LAVERGNE	French
MR. MAM RITHEA	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. PICH ANG	Khmer
MR. RAYNOR	English
MS. SIMONNEAU-FORT	French
MS. SO SOCHEAT (TCW-673)	Khmer
MR. TUN SOEUN (TCW-742)	Khmer
MR. VERCKEN	French

1

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

2 (Court opens at 0905H)

3 (Judges enter the courtroom)

4 MR. PRESIDENT:

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

6 For today's proceeding, we will hear testimonies of two

7 witnesses: first one is TCW-742 and the second witness is

8 TCW-673.

9 Mr. Dav Ansan, could you report the attendance of the parties and
10 individuals to today's proceeding?

11 [09.07.13]

12 THE GREFFIER:

13 Mr. President, for today's proceeding, all parties are present.

14 As for the accused, Nuon Chea, he's present in the holding cell

15 downstairs pursuant to the decision of the Trial Chamber

16 concerning his health.

17 And as stated by you, Mr. President, for today's scheduling, we

18 will hear the testimony of Witness TCW-742, and for the afternoon

19 session, it will be TCW-673 related the characters of the

20 accused, Khieu Samphan.

21 TCW-742 confirms that through his - to his knowledge, he is

22 related to Khieu Samphan, but he has no relationship to any of

23 other parties in this case. Pursuant to Rule 24.2 of the Internal

24 Rules, the witness, TCW-742, is not required to take an oath

25 concerning the testimonies in relation to the accused, Khieu

2

1 Samphan. However, this witness took an oath this morning for his
2 testimony related to Nuon Chea. This witness is present and ready
3 to be called by the Chamber.

4 [09.08.48]

5 And we also have a reserve witness this morning -- that is,
6 TCW-648.

7 Thank you, Mr. President.

8 MR. PRESIDENT:

9 Thank you.

10 Court Officer, could you invite the witness TCW-742 into the
11 courtroom?

12 (Short pause)

13 (Witness TCW-742 enters the courtroom)

14 [09.10.20]

15 QUESTIONING BY THE PRESIDENT:

16 Q. Good morning, Mr. Witness. May we know your name?

17 MR. TUN SOEUN:

18 A. My name is Tun Soeun.

19 Q. Thank you, Mr. Tun Soeun. How old are you?

20 THE INTERPRETER:

21 The interpreter cannot hear it.

22 BY THE PRESIDENT:

23 Q. How old are you?

24 Mr. Tun Soeun, please observe a pause before you respond. You
25 need to see the red light on your microphone first. It means that

3

1 it is activated and it means that you can speak into the
2 microphone and your voice will go through the distribution system
3 for the Court and for the public as well as your voice will be
4 interpreted simultaneously into English and French.

5 Where do you live?

6 [09.11.33]

7 MR. TUN SOEUN

8 A. I live in Pailin.

9 Q. Thank you. And Mr. Tun Soeun, what is your current occupation?

10 A. I am a rice farmer.

11 Q. What are your parents' names?

12 A. My father is Tun Song (phonetic), and my mother is Kong Seng
13 (phonetic).

14 Q. And your wife's name? And how many children do you have?

15 A. My wife's name is Khiev Rothara (phonetic) and we have three
16 children.

17 Q. Thank you, Mr. Tun Soeun.

18 As reported by the greffier of the Court, you are related to the
19 accused, Khieu Samphan, but you are not related to any other
20 parties to this case.

21 And the question to you is: How are you related to Khieu Samphan?

22 A. I am his son-in-law.

23 [09.12.56]

24 Q. Thank you. And there is also another accused, Nuon Chea.

25 And as reported by the greffier, you are not related by blood or

4

1 by law to any of the civil parties in this case, nor to the
2 accused, Nuon Chea, and that you already took an oath before your
3 appearance before this Court in relation to the questions that
4 will be put to you in relation to the accused, Nuon Chea. Is this
5 correct?

6 A. Yes.

7 Q. Mr. Tun Soeun, as a witness appearing before this Court, you
8 have the rights to refuse to respond to any question or request
9 for your comments that would incriminate you. This is your right
10 against self-incrimination. And in collaboration with WESU, we
11 have provided you your duty counsel in cases that you may need to
12 consult with him if you are concerned of self-incrimination.

13 [09.14.21]

14 And regarding your obligation as a witness, you must respond to
15 all the questions put to you by Judges of the Bench or any other
16 parties and you must tell the truth that you have seen, have
17 observed or experienced directly of the events that put to you
18 through the question.

19 And Mr. Tun Soeun, have you been interviewed by the investigators
20 of the Office of the Co-Investigating Judges?

21 A. No.

22 MR. PRESIDENT:

23 Thank you.

24 And for the process of questioning this witness, Mr. Khieu
25 Samphan's defence will be allowed to question first. And for this

5

1 witness, the time allocation for Khieu Samphan and Nuon Chea's
2 defence teams is one hour, 15 minutes. You may now proceed.

3 [09.15.35]

4 QUESTIONING BY MR. KONG SAM ONN:

5 Thank you, Mr. President. Good morning, Your Honours, and good
6 morning, everyone.

7 And good morning, Mr. Tun Soeun. My name is Kong Sam Onn, counsel
8 for Khieu Samphan. I have some questions for you.

9 Q. Can you enlighten us on your educational background?

10 MR. TUN SOEUN:

11 A. I studied for one and a half years.

12 Q. What did you study?

13 A. I studied Khmer literature.

14 Q. Where?

15 A. I studied during the Democratic Kampuchea period.

16 Q. Where did you study?

17 A. It was a primary school near Svay Popeah Pagoda.

18 [09.16.47]

19 Q. Thank you.

20 Now, regarding your employment, can you tell us regarding your
21 main employments so far?

22 A. My apology. Could you specify the period?

23 Q. What was your first job or in what year did you start working?

24 Was it before, during or after 1975?

25 A. In 1977, I was studying at a primary school near Svay Popeah

6

1 Pagoda for one and a half years. After that, I moved to another
2 location to be in the group under the supervision of Phang. And
3 that was in 1978.

4 Q. When you moved to Phang's location, did you continue your
5 study or did you start working there?

6 A. I was studying. I learned to type the typewriter.

7 [09.18.38]

8 Q. Can you be more specific as to what year did you learn to
9 type?

10 A. It was in late 1978.

11 Q. How long did you spend at the place where you learned to type?

12 A. I was there for three to four months.

13 Q. Did you know the name of that location?

14 A. It was called K-3.

15 Q. Thank you.

16 Can you tell us, where were you before 1975?

17 A. Before 1975, I was with my parents in Bati district.

18 Q. And how come you came to stay at K-3 in Phnom Penh?

19 A. Initially, I joined the children unit that was part of the
20 military force in Kampong Speu. And at the time, I was with my
21 elder brother.

22 [09.20.35]

23 Q. Please continue.

24 A. Later on, the children amongst us were elected to come to
25 Phnom Penh.

1 Q. What year was it when children were selected to go to Phnom
2 Penh?

3 A. It was in 1976.

4 Q. Can you recall the month?

5 A. It was probably in July or August 1976.

6 Q. How old were you at the time?

7 A. I was 11 years old.

8 [09.21.34]

9 Q. You left Kampong Speu for Phnom Penh, and upon your arrival in
10 Phnom Penh, where did you stay?

11 A. I was at the current National Assembly place.

12 Q. What was it called back then?

13 A. It was called the Assembly at the time.

14 Q. Upon your arrival at the Assembly, what were you assigned to
15 do?

16 A. My duties at the time was cleaning the compound around the
17 Assembly and to cut the grass and to look after the garden.

18 Q. How long did you stay at the Assembly?

19 A. It was about two to three months.

20 Q. Did any of your group stay with you at the time?

21 A. Yes, I had some friends. There were 20 of us all together, but
22 we separated.

23 [09.23.32]

24 Q. Upon leaving the Assembly, where did you go?

25 A. I went to a location called K-8. It was the agricultural

1 office.

2 Q. Where was K-8 located?

3 A. It was near the current Embassy of Russia. It was to the south
4 of the current Embassy Russia, towards the riverbank.

5 Q. Who was your supervisor when you were there?

6 A. His name was Tan. I call him Om Tan or Uncle Tan. He was the
7 chief of the office.

8 Q. Did you stay long at the K-8 office?

9 A. I was there for a while, but I cannot recall the number of
10 month.

11 [09.24.45]

12 Q. What else did you do besides plantation?

13 A. No.

14 Q. When did you leave K-8?

15 A. I left in early 1977 then to study at the primary school near
16 Svay Popeah Pagoda.

17 Q. Was it the school where you just told us you studied Khmer
18 literature there?

19 A. Yes.

20 Q. Beside learning Khmer literature, did you study any other
21 subjects at the school near Svay Popeah Pagoda?

22 A. Besides learning the literature, I did not study any other
23 subjects.

24 [09.25.58]

25 Q. How many students were in your group?

1 A. There were about 30.

2 Q. Who was the teacher?

3 A. Phang was the one who taught.

4 Q. Were there other teachers?

5 A. There was Yon or Brother Yon (phonetic).

6 Q. Any others?

7 A. No.

8 [09.26.55]

9 Q. How long did you study at the school near Svay Popeah Pagoda?

10 A. It was for one year and a half.

11 Q. And when did you stop studying near the school near Svay

12 Popeah pagoda?

13 A. It was around June or July 1978.

14 Q. Where did you go then?

15 A. I went to K-3.

16 Q. What was your role at K-3?

17 A. I was a youth and I studied how to type.

18 [09.28.05]

19 Q. What about the rest?

20 A. The rest, they were older than me so they had different

21 duties.

22 Q. Can you recall the place where you learned to type, how many

23 of you were all together there?

24 A. There were more than 10 of us.

25 Q. You learned to type. Did you type any other documents, or the

10

1 types of documents that you typed?

2 A. We learned to type and we looked at the magazine and tried to
3 type following the words on the magazine.

4 Q. Were you given any documents to type; for example, a message
5 or a letter?

6 A. No.

7 Q. At K-3, can you describe to the Chamber where you lived?

8 A. We stayed at a house to the south of K-3. At that time, it was
9 known as the consulate office for Singapore, if I recall
10 correctly. That's the house where I stayed.

11 [09.30.17]

12 Q. Who was your direct supervisor?

13 A. Uncle Phang was.

14 Q. Was he the same person, I mean is he the same person, Phang,
15 who also taught you at Svay Popeah?

16 A. Yes.

17 Q. If you recall, can you tell the Chamber the living condition
18 at that time, where you studied, where you worked?

19 A. Life was normal. We had normal meals. We slept in a room where
20 we also studied. The room was with a typewriter and we practised
21 typing.

22 Q. How long had you been at K-3?

23 A. I had been there for about a few months before the Vietnamese
24 came, and then we left.

25 [09.32.10]

11

1 Q. Did you ever meet someone in the leadership of the Democratic
2 Kampuchea regime?

3 A. No.

4 Q. Did you ever see Mr. Khieu Samphan at K-3?

5 A. No, I didn't.

6 Q. Thank you. When did you get to know Mr. Khieu Samphan?

7 A. I met him during the struggle period.

8 Q. Can you be more specific as to when exactly you saw him?

9 A. It was in 1982.

10 Q. What did you do or what was your job when you saw him?

11 A. At that time I was a telegram decoder.

12 [09.33.55]

13 Q. Can you tell the Chamber how you associated with Mr. Khieu
14 Samphan in the capacity as your work - as you worked as the
15 decoder of the telegram?

16 A. I was also delivering the telegrams and received some
17 credentials at Malai.

18 Q. How often did you have to engage - be engaged in your tasks?

19 A. Normally, when other ambassadors or diplomats who would come
20 to offer their credentials to the king, the former king, then I
21 would go there.

22 Q. How long had you been staying or working close to Mr. Khieu
23 Samphan?

24 A. I had been under the supervision of Phang, but during some
25 missions I had to travel with him.

12

1 Q. Can you please give us the exact time period, in particular
2 when you said you had to go with him during some mission?

3 A. That was from 1982 to 1983.

4 [09.36.10]

5 Q. Did you also work with Mr. Khieu Samphan on other occasions,
6 other periods of time, for example?

7 A. I left him and I had to have a mission to France.

8 Q. When was it? When did you leave Mr. Khieu Samphan for France?

9 A. It was in late 1983.

10 Q. Until when did you see him again?

11 A. I saw him again in 1989.

12 Q. In 1989, when you saw Mr. Khieu Samphan again, what did you
13 do?

14 A. I was still in charge of delivering messages.

15 Q. To whom did you deliver the messages?

16 A. To Mr. Khieu Samphan.

17 Q. Until which date you had to continue delivering such messages?

18 A. I had to deliver the messages until 1990 when I then was
19 assigned to work at the embassy in Peking.

20 Q. Is it correct to say that you left Cambodia for Peking at that
21 time? How long did you remain in Peking?

22 A. I was there until 1991.

23 [09.38.47]

24 Q. Did you return to Cambodia after that?

25 A. Yes, I did.

1 Q. Upon returning home to your country, what did you do?

2 A. I still worked at the same unit.

3 Q. At the beginning you said before the Chamber, to the
4 President, that you are Khieu Samphan's son-in-law. Can you tell
5 the Chamber when you got married?

6 A. I got married on the 9 of November 1994.

7 Q. What was your occupation at that time, when you got married?

8 A. I was an ordinary combatant.

9 [09.40.40]

10 Q. Please tell us about your relation with Mr. Khieu Samphan when
11 you were delivering the messages. As a person who worked close
12 with Mr. Khieu Samphan, please describe his personal character,
13 in general.

14 A. Mr. Khieu Samphan is a gentle person. He is very honest and he
15 is very gentle with the public.

16 Q. Do you know what Mr. Khieu Samphan did after 1979?

17 A. He was the Minister of Foreign Affairs for the - of the
18 factions.

19 Q. Did you know Mr. Khieu Samphan's relationship with other
20 leaders of the Democratic Kampuchea after 1979?

21 A. So far as I know, he engaged in communication with people
22 outside of the country, including Prince Norodom Sihanouk and
23 Samdech Son Sann, and he worked mainly overseas.

24 Q. Did you happen to know whether Mr. Khieu Samphan was ever
25 holding a military position?

14

1 A. No, never.

2 [09.43.09]

3 Q. Do you know, or are you aware whether Mr. Khieu Samphan ever
4 engaged in any military decision after 1979?

5 A. No, I'm afraid not.

6 Q. Regarding Mr. Khieu Samphan's character, what would be the
7 special good points regarding his personality that impress you?

8 A. Mr. Khieu Samphan is a very honest and gentle person. He had
9 contact with people abroad, including Khmer immigrants, and he
10 was very much loved by many other people.

11 Q. Regarding your observations concerning Mr. Khieu Samphan's
12 conduct and how he treats other people, can you tell something
13 about this?

14 A. Khieu Samphan, to me, is not a cruel person. He's a very
15 gentle man.

16 [09.45.20]

17 Q. Regarding his lifestyle, the way he lives his life, can you
18 describe this to the Chamber?

19 A. Khieu Samphan is a very simple person when it comes to his
20 lifestyle. He eats whatever he has and he educated his children
21 to be modest.

22 Q. You said Khieu Samphan educates his children, but please be
23 more specific on what points, on which topic he educated his
24 children.

25 A. He educates his children to be good people, to be law abiding

15

1 citizens, and to do good things, to grow crops and do farming.

2 Q. I may also wish to ask you some questions regarding the time
3 period when you were with Mr. Khieu Samphan until the date when
4 he was arrested and detained at the ECCC's detention facility. So
5 how long had you remained close to him during this period of
6 time?

7 A. I had been close to him since the integration period.

8 [09.47.23]

9 Q. What year was it?

10 A. It was in 1988 or 1989.

11 Q. Did you live with Mr. Khieu Samphan under one roof, or you
12 shared a different home?

13 A. We lived together under the same roof.

14 Q. After 1994, indeed, after you got married, where did you live?

15 A. I lived in the unit.

16 Q. Did you continue to associate with Mr. Khieu Samphan, or did
17 you continue to work with him?

18 A. No, I didn't.

19 Q. I would like to go back a little bit to Mr. Khieu Samphan's
20 character. Now, as his son-in-law, what would be your impression
21 regarding his personality? What would be the good points that you
22 have taken note and that you treat him as a good father-in-law, a
23 good role model?

24 A. Mr. Khieu Samphan has not distinguished the roles of his own
25 sons, daughters, and in-laws. He has treated us equally.

1 [09.49.43]

2 Q. What about your treatment towards Mr. Khieu Samphan, has you -
3 or how do you show your respect for him?

4 A. I respect him as my father-in-law.

5 Q. Do you still recollect any achievements by Mr. Khieu Samphan
6 that are worth mentioning by you or that are commendable by you?

7 A. He is very gentle. He has no discrimination against anyone.

8 Q. What about his conduct, personal conduct and treatment,
9 towards other people in his neighbourhood, and how these
10 neighbours treat him?

11 A. Mr. Khieu Samphan has built good rapport with a lot of people
12 in his neighbourhood. No one dislikes him. No one hates him.

13 [09.52.04]

14 Q. Now you may be familiar with the situation when Mr. Khieu
15 Samphan used to work in the Democratic Kampuchea. In your
16 capacity as his son-in-law, did you ever engage any conversation
17 when Mr. Khieu Samphan discussed about his past during Democratic
18 Kampuchea?

19 A. No. We never had any discussion on this.

20 Q. Are you familiar with Mr. Khieu Samphan's political
21 standpoint? So what is Mr. Khieu Samphan's political belief? Mr.
22 Soeun, do you understand my question, please?

23 A. Counsel, could you repeat it more precisely?

24 Q. I was asking you this question, since you used to live under
25 the same roof with Mr. Khieu Samphan, are you familiar with his

17

1 political standpoint? So what is his political belief and had he
2 ever engaged in discussing any of the political affairs with you
3 or with other people whom you know? If so, please tell the
4 Chamber.

5 [09.54.38]

6 A. I can see that Mr. Khieu Samphan has done his best to follow
7 whatever former prince, Norodom Sihanouk, wanted him to do, and
8 he maintains his neutral position as that of the former Prince.

9 Q. Regarding his - regarding your daily life and your
10 interactions with Mr. Khieu Samphan, what kind of advice have you
11 ever received from him?

12 A. He has advised us on how to work hard to earn our living and
13 to do farming, and he has educated us and encouraged us to
14 possess a piece of land so that we can cultivate rice to - for
15 our living.

16 Q. Thank you, Mr. Tun Soeun. Do you have anything to add on top
17 of all the questions I put to you?

18 A. No, I don't.

19 MR. KONG SAM ONN:

20 Thank you, Mr. Tun Soeun.

21 Mr. President, I have no further questions and I think you very
22 much.

23 [09.56.48]

24 MR. PRESIDENT:

25 Thank you, Counsel.

18

1 Next we would like to hand over to the Co-Prosecutors to put some
2 questions to this witness. You may proceed.

3 MR. RAYNOR:

4 Mr. President, Your Honours, may it please you. Good morning.

5 Good morning to my fellow counsel and good morning to you, Mr.

6 Tun Soeun.

7 QUESTIONING BY MR. RAYNOR:

8 Q. My first question is this: When did you first learn to decode
9 telegrams?

10 MR. TUN SOEUN:

11 A. I learned to decode these telegrams during the period of the
12 tri-party.

13 Q. Did you learn to decode telegrams when you were at K-3?

14 A. At K-3, I learned to type, using the typewriter.

15 [09.58.18]

16 Q. Did you learn to decode telegrams at K-3?

17 A. No, I didn't.

18 Q. Do you know why your defence team would have submitted a
19 document to the Court - E9/11.2 - stating, in relation to you --
20 and I quote:

21 "Tun Soeun was a young Khmer Rouge. He was sent to Phnom Penh
22 with other children in 1976" - brackets - "(to the former
23 National Assembly, then to K-1, and finally to learn decoding at
24 K-3)"?

25 A. No.

1 Q. I want to take you back, please, to the time in early 1977
2 when you were studying at a primary school near Svay Popeah
3 Pagoda. Is the school where you were studying on Sothearos
4 Boulevard, or otherwise known as Sothearos School?

5 A. Yes, it was the Sothearos School.

6 [10.00.15]

7 Q. Your teacher, for the time that you were at Sothearos School,
8 you mentioned was Phang. Was his full name Norng Sophang?

9 A. At that time, I didn't know the full name. I only knew him as
10 Uncle Phang.

11 Q. Is it right that, together in the class, there were children
12 from a number of provinces or areas in Cambodia?

13 A. They came from different provinces, but I did not know which
14 provinces they came from.

15 MR. RAYNOR:

16 Mr. President, I'd like to read please some extracts of some
17 previous testimony in this case. Again, I've had to print these
18 off the printer in the last few minutes in the courtroom, and I
19 only have them in English, but with your leave can I please quote
20 part of the testimony of Norng Sophang, from this Court, on the
21 29th of August 2012?

22 MR. PRESIDENT:

23 Yes, you may proceed.

24 [10.01.53]

25 BY MR. RAYNOR:

20

1 Q. So that my learned friends can follow this, it's the testimony
2 of the 29th of August 2012, and the relevant timing is 14.23.49.
3 So, Mr. Tun Soeun, I'm now reading to you what Norng Sophang had
4 to say about Sothearos School. And then I'll ask you some
5 additional questions. I quote:

6 "I was a schoolteacher. I was in charge of providing training to
7 people who could have been sent from various provinces. I had to
8 train them on how to understand writing, reading, and typing. And
9 I was also tasked with teaching them to understand some Latin
10 letters in English. And, gradually, I also taught them to decode
11 secret telegrams."

12 [10.03.09]

13 Question: "When you were teaching children, how old were these
14 children, and what was the motive behind training these children
15 on decoding the telegrams?"

16 Answer: "The main motive for teaching them was to ensure that
17 these children acquired some skills to serve the Party to the
18 future. In particular, they needed to be trained on decoding
19 telegrams and typing. All of these were important as part of
20 their skills so that they could perform this work to serve the
21 Party. These children were mainly 12 years old"

22 Now, I'm going to ask you again; did you learn anything at all
23 whilst at the Sothearos School to do with the decoding of
24 telegrams?

25 MR. TUN SOEUN:

1 A. No, I did not, because at that time we were still studying
2 literature and we did not know the alphabet yet.

3 [10.04.38]

4 Q. Did there come a time when you were at Sothearos School that
5 you became aware that any of the children students were involved
6 in the decoding of telegrams?

7 A. On the study of decoding - was done by those elder children
8 who already learned the alphabet. But I was in the younger group,
9 so I did not study any decoding program, as we were still
10 studying the alphabet and the literature.

11 Q. I'm going to move on to the time when you were at K-3. You
12 said, in relation to this period, "I studied how to type" in your
13 evidence. And learned counsel for Khieu Samphan asked you if you
14 typed any documents. And your answer was: "I looked at the
15 magazine and tried to follow the words." He then asked, "Did you
16 ever get involved with a message or a letter", and you said "No".
17 At K-3, at any stage, did you have any instruction or any
18 involvement in the decoding of telegrams?

19 A. No, I did not.

20 [10.06.48]

21 Q. You said in your evidence that the time that you were at the
22 Sothearos School was from early 1977 until July 1978. Is that
23 correct?

24 A. Yes.

25 Q. So what was the state of your alphabet learning after one and

1 a half years, or thereabouts, at Sothearos School?

2 A. I could read and write.

3 Q. So, when you were at K-3, how many other students were with
4 you at K-3?

5 A. Including those who were elder and who worked, and including
6 us in the younger groups, there were more than 10 of us.

7 Q. Did you ever, during the period of Democratic Kampuchea from
8 1975 to 1979, see a chart with boxes on it or a page with boxes
9 on it helping in the decoding of telegrams?

10 A. No, I did not.

11 [10.08.45]

12 Q. If we move on to 1982, in connection with you receiving some
13 credentials at Malai; is this the time when you say you became,
14 for the first time, a telegram decoder?

15 A. The telegrams were sent from overseas embassies to Khieu
16 Samphan, to clarify as which embassies actually seek approval on
17 credentials from Samdech Euv.

18 Q. The point behind the question was: Were you decoding telegrams
19 in 1982?

20 A. Yes.

21 Q. How much experience did you have in the decoding of telegrams
22 before 1982?

23 A. I studied it in Phang's unit, in the decoding field.

24 Q. What year was that?

25 A. It was around 1981 or '82.

1 Q. I'd like to move in the next series of questions to the period
2 of 1989. And in answer to questions earlier this morning, you
3 said -- and I quote:

4 "I was still in charge of delivering messages". And then, when
5 asked to clarify; "these were message to Khieu Samphan."

6 [10.11.07]

7 Now, were these messages by telegram, teleprinter, radio
8 broadcast, or other means?

9 A. The messages were telegrams.

10 Q. At that time, in 1989, was there a codename for the telegram
11 unit, as in, Office, or a description?

12 A. It was mainly dealt with the Cambodian embassies stationed
13 abroad. The messages were between those embassies and him.

14 Q. Where was Khieu Samphan when you delivered messages to him in
15 1989? Which area of which country?

16 A. At that time, unofficial - an unofficial meeting was held to
17 seek solutions for Cambodian problems. That meeting was held in
18 Paris in 1989, and it was around July or August.

19 [10.12.55]

20 Q. Perhaps I didn't make the question clear; when you delivered
21 telegrams to Mr. Khieu Samphan, are you saying you only ever did
22 that in another country, or did you deliver telegrams to him when
23 he was in Kampuchea, or near the Thai border?

24 A. It was when he was at the border. I did send messages to him
25 as well.

1 Q. Thank you. When you sent messages to Khieu Samphan near the
2 Thai border, can you remember the name of the province that Khieu
3 Samphan was in?

4 A. He was at the Kravanh Mountain.

5 MR. RAYNOR:

6 Mr. President, with your leave, can I please adopt the same
7 procedure as was adopted last Friday, by showing this witness the
8 Khmer version of the witness statement of TCW-639? Can I please
9 have your leave for this to be done?

10 [10.14.18]

11 MR. PRESIDENT:

12 Yes, you may do so.

13 Court Officer, could you deliver the document from the prosecutor
14 for the witness' examination?

15 BY MR. RAYNOR:

16 Q. Mr. Tun Soeun, I'd like you to have a look at the first,
17 perhaps, two pages of this document. And you'll see the name of
18 this witness just before the words "55 years old". It's on your
19 page, 00284289. And that's the second page of the document. So,
20 just before the words "55 years old", there is a name. Can I ask
21 you, first of all, if you recognize that name of that person?

22 I'm not asking you to read the statement. I'm just asking you to
23 confirm - and could your duty counsel perhaps help - whether you
24 recognize the name.

25 MR. PRESIDENT:

25

1 Witness, please wait.

2 Counsel for Khieu Samphan, you may proceed.

3 [10.16.35]

4 MR. KONG SAM ONN:

5 Thank you, Mr. President. I'd like the prosecutor to provide the
6 document number, as the document does not exist on the interface.

7 And please provide the exact ERN number of the page that you
8 request the witness to read.

9 BY MR. RAYNOR:

10 The document is E3/71, and the page in Khmer, 00284289.

11 Q. So, Mr. Tun Soeun, do you recognize the person who gave this
12 statement?

13 MR. PRESIDENT:

14 Mr. Tun Soeun, please just say yes or no upon reading the name of
15 the person on that document. You do not need to mention the name
16 of that person.

17 And, Duty Counsel, could you assist your client, just to review
18 the name of the person appearing on that paper - if your client
19 knows this person or not.

20 [10.17.59]

21 BY MR. RAYNOR:

22 Q. Can I assist? It's on the second page, in the first sentence
23 of the second page.

24 MR. TUN SOEUN:

25 A. No, I don't.

1 Q. This is a man who state, on Khmer page 00288622, the following
2 - sorry, that's the English ERN. Forgive me. The Khmer ERN,
3 00284291 -- and I quote:

4 "After that time, around 1980 or 1981, I met Phang again at K-18
5 in Trat province, Thailand. That time, Pol Pot and Khieu Samphan
6 were also staying at K-18. Phang was the chairman of the telegram
7 unit at K-18 which was the working office of Pol Pot and Khieu
8 Samphan. I worked at K-18 in the telegram unit with Phang until
9 1992-1993."

10 My first question is: Were you ever aware that the telegram unit
11 of K-18 was the working office of Pol Pot and Khieu Samphan?

12 (A short pause)

13 [10.21.07]

14 MR. PRESIDENT:

15 Witness, please respond to the question that was put to you. If
16 you don't understand the question, please ask the question to be
17 repeated. And if you understand, please respond.

18 MR. TUN SOEUN:

19 A. Yes, I do.

20 BY MR. RAYNOR:

21 Q. I just want to clarify that, that you do know that the
22 telegram unit at K-18 was the working office of Pol Pot and Khieu
23 Samphan; is that correct?

24 MR. TUN SOEUN:

25 A. No. They were in different offices.

1 [10.22.03]

2 Q. Were you aware of Pol Pot and Khieu Samphan having a shared
3 office somewhere near Koh Kong?

4 A. They were at different locations.

5 Q. Did you ever meet or talk to any of the bodyguards of Khieu
6 Samphan about where Khieu Samphan went for meetings?

7 A. No, I did not know.

8 Q. If you turn to Khmer page 00284296; English ERN 00288626 – so
9 can I please ask the duty counsel to assist to get this page?

10 Khmer page 00284296. There is a portion of this statement, and I
11 quote – the witness is talking about K-18, and he states:

12 "Pol Pot and Khieu Samphan, who were my direct supervisors, were
13 the persons who gave direct orders at K-18."

14 Did either of those two men ever give you any direct orders?

15 A. I received instructions and orders only from Phang, because I
16 was under his group.

17 [10.24.45]

18 Q. So, was the telegram office that you worked in with Phang in
19 1989 called K-18?

20 A. No, Phang was not at K-18. He was at another location.

21 Q. So, can you help us on who was at K-18?

22 MR. PRESIDENT:

23 Witness, please wait.

24 International Counsel for Khieu Samphan, you may proceed.

25 MR. VERCKEN:

28

1 Yes, thank you, Mr. President. This has happened several times. I
2 say so because no one else has said so. I thought the
3 interpreters would be able to communicate among themselves, but
4 unfortunately they couldn't do so. Several questions put to the
5 witness were not translated or interpreted into French. So we
6 couldn't understand the questions asked, particularly the last
7 question that was put to the witness.

8 [10.26.12]

9 BY MR. RAYNOR:

10 Q. I'll try and - I'll try and repeat the last couple of
11 questions or the theme of them, so that my learned friend has the
12 understanding.

13 Mr. Tun Soeun, your evidence so far is that, in 1989, Khieu
14 Samphan was in a different office location from Pol Pot; is that
15 correct?

16 MR. TUN SOEUN:

17 A. Yes.

18 Q. Where was Pol Pot's location, and where was Khieu Samphan's
19 location?

20 A. He was with his colleagues - that is, those from the Ministry
21 of Foreign Affairs.

22 Q. Let me repeat the question: In 1989, at which geographical
23 location was Khieu Samphan's office, and which geographical
24 location was Pol Pot's office?

25 A. They were at different locations, but I cannot tell you the

29

1 exact location. Khieu Samphan was in a village, but I do not know
2 the name of that village. And I know there were some former
3 colleagues --those intellectuals -- they were together with him.
4 [10.28.16]

5 Q. Was K-18 Pol Pot's location, Khieu Samphan's location, or
6 another location separate from them?

7 A. His location was separate. He was with the intellectuals who
8 were his former colleagues. And I, myself, was at another
9 location, but only when I was on mission to - assigned -- to
10 assist him, then I would go to his location.

11 Q. So, do I have it right that, if you receive a telegram or
12 message at your location, you would then move from your location
13 to Khieu Samphan's location to give him the telegram?

14 A. Yes.

15 Q. Did Khieu Samphan ever write on a telegram and hand it back to
16 you for transfer to other people?

17 A. He wrote on the telegrams - mainly topics relevant to the
18 communication with the embassies overseas, and also regarding the
19 instructions received from other embassies.

20 [10.30.35]

21 MR. PRESIDENT:

22 Thank you, Mr. Co-Prosecutor and witness. We may adjourn now, and
23 - that the next session will be resumed at 10 to 11:00.

24 Court officer is now directed to assist the witness and his duty
25 counsel during the adjournment.

30

1 The Court is adjourned.

2 (Court recesses from 1031H to 1052H)

3 MR. PRESIDENT:

4 Please be seated. The Court is now back in session, and once
5 again the floor is given to the Prosecution to continue putting
6 questions to this witness. You may proceed.

7 BY MR. RAYNOR:

8 Q. Thank you, Mr. President. Mr. Tun Soeun, just before the
9 break, you had explained that, in 1989, Khieu Samphan was in
10 charge of foreign affairs; and that you delivered telegrams to
11 him; and that he wrote information on the telegrams. And you said
12 that was to do with other embassies in different countries. Is
13 that correct, so far?

14 MR. TUN SOEUN:

15 A. Yes.

16 Q. Would Khieu Samphan ever give you a telegram - if you like -
17 back to you, for you, then, to do something else with that
18 telegram?

19 A. I don't understand your question. Please rephrase it.

20 Q. I think you're absolutely right; I didn't understand it
21 halfway through it. I'm going to rephrase it. You have a telegram
22 that you hand to Khieu Samphan. Khieu Samphan writes on the
23 telegram. Did he ever give the telegram back to you to forward on
24 to somewhere else or to take somewhere else?

25 A. He had his personal secretary to do that.

1 [10.54.44]

2 Q. I'm just going to read an extract from the witness statement
3 that you have in front of me - in front of you, rather, from
4 TCW-639. I'm referring to English page 00288627, and to Khmer
5 page 00284297. Now, this witness was asked this question:

6 "When the leaders gave an instruction, did he give it verbally or
7 did he write an annotation on the telegram?"

8 Answer: "Sometimes he wrote an annotation saying that this
9 telegram is to be forwarded to this or that name. Sometimes when
10 I gave him a telegram to read, he would keep it for two or three
11 days in order to examine it. After that, he gave the telegram
12 back to me to be sent on with his annotation telling that this is
13 to be sent to this or that person. Sometimes he gave a verbal
14 instruction."

15 [10.56.15]

16 Question: "Whose annotations did you see?"

17 Answer: "More often, I saw the annotations of Pol Pot and Khieu
18 Samphan. As for other persons such as Son Sen and Nuon Chea, I
19 saw their annotations also when we worked together." Close quote.

20 My question to you is: After you handed Khieu Samphan a telegram,
21 did he ever give you verbal instructions about what to do next?

22 A. He had his personal secretary to write on the letter or to
23 forward the letter.

24 Q. What was the name of his personal secretary who did this?

25 A. It was Khaun (phonetic).

1 Q. And did Khaun (phonetic) stay permanently with Khieu Samphan,
2 or did he work at a number of locations?

3 A. He was the secretary of Khieu Samphan.

4 [10.58.04]

5 Q. Did he stay permanently with Khieu Samphan as his secretary?

6 A. Yes, he did.

7 Q. During your time when you were delivering telegrams to Khieu
8 Samphan, did you ever see Pol Pot?

9 A. No, I did not.

10 Q. How far was Pol Pot's office from Khieu Samphan's office, in
11 approximate kilometres?

12 A. It was far.

13 Q. You confirmed already that Khieu Samphan was in charge of
14 foreign affairs. I'd like to refer next to document number
15 E3/703. This is a document issued from the office of the
16 vice-president of Democratic Kampuchea in charge of foreign
17 affairs. And it is dated the 15th of July 1987. At English, page
18 ERN 00004002; French, 00693796 through 7; and Khmer, 00 - sorry -
19 00700551 through 2.

20 [11.00.35]

21 And the office of the vice-president of Democratic Kampuchea in
22 charge of foreign affairs state this -- and I quote - heading:

23 "The number of people who died from our mistakes:

24 The overwhelming majority of our cadres wholeheartedly worked in
25 the interests of the nation and people of Kampuchea but lacked

33

1 experiences in running the State affairs. The situation got all
2 the more confuse of the subversive activities of Vietnam's
3 agents. Thus, in our measures to arrest and punish those
4 Vietnam's agents, we committed mistakes that affected the lives
5 of minor offenders or innocent civilians. From 1975 to 1978, over
6 3,000 people died in this category." Close quote.

7 My question is: Has Khieu Samphan ever told you that 3,000 people
8 died trying to effect arrests during the Democratic Kampuchea
9 period?

10 [11.03.04]

11 MR. PRESIDENT:

12 Witness, please wait.

13 Duty Counsel, you may proceed.

14 MR. MAM RITHEA:

15 Mr. President, Mr. Witness could not hear some parts of the
16 question, but he's able to hear it now.

17 MR. PRESIDENT:

18 Prosecutor, the witness missed a portion of your question. Please
19 repeat your last question.

20 And Court Officer, could you please check the headset of Mr.

21 Witness? It could be it's out of batteries.

22 (A short pause)

23 [11.04.20]

24 BY MR. RAYNOR:

25 Q. Mr. Tun Soeun, I'm going to repeat my question. Has Khieu

1 Samphan ever told you that 3,000 innocent civilians died during
2 arrests that were mistakes during the Democratic Kampuchea
3 period?

4 MR. TUN SOEUN:

5 A. No.

6 Q. For the benefit of my learned friends, I'm still on the same
7 document. I am moving to English ERN 00004005; French, 00693799;
8 and Khmer, 00700558. So, again, the office of the vice-president
9 of Democratic Kampuchea in charge of foreign affairs stated this
10 -- and I quote:

11 "To be fair, the number of people who died in Kampuchea from 1975
12 to 1978 is less than people who died by car accident in some
13 countries where each year. 30,000 people or more died from road
14 accidents". Close quote.

15 My question for you is this: Has Khieu Samphan ever spoken to you
16 comparing the number of deaths in Democratic Kampuchea with car
17 accidents in other countries?

18 A. No.

19 [11.07.03]

20 Q. After you moved to the Sothearos School in early 1977, did you
21 ever listen to any broadcasts by Khieu Samphan --

22 MR. PRESIDENT:

23 Witness, please wait.

24 Counsel, you may proceed.

25 MR. VERCKEN:

35

1 Yes. We have not received any response in French, and I am
2 wondering whether the French interpreters cannot signal to their
3 colleagues silently whenever they cannot hear something that is
4 said, so that I don't have to rise each time when the French
5 interpreter says they've not heard the beginning of the sentence,
6 there's no answer, he hasn't understand what was said. So,
7 unfortunately, I have to rise to raise this problem, but I hope
8 that they could solve the problem in the booth.

9 [11.08.16]

10 MR. PRESIDENT:

11 Judge Lavergne, please proceed.

12 JUDGE LAVERGNE:

13 Yes. Let me remind everyone of good practices to ensure that
14 there is proper interpretation. First of all, there should be a
15 pause observed between the answer given by the witness and the
16 new question. If the question comes before the end of the answer,
17 it poses a problem. And the witness should wait for the red light
18 to come on before he answers the question. If he answers a
19 question before the light is turned on, the answer will not be
20 received by the interpreters.

21 MR. PRESIDENT:

22 Prosecutor, could you please repeat your last question.

23 [11.09.16]

24 BY MR. RAYNOR:

25 Q. Yes, Thank you, Mr. President.

1 Mr. Tun Soeun, has Khieu Samphan, in discussions with you, ever
2 sought to make comparisons between the number of people who died
3 in Democratic Kampuchea with the number of people who have died
4 in car accidents in other countries?

5 MR. TUN SOEUN:

6 A. No.

7 Q. During the period of Democratic Kampuchea, have you ever heard
8 broadcasts over the radio by Khieu Samphan on the anniversary of
9 the 17th of April victory in which Khieu Samphan spoke of,
10 firstly, "We must wipe out the enemy in our capacity as masters
11 of the situation", or, secondly, "to exterminate the enemies of
12 all stripes"?

13 A. I don't understand your question.

14 Q. Have you ever heard Khieu Samphan on the radio talking about
15 "wiping out the enemy"?

16 A. No.

17 [11.12.50]

18 Q. When you were working at K-3, did any people disappear from
19 that location?

20 A. No.

21 Q. When you were working at K-3, did any of your colleagues ever
22 point out any senior leaders of the Democratic Kampuchea regime
23 to you?

24 A. No.

25 Q, Do you know if the senior leaders of the Democratic Kampuchea

1 regime lived together at K-3?

2 A. No, I did not.

3 MR. RAYNOR:

4 Thank you, Mr. Tun Soeun. That concludes the questioning from the
5 prosecutors. Thank you.

6 MR. PRESIDENT:

7 Thank you.

8 The floor is now given to Lead Co-Lawyers for civil parties, if
9 you have questions.

10 [11.14.20]

11 QUESTIONING BY MR. PICH ANG:

12 Mr. President – and good morning, Your Honours. Good morning
13 everyone, the public and the civil parties. And good morning, Mr.
14 Witness.

15 Q. I do not have many questions for you; just some minor
16 clarifications.

17 You stated that you worked at K-3. Can you tell the Chamber who
18 else worked at K-3?

19 MR. TUN SOEUN:

20 A. In my group, there were 12 of us -- that is, under Phang's
21 supervision -- and I did not know what happened to the rest, as
22 we separated.

23 Q. Maybe my question is not clear to you; while you worked at
24 K-3, did you know, besides Phang's group, any other people or
25 group working at the K-3 location?

1 MR. PRESIDENT:

2 Witness, please wait.

3 National Counsel for Khieu Samphan, you may proceed.

4 [11.16.05]

5 MR. KONG SAM ONN:

6 Thank you, Mr. President. I would like to get to your attention
7 that this witness testified that he did not work at K-3, and at
8 K-3, he actually learned to type. So, for that reason, I'd like
9 the National Lead Co-Lawyer to please rephrase your question.

10 Thank you.

11 BY MR. PICH ANG:

12 Thank you. Yes, I'll rephrase it.

13 Q. While you were at K-3, can you tell the Court who else were at
14 K-3 -- that is, working there or staying there? How many,
15 altogether?

16 MR. TUN SOEUN:

17 A. There were various sections within K-3, so I did not know all.
18 K-3 was a big place.

19 [11.17.25]

20 Q. Can you tell us the sections at K-3 that you knew? What were
21 they? That is, based on your recollection. And what were the
22 functions of those respective sections?

23 A. I cannot. I was young at the time, and I only learned to type
24 there, so I did not know the actual work at the various other
25 sections.

1 Q. You said K-3 was a big place; can you be a little bit more
2 specific? How big was it, in terms of the actual compound? Or
3 were there a lot of buildings within K-3? And who were actually
4 staying there at K-3?

5 A. There were various sections, and the compound was pretty
6 extensive. I cannot simply tell you the actual size of the
7 compound. It is roughly about one square kilometre. And various
8 sections actually occupied the compound, and we stayed in groups.

9 Q. At K-3, was there a school nearby, or – and to which side of
10 the school was K-3 located, if you can recall?

11 A. I did not know the school, but I knew there was a school. It
12 was to the north, and the school was there, extending from the
13 north to the south part. It occupied three blocks of a building.

14 [11.20.13]

15 Q. Now I move on from K-3. On another subject, you said that
16 Khieu Samphan was an honest person. On what grounds did you say
17 he was an honest person?

18 A. He was honest. He was not a greedy person, and he did not want
19 to exercise excessive power or was greedy on property. He's not a
20 kind of person who wants to get rich illegally, for instance, or
21 to do things which could destroy the nation.

22 Q. In your term, in regards to his honesty, do you also mean he
23 is a law-abiding citizen, and the one who obeys instructions from
24 his superior? Is it in this context as well?

25 A. He respected and adhered to the principle of good thing. That

40

1 is my frank evaluation of him. He did not want to enjoy any
2 excessive power or property. He only accepted what he was given.
3 And he was loyal to the nation, and he did not have any other
4 ambition besides serving the nation.

5 [11.22.28]

6 Q. You said that he was honest, and that was your observation
7 during the time that you were with him. Was it after 1979, or was
8 he also an honest person, based on the observation that you made
9 on his activities prior to 1979?

10 A. What I said is related to his character after 1979 -- that is,
11 after the time when I worked with him and lived with him. Because
12 after that, I observed that he was an honest person, not an
13 ambitious person.

14 Q. After 1979, as you said, he was an honest person, and he was a
15 law-abiding citizen, and he worked based on his consciousness.
16 Did you make this observation while Khieu Samphan was working
17 with other leaders or with other people?

18 A. He was an honest person while he worked at the Ministry of
19 Foreign Affairs for the tri-party group. His work was in respect
20 to the regulation of the tri-party group. And that means to
21 reconcile the three parties in order to achieve peace for the
22 nation.

23 [11.25.02]

24 Q. This may be my last question to you. Can you tell us when
25 Khieu Samphan was working with other leaders after 1979 - did he

41

1 have frequent discussions with other people?

2 A. He used to have communication with his colleagues, with the
3 diplomats, as usually they would meet by the year's end. As to
4 the content to what he discussed, it was beyond my knowledge. But
5 each year, representatives of embassies came to meet him.

6 MR. PICH ANG:

7 Thank you, Mr. Witness. I have no further questions for you.

8 And thank you, Mr. President. I'm not sure if my international
9 colleague has any questions for this witness. Thank you.

10 [11.26.18]

11 MR. PRESIDENT:

12 The floor is now given to Nuon Chea's team, if you wish to put
13 questions to the witness. Yes, Counsel for Nuon Chea, you may
14 proceed.

15 MR. KOPPE:

16 Mr. President, we have no question.

17 MR. PRESIDENT:

18 Thank you. The International Lead Co-Lawyer, you may proceed.

19 MS. SIMMONEAU-FORT:

20 Yes, good morning, Mr. President. Good morning, all the parties.

21 It is not very important, because I don't really have any

22 questions to put to the witness, Mr. President.

23 (Judges deliberate)

24 [11.27.58]

25 MR. PRESIDENT:

1 Mr. Tun Soeun, the hearing of your testimony has now concluded
2 and you may be excused from the Court. You may return to your
3 residence, and we thank you for your valuable time to be here to
4 testify for this morning's session, with patience and best
5 effort. And your testimony may contribute to ascertaining the
6 truth in this case, and we wish you all the best. And you may now
7 leave the Court.

8 Court Officer, could you assist the witness in conjunction with
9 WESU so that he may return to his residence or wherever he wishes
10 to go?

11 And likewise, it applies to the duty counsel.

12 (Witness excused)

13 [11.29.36]

14 MR. PRESIDENT:

15 Court officer is now directed to bring in Witness TC-173 into the
16 courtroom - rather, 673.

17 (Short pause)

18 (Witness enters courtroom)

19 [11.32.46]

20 QUESTIONING BY THE PRESIDENT:

21 Q. Good morning, Ms. Witness. What's your name, please?

22 MS. SO SOCHEAT:

23 A. I am So Socheat.

24 Q. Madam Socheat, how old are you?

25 A. I am 62 years old.

1 Q. Thank you. Where do you live?

2 A. I now live at Sola, Mean Chey "sangkat", in Phnom Penh.

3 [11.33.34]

4 Q. Thank you. What do you do - or rather, what is your
5 occupation?

6 A. I'm a housewife.

7 Q. What are your parents' names?

8 A. My father is So Chhim and my mother is Ream.

9 Q. What is your husband's name?

10 A. Khieu Samphan.

11 Q. Thank you. How many children do you have?

12 A. We have four children.

13 [11.34.33]

14 Q. Thank you, Madam Witness. As the wife of Mr. Khieu Samphan,
15 who is the accused in these proceedings, according to the
16 Internal Rules you are not asked to take the oath. Nonetheless,
17 because there is another accused person who involved in these
18 proceedings, can you tell the Chamber whether you are in any
19 relationship with Mr. Nuon Chea or other parties to the
20 proceedings?

21 A. I am not in any relationship with them.

22 Q. Have you taken the oath regarding your testimony concerning
23 Mr. Nuon Chea?

24 A. I have already taken the oath, Mr. President.

25 [11.35.38]

1 Q. Thank you. Now, the Chamber would like to notify you of your
2 rights under Rule 28, right against self-incrimination of
3 witnesses.

4 As a witness, you may object to making any statement that might
5 tend to incriminate you, in other words, you have the right not
6 to incriminate yourself. And we have coordinated with the WESU
7 unit to ensure that a duty counsel is provided to assist you. And
8 he is now sitting next to you.

9 So if you feel, in your response, you may self-incriminate, then
10 you may consult with your counsel before you respond to the
11 questions.

12 And as the witness, you will have to respond to all questions put
13 by the Judges of the Bench and parties to the proceedings. On top
14 of this, as the witness, you shall tell the truth, the whole
15 truth, nothing but the truth, the truth that relevant to your
16 knowledge.

17 Have you ever given any interviews to the investigators of the
18 ECCC during the past years?

19 A. No, I haven't.

20 [11.37.20]

21 MR. PRESIDENT:

22 Thank you.

23 We would like to now hand over to counsels for Mr. Khieu Samphan
24 to put some questions to the witness. And counsel for Khieu
25 Samphan and Nuon Chea will have half day for putting the

1 questions to witness. You may proceed.

2 QUESTIONING BY MR. VERCKEN:

3 Thank you, Mr. President.

4 Q. Good morning, Madam. I'd like you to tell the Chamber a little
5 bit about your social background. For example, you might tell
6 them what profession your parents had.

7 [11.38.18]

8 MS. SO SOCHEAT:

9 A. I am So Socheat. I was born in Kok Poun village, Srae Thum
10 commune, Rovieng district of Preah Vihear province. My father, So
11 Chhim (phonetic), and my mother, Ream (phonetic), they were
12 farmers. I was at that time a student.

13 Q. You've told us that your parents were farmers. Did they have a
14 large amount of land?

15 A. They had just enough for amount of land so that they could
16 make a living on the land. I could say that they had just enough
17 pieces of land for - that their living.

18 Q. How many brothers and sisters were you in the family?

19 A. I have nine siblings.

20 [11.40.10]

21 Q. And where did you come in this family, in what position?

22 A. I am the sixth child of the family.

23 Q. Can you tell the Chamber if you went to school and, if you
24 did, up to what age and what level?

25 A. I used to go to Rovieng Junior High School at Grade 5 when I

1 was there.

2 Q. What happened after that for the fifth year? Did you stop
3 going to school then? Is that right?

4 A. After that, I dropped and – yes, I quit.

5 Q. How old were you when you stopped going to school, and what
6 year did you drop out of school?

7 A. I was 18 years old when I dropped out of school. It was in
8 1969.

9 Q. Why did you stop studying, and what did you turn to once you
10 had finished studying?

11 A. After stopping my studies, I stayed home and helped my parents
12 with farming.

13 Q. And how many years did you spend helping your parents with the
14 farming?

15 A. It was about one year or so.

16 [11.43.45]

17 Q. And after that year had gone by, what happened next?

18 A. Then there was a coup d'état.

19 Q. And you're talking about the 1970 coup d'état, I take it.

20 A. Yes, that is correct.

21 Q. Can you tell us about the consequences on your life of that
22 coup d'état? I asked you how long you helped your parents, and
23 you said right up to the coup d'état, so can I ask you what kind
24 of link there was between that particular political event and the
25 way your life was going?

1 A. When the – the coup d'état happened during the time of war.
2 Life was not easy. It was no longer easy to cultivate rice for
3 our living. It is because fightings took place. Bombs were
4 dropped. That's all.

5 [11.45.49]

6 Q. Yes, madam. But my question is to find out about the
7 consequences of the coup d'état and the bombing on the war on
8 your own life.

9 You said that you stopped helping your parents in the fields
10 after one year, so what did you do after that?

11 A. In general, psychologically, I did not suffer great
12 consequence, but physically, we had some difficulties when it
13 comes to farming because we were afraid of doing farming because
14 of the war. That's all.

15 Q. So you stopped helping your parents with the farming; is that
16 correct?

17 A. I think by mid of 1970, we were provided with some education,
18 you know, offered some education or sessions and we were asked to
19 go into the jungle.

20 [11.48.05]

21 Q. Who was offering these education sessions and who suggested
22 that you go into the jungle?

23 A. First, there was a senior woman who came to us and gathered
24 some men and women in the village so that we could be brought to
25 a study session. I remember that senior lady as Yim.

1 Q. Can you tell us about the study sessions and what their
2 purpose was?

3 A. The purpose of the study session was that we were told that
4 then Prince Norodom Sihanouk was toppled by the coup d'état and
5 we had to fight to regain independence. And at that time, in
6 order for us to continue fighting for this, we had to engage in
7 revolution. We have to do - yes, we have to be involved in this
8 revolutionary movement.

9 Q. And the people who were saying this to you, what organization
10 did they belong to?

11 A. I did not know which organization she belonged to. I only knew
12 her by the name of Yim. Again, I had no idea who she belonged to
13 or which organization she belonged to.

14 [11.50.42]

15 Q. But you were being told to fight against the power of General
16 Lon Nol; is that correct?

17 A. Yes, it is.

18 Q. Did you join the movement at that stage? Did you do what they
19 were proposing you should do?

20 A. Yes, I did.

21 Q. And in what particular manner did you undertake a commitment?
22 Could you tell the Chamber about that?

23 A. We joined the movement first as some small groups had already
24 been established in the villages, including the self-help - or
25 rather, the mutual help women group and the mutual assistance

1 women groups were created. And there are – or there were other
2 groups, including the village messengers and transportation
3 groups.

4 [11.52.48]

5 Q. And what did you do, specifically, once you had taken the
6 decision to join the movement?

7 A. I was a village medic.

8 Q. Did you have any training to be a medic like that?

9 A. Some local doctors provided trainings for us and I attended
10 these medical training sessions with some doctors, including a
11 doctor by the name of Lin (phonetic).

12 Q. You've just said that you were a medic in the village. Are you
13 telling us that you stayed with your parents while being a member
14 of the movement?

15 A. Yes, it is correct. I still remained with my parents.

16 Q. Did you carry on that medical work in the village for a good
17 many years? Can you give us an idea of how long this phase of
18 your life lasted?

19 A. About three or four months before the end of 1970, the period
20 that I was engaged in this medical field.

21 [11.55.23]

22 Q. In these medical matters, did you end up giving medical care
23 to the local inhabitants or to combatants? What sort of people
24 came to you for care?

25 A. People who came for care were those who contracted malaria,

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1 diarrhoea, high temperature and we then would provide them with
2 the medicine or gave them some injection; that there was some
3 other nurses who would also be on duty to assist us.

4 Q. What sort of medical equipment was available to you? You've
5 told us about medicines. What sort of equipment might you be
6 called upon to use?

7 Madam, let me be a little bit more precise. Was this modern
8 equipment or are we looking at traditional medicines?

9 A. At that time, we had access to modern medicine already. We did
10 not use traditional medicine for treatment.

11 Q. You told us that you acted in this capacity for three months.
12 Now, what did you do after that?

13 A. I then joined a small group comprised of a village chief and
14 other people surrounding the offices, including male and female
15 workers. I joined the group to continue or resume my medical
16 work.

17 [11.58.29]

18 MR. PRESIDENT:

19 Thank you, Counsel, and thank you, Madam Witness. It is now
20 appropriate moment already for the adjournment. The Chamber will
21 adjourn until 1.30 p.m.

22 Court officer is now directed to assist the witness and her duty
23 counsel during the adjournment and have them returned to the
24 courtroom by 1.30 p.m.

25 Security personnel are now directed to bring Mr. Khieu Samphan

1 down into his holding cells and have him brought to the courtroom
2 by 1.30.

3 The Court is adjourned.

4 (Court recesses from 1159H to 1345H)

5 MR. PRESIDENT:

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

7 Once again, the floor is given to Khieu Samphan's defence to put
8 questions to the witness. You may proceed.

9 MR. KONG SAM ONN:

10 Mr. President, I seek your leave to wait for my international
11 counsel as his - we heard that we will have a 20-minute waiting
12 time, and he's gone to the office to pick up some documents.

13 (Short pause)

14 [13.48.14]

15 BY MR. VERCKEN:

16 Q. I'm sorry. Madam, we're going to continue with the questioning
17 from this morning and when we broke this morning, you said that
18 after you had been working as a medic, you joined a small group
19 of people led by a village head and then you resumed that medical
20 work.

21 Just to speed up on this exchange, can you just tell us exactly
22 when you met Khieu Samphan and in what circumstances?

23 MS. SO SOCHEAT:

24 A. After I joined the group and after the study session, Yim made
25 an announcement asking who would like to participate in the

1 resistant movement by going to the jungle. At that time, a lot of
2 us actually went with the person and my group was in a
3 preparatory stage in order to go along. And that was probably in
4 mid-1971 although I cannot recall the exact month. And we
5 prepared ourselves for the trip at the time.

6 [13.48.56]

7 Q. Very well. Let's continue with this theme, but before that let
8 me pick up on what you've just said to ask you something else.

9 Did you voluntarily join the movement against the Lon Nol regime
10 or were you obliged to do so? Were you compelled to do so or was
11 it your personal choice?

12 [13.51.19]

13 A. At that time, in fact, I did not know much. I only knew that
14 after the coup d'état, there was a war and I knew about the Lon
15 Nol government and the American imperialist. So in order to get
16 rid of them, we had to join the resistant movement and we were
17 not forced to join and we all volunteered to join. And that's all
18 what we knew before we joined the movement; that is, to liberate
19 the country and to regain independence for the country. And
20 essentially that's the context of our participation in the
21 movement.

22 Q. Along the same subject, you told us that you attended
23 meetings. Now, in those meetings, did people talk to you about
24 communism, political theories, communist theory? Was politics, in
25 general, brought up or did the meeting focus on other points and

1 if it did, what sort of points?

2 A. We attended a meeting. It was a study session and there were a
3 lot of us. They spoke – they did not speak about the revolution
4 or the socialist revolution; they only spoke about joining the
5 revolutionary movement to stand against the imperialist and the
6 Lon Nol government.

7 [13.53.25]

8 Q. In those days, the people who were conducting these sessions
9 called themselves Khmer Rouge; did they use that kind of
10 denomination for themselves?

11 A. No, at that time, there was no talking about the Khmer Rouge.
12 They used the word "resistant" -- that is, the resistance against
13 the imperialist.

14 Q. Let's come back to the way in which events occurred, leading
15 up to your meeting with Mr. Khieu Samphan. How did all that
16 happen on your side?

17 A. We prepared for the trip and there were a lot of us; in fact,
18 there were about 200 of us. We left Rovieng district in Preah
19 Vihear province and we went on foot. That was roughly in mid-1971
20 or in late 1971 as I cannot recall the month clearly and there
21 was – there were two people who actually led us to go to the
22 forest and then we reach a village by the name of Trapeang Thum
23 and it was near the Chinit River or Stung Chinit.

24 [13.55.38]

25 Q. And what did you do there?

1 A. We stayed and rested there for about three days. Then there
2 was a messenger who came and allowed us to move on and the rest
3 went, but I stayed behind. I stayed at the back for a few days.

4 Q. Please continue, Madam. I'm listening to your account. So you
5 stayed there and then what did you do? What - what were the jobs
6 you were given?

7 A. At the place where we stayed, the house owner also had a
8 number of pigs, so I actually gave food to the pigs. And after
9 that somebody came again and led us, so we followed the messenger
10 on foot and we reached Stung Chinit and then we crossed Stung
11 Chinit. And then we reach a place and we were told that was the
12 place of the leaders.

13 [13.57.36]

14 And then I was asked to cook for them and also to lend my hand
15 for the medical staff. So I stayed there for about two days and I
16 did the cooking. And there were about three or four people who
17 were there before I arrived and I did not see anybody else and I
18 stayed in the kitchen.

19 And three or four days later, the person who supervised the house
20 asked me to carry the meal and then I carries the meal from the
21 kitchen to the dining table; it was a pretty long distance. And
22 there I saw Pol Pot, Nuon Chea, and Khieu Samphan, but at that
23 time, I did not know he was Khieu Samphan; I only knew him as
24 Bong Hem or Brother Hem.

25 Q. So this place where you were cooking and people were bringing

1 you provisions, was this in a village? Can you perhaps describe
2 the surroundings a little?

3 A. The kitchen was situated in the forest. It was covered with -
4 or surrounded by thick trees.

5 [13.59.49]

6 And near the kitchen, a big pit was dug and this - the stove for
7 cooking meals were - was very traditional because they built a
8 kind of chimney where the smoke could be running through this
9 small chimney and tables would be put - wooden tables would be
10 placed so that people could sit facing one another when eating
11 meals. And the kitchen is rather big; it's about a hundred metres
12 long.

13 Q. A hundred metres long, that's what I heard; just the kitchen?

14 A. Well, I think that was not actually correct. It was - the
15 kitchen was not that long, but from the kitchen to the place
16 where we ate our meals, it was about a hundred metres.

17 Q. And was the building where you ate in brick?

18 A. It was a small thatched house; it's like a hut covered by
19 leaves. It's a wooden hut rather than a brick building. There is
20 no wall. There was a roof.

21 Q. Thank you.

22 Let us return to the meeting with Mr. Khieu Samphan. When you met
23 him, what happened? Was he introduced to you? Did he start
24 courting you? Can you please tell us how your relationship with
25 him started?

1 [14.02.56]

2 A. At that time, we did not get to know one another immediately.
3 I did not know whether he would propose a marriage, but about
4 three to four months later; Yim (phonetic) came to me and said
5 Comrade Hem would like to marry me and she asked whether I would
6 agree.

7 At that time, I didn't object to the proposal; nonetheless, I
8 asked her to give me some time to think about this because I had
9 just arrived to the place and I just got to know him. Perhaps it
10 would be good if I was offered some time to think about it and I
11 - that's what I told her; I needed some time. And it was a good
12 some time; it took me about half a year before the same woman
13 came to me again to ask me what had become of my decision.
14 And then he also - Khieu Samphan also came to me and he asked me
15 what I did, what I had for the meals. And every now and then he
16 would come to the kitchen and sometimes, he even offered to help
17 me with the kitchen work.

18 [14.05.03]

19 And I also asked him, indeed, because he offered some help -
20 asked him to help sort the beans or bean sprouts and then he
21 would leave and he would come back.

22 So after such proposal, I had to study him because I knew that he
23 was not a very young man at that time. I learned that he was an
24 intellectual and educated person and gentle. And every good thing
25 about him was told to me. And I had to also study his conduct and

1 activity to confirm such things.

2 So after that I would see him time and again. He came to help me
3 peel the garlic and other kitchen tasks during his free time and
4 that was the time I could also verify his personality.

5 And about a half year later, Yim (phonetic) came and asked me to
6 confirm because she said that Comrade Hem would like to know this
7 immediately. And she also told me that it was I who had to make
8 my own decision and I told her that I had been in the resistance
9 for some time and we understand - I understood him to be the
10 right man, proper man, so I finally decided to tie the knot and
11 then we married.

12 [14.07.26]

13 Q. How long after you gave your consent did the marriage take
14 place?

15 A. It was about a month or two after that the marriage was
16 organized for us.

17 Q. Who presided over the marriage? Was there a ceremony?

18 A. The ceremony was not very festive; only a few people at the
19 place would attend it. And there was no traditional music, no
20 Buddhist monks who would cite some dharma or in other words, the
21 marriage was very modest and simple. And people advised us to
22 just love one another; that would be more significant than having
23 a well-organized marriage. And I really was happy with the idea
24 because we had been in the resistance for quite some time. Food
25 was offered and just ordinary food offered for the - during the

1 ceremony. It took place for one day.

2 Q. I am sorry. I didn't hear the last part of the interpretation.

3 [14.09.39]

4 At the time of the marriage, did you know what Khieu Samphan's
5 real name was? Were you aware that his name was Khieu Samphan at
6 the time?

7 A. During the time when I got married, I did not know he was
8 originally called Khieu Samphan because he was an intellectual
9 and people didn't tell me he was Khieu Samphan by the name.

10 Q. How did you know that he was an intellectual? Did someone tell
11 you that? Are you using that expression from your own knowledge -
12 your own first-hand knowledge of him or someone else told you he
13 was an intellectual?

14 A. Madam Yim (phonetic) told me that Mr. Khieu Samphan was an
15 intellectual and he was single. He remained single although he
16 was at advanced age and he was clean; that's what I heard from
17 Madam Yim (phonetic).

18 Q. During that period, did you receive any information as to the
19 role played by Comrade Hem in the resistance movement which you
20 were a member of?

21 [14.11.47]

22 A. At that time, no one told me about this yet.

23 Q. Could you please situate in time; in other words, give us the
24 date of your marriage?

25 A. I am not a hundred per cent sure, but it could have been late

1 1972 or early 1973. It could have been the 24th or 25th of the
2 month. It's the 25th of 1972.

3 Q. Twenty-fifth of which month?

4 A. It was December.

5 Q. As from the time of your marriage, did you start living with
6 Mr. Khieu Samphan under the same roof?

7 A. After the marriage, we had to live together under the same
8 roof. Indeed, we had been living together in the house all
9 together since the marriage.

10 [14.14.12]

11 Q. Can you describe to us the conditions under which you lived?
12 After you got married to one another, you were still in the
13 jungle; what were the conditions of your living conditions? Was
14 it comfortable?

15 A. Since our marriage, a month - once every month, we had to
16 change our location because we would not risk being at one place;
17 otherwise, our whereabouts would be comprised. And we had to
18 sleep in a hammock on some occasions and we had to pack our meals
19 and we have to move places because we could not remain in one
20 particular place for a long period of time.

21 Again, we were on mobile and kept moving. Life in the jungle was
22 very hard because we did not have proper house shelter.

23 Q. As from the time of your marriage with Mr. Khieu Samphan, did
24 you continue to work in the kitchen or you had to do some other
25 work?

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1 (Short pause)

2 [14.16.42]

3 MR. PRESIDENT:

4 Madam Witness, could you please repeat because your message was
5 not conveyed.

6 MS. SO SOCHEAT:

7 Counsel, can you repeat that question, please?

8 BY MR. VERCKEN:

9 Q. Following your marriage with Mr. Khieu Samphan, was there any
10 change in your duties or you continued working in the kitchen?

11 MS. SO SOCHEAT:

12 A. I continued working in the kitchen after the marriage.

13 Q. Following your marriage, were you able to see Mr. Khieu
14 Samphan more often and if yes, what are the activities you were
15 able to observe him carrying out?

16 [14.17.53]

17 A. After the marriage, we remained together all along although we
18 had to move places. What I observed is that at home, he had to
19 remain seated at a bamboo table writing something; I just don't
20 know what he wrote.

21 Q. A while ago, you stated that you did not immediately know Mr.
22 Khieu Samphan's real name. Can you tell us when and how you got
23 to know his real name?

24 A. A few months later, when we were asked to receive Samdech
25 Sihanouk, perhaps in 1973 - and I don't remember the exact month

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1 - I also joined the group as a servant of the former Prince -
2 Prince Sihanouk. Then from that on, I knew his real name and I
3 was pleased because people joked at me because I didn't even know
4 my real husband's name, but that's the moment that I learned that
5 he was Khieu Samphan.

6 Q. Had you already heard the name Khieu Samphan in the past or it
7 was a name you had never heard before?

8 [14.20.14]

9 A. I had never heard his name before.

10 Q. Can you describe to us in broad terms Mr. Khieu Samphan's
11 character to us? In the immediate aftermath of your marriage with
12 him, what were his qualities; what were his weaknesses?

13 A. He's a person of good qualities because he is a very patient
14 person, very gentle, and he has no contradictions with one
15 another at work. He does everything all by himself. And his very
16 humble and gentle attitude inspires me and after the marriage
17 with him, I have still remember that he has never done anything
18 to hurt me mentally. He, on the contrary, has helped me greatly
19 during the difficult time; in particular, during the time when
20 our eldest child who was having great difficulty and he helped
21 during the time when I gave birth to our first child.

22 And upon returning from China, he had to spend about a month
23 being close to me to help take good care of our first child and
24 he remained with us all along.

25 And his character does not show that he could be a person holding

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1 senior position. He was very humble and modest.

2 [14.23.00]

3 And when on one occasion, for example-

4 Q. On what date was your first child born?

5 A. The first child was born on the 4th of May 1974.

6 Q. In describing Mr. Khieu Samphan's character, you stated a
7 while ago that he did everything alone. What do you know about
8 Mr. Khieu Samphan's work at the time?

9 A. I did not know what he was doing, but I noted that he would
10 sit down and write something.

11 Q. Did you see him meeting with other people often?

12 A. No, I didn't. I did not see meetings being conducted, but
13 there were people at work, for example, people who came to - from
14 the base who came to attend sessions or meetings. Then the
15 meetings would take place, but Mr. Khieu Samphan will remain at
16 home; I didn't see him going there.

17 Q. You also stated that after the birth of your first child, Mr.
18 Khieu Samphan was by your side supporting you. Was that something
19 normal for Khmer men to stay close by their wives who had just
20 had their baby?

21 [14.26.05]

22 A. At that time and so far as I know, such things would never be
23 carried out by Cambodian men because -- indeed it was a very
24 important or good gesture, but for many people they rarely be
25 close by their wives when their spouses gave birth. But Mr. Khieu

1 Samphan could do that and that on top of other things makes me
2 respect and love him dearly.

3 Q. For how long did you continue living in the forest as you
4 described it to us a while ago? Did you live in the forest or in
5 the jungle for a long period after the birth of your child? Can
6 you tell the Chamber for how long you continued to live in the
7 jungle after the birth of your child?

8 A. We had to remain in the jungle all along until Phnom Penh was
9 liberated.

10 Q. At the time of the liberation of Phnom Penh, do you remember
11 where exactly you were?

12 [14.28.10]

13 A. Before Phnom Penh had been liberated, we stayed at K-17 and
14 then we moved to B-20. A few months after that, we had to move to
15 Meak's office. I don't know where it was situated, but it was a
16 new office and I went there during my early days after giving
17 birth to my first child.

18 Q. And was Mr. Khieu Samphan with you at the time of the
19 liberation of Phnom Penh on the 17th of April 1975?

20 A. Perhaps before the liberation, he had left me. He left me
21 about 10 to 15 days because he told me that the liberation was
22 closing, so he would like to leave me first, but I did not know
23 where he would be going. And then I returned to B-17 with my
24 child.

25 Then one week after Phnom Penh was liberated, I left 17 for Sdok

1 Taol. I reached Sdok Taol at night when I met with him and we
2 spent overnight there. The next morning, he left me - left us in
3 the morning and I had to leave my child with So Hong's spouse by
4 the name of Chhoeun (phonetic) and after leaving my child under
5 the care of his - this person's spouse, I would then leave at
6 about noon and we reached the train station where I had to cook
7 for people there again.

8 [14.31.15]

9 And my child, at that time, was about one year or so and I had to
10 leave him behind although I had been breastfeeding him, but he
11 had to be left behind because I had to go and help other people
12 cook.

13 Q. So you've just told us that you reached the railway station;
14 which town are you talking about?

15 A. I cannot recall where it was located. I can only recall that
16 there was a big house, but I did not know where the railway
17 station was as I did not know Phnom Penh, but there was a
18 roundabout and I actually cooked under the house and there were
19 other - four or five other women who also worked in the kitchen.
20 So I actually cooked rice and those women helped with the
21 vegetable and I did the cooking.

22 [14.33.05]

23 Q. How long after you saw Khieu Samphan for one night in Sdok
24 Taol did you then go to that railway station?

25 A. He left for Phnom Penh in the early morning. As for me, I took

1 my child to So Hong's wife to look after. She was also at Sdok
2 Taol and after I left my child with So Hong's wife, I then left.
3 So, I left around 8 or 9 a.m., but he had left much earlier for
4 Phnom Penh and I arrived at the train station.

5 Q. You just told us that you didn't know where the station was at
6 the time you were there, but now with the benefit of hindsight,
7 can you, in fact, tell us where that railway station was?

8 A. I knew it was in Phnom Penh, but I did not know where it
9 actually located. Even now, I know it is located in Phnom Penh,
10 but I don't know which quarter or district it is located in.

11 Q. Thank you. So you told us that you became a cook, once again,
12 at that Phnom Penh station. Did you see Mr. Khieu Samphan there
13 once again?

14 [14.35.18]

15 A. No, I did not meet him there.

16 Q. So when did you see him again?

17 A. After I left the railway station, I went to K-2 and I met him
18 at K-2.

19 Q. And what was K-2?

20 A. I did not know what K-2 was. I actually stayed there probably
21 only for one day. I only went to rest there. I did not do
22 anything.

23 Q. How many days did you stay in the station before you left to
24 go to K-2?

25 A. I cannot recall it clearly, but it was probably one week or a

1 little bit over one week.

2 Q. And you said that you had a rest in K-2 and you met Khieu
3 Samphan again and what happened after that?

4 A. Later on, I went to the Silver Pagoda and I cooked rice there.
5 [14.37.46]

6 Q. Are you telling us that at the Silver Pagoda you resumed being
7 a cook?

8 A. Yes.

9 Q. Once you met up again with Khieu Samphan, did you start living
10 together once again?

11 A. At the Silver Pagoda, we did not stay together as spouse. I
12 actually stayed in the kitchen. The place was rather small and I
13 did not actually stay with him.

14 Q. How long did you stay at the Silver Pagoda preparing food and
15 afterwards, what did you do?

16 A. I stayed at the Silver Pagoda for some months, but I cannot
17 recall it clearly. It was probably till middle or late 1975, then
18 I went to K-1 which was located at the riverfront of - near - of
19 the Tonle Basak - Basak River.

20 Also, at K-1, I still worked in the kitchen; however, there were
21 other cooks as well at K-1.

22 Q. Did you start living together once again with Mr. Khieu
23 Samphan at K-1?

24 [14.40.21]

25 A. At K-1, I went to stay in his room. He was by himself and he

1 came down to visit my elder child. There was actually a hedge
2 cottage near the riverfront. He came to visit us; that is, me and
3 my child and then he asked me to go and stay with him in a house.
4 I cannot recall it was on the 2nd or on the 3rd floor and his
5 room was to the side on that floor. So I then took my son to stay
6 in his room.

7 Q. Can you describe the room for us; what furniture was? Was
8 there a bed?

9 A. There was nothing in that room; no bed, no mattress, not even
10 a pillow. We slept on a mat. The mat was laid on the floor and we
11 actually only have a clothes - a bag of clothes and we actually
12 use it as a pillow, so we stays there. I stayed there with my
13 son.

14 Q. As far as you are aware, what was K-1? What was its purpose?

15 A. To my understanding, K-1 was the workplace for the leaders. It
16 was big and it was surrounded by zinc fence and the compound was
17 huge. It was for the leaders to work there.

18 Q. The leaders worked there. Did they live there as well? Was it
19 also their dwelling place?

20 [14.43.36]

21 A. Leaders like Pol Pot, Nuon Chea, they lived there. And some
22 other people also stayed there.

23 Q. Who?

24 A. For example, those people who came to Phnom Penh from the
25 base. I did not know them all because I only knew that there were

1 a lot of people who came to that office because I had to cook a
2 lot.

3 Q. Can you describe to us the kind of meals that you cooked? Was
4 there a great abundance of food? Can you give us some idea of the
5 kind of dishes that you served?

6 A. At K-1, the food was not abundant; however, we had our
7 Cambodian soup. Usually there would be a dish of soup and then a
8 fried dish. That would be for guests who were leaders coming from
9 the base.

10 And at the time we said the food there was for the - the elder
11 group, but we had to be economical in preparing the food - in
12 providing the food because of the insufficient food we had, so
13 the food was ordinary.

14 [14.46.01]

15 Q. So how long did you live in K-1 for?

16 A. I cannot recall how many months I stayed at K-1. Later on, the
17 leaders - most of the leaders went to K-3 and like him, he left
18 for K-3 before me and that was probably in late 1975 or early
19 1976 because that was the time that I was pregnant for my second
20 child.

21 Q. You say that Khieu Samphan left before you, but did you go
22 back to meet up with him in K-3 or did you stay in K-1?

23 A. I left later because I only left after my delivery of my
24 second child; that was about two or three months after he had
25 left, then I moved to K-3.

1 MR. PRESIDENT:

2 Thank you, Counsel, and thank you, Madam Witness.

3 [14.48.05]

4 We will take 15 minutes break and return at five past three.

5 Court Officer, could you assist the witness during the break and
6 have her returned to the courtroom at five past three?

7 (Court recesses from 1448H to 1514H)

8 MR. PRESIDENT:

9 Please be seated. The Court is now back in session and without
10 further ado we would like to now hand over to counsels for Mr.
11 Khieu Samphan to proceed.

12 BY MR. VERCKEN:

13 Q. Thank you, Mr. President. Madam, before we go back to where
14 you stopped before the break, let us go back to the time when you
15 were in the forest, in the jungle.

16 [15.14.50]

17 At the time when you had your first baby, was Mr. Khieu Samphan
18 with you, that is on the day of the delivery of the baby?

19 MS. SO SOCEHAT:

20 A. During that time when I gave birth to my first child, he was
21 in China and about a month later, he returned.

22 Q. You went on to tell the Court that Mr. Khieu Samphan supported
23 you and was by your side. For how long did he stay with you?

24 A. Since the time he returned from China, he remained with me for
25 several months, four to five months perhaps because he stayed

1 with me in Office 17 and B-20; we remained together and we went
2 to Meak Office. We remained together then by the time we were at
3 Meak, Phnom Penh was close to be liberated.

4 [15.16.23]

5 Q. Madam, you also stated that for the four to five months that
6 he was with you, he took care of you. Can you tell the Chamber
7 exactly what you mean when you say that he took care of you?

8 A. This includes first, he helped washing the nappies; he helped
9 bring food for me and during the period of three months after
10 giving birth, he asked me not to walk places because he said that
11 if I didn't listen to him, I would end up having some back pain
12 or health implication when I got older. So he helped me to take
13 good care of the child and he could not leave me behind because
14 he knew that he would like me to be in good health and our child
15 to be in good health. He did not even ask me to fetch water. He
16 did that all by himself.

17 [15.18.05]

18 Q. Thank you. Let us return to what you were saying before the
19 break. You were saying that Mr. Khieu Samphan went to live at K-3
20 and you remained at K-1. You said that at a point in time, you
21 went to meet him at K-3. Did you actually go to meet him at K-3
22 or you remained at K-1?

23 A. At that time, I remained at K-1 and two months after giving
24 birth to our first child, I went to K-3 to meet him.

25 Q. Why did you not go to live with him at K-3 immediately? He

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1 left to go to K-3; do you have any particular reasons why?

2 A. I did not know the reasons why because the arrangement by the
3 Office was that we had to stay, then we had to stay. If we had to
4 move, then we had to move. I just don't know any other reasons
5 behind this other than what I said.

6 Q. So after two months, you went to K-3. What were living
7 conditions in that new location at K-3?

8 A. When at K-3, I saw my husband living in a wooden house. There
9 was no door. Even the steps for him to climb to the house were
10 broken and it was in bad shape, the house itself. At that time, I
11 did not live with him in the house because the house was too - in
12 too poor condition for human beings, for me also to live with him
13 and there was no proper door. So I said then I would need to live
14 with Nuon Chea's spouse which - who lived in a proper house than
15 that of Mr. Khieu Samphan. Mr. Nuon Chea's house, wife's house
16 was near the kitchen and I didn't, indeed - I didn't live with
17 Mr. Khieu Samphan in that poor house. A few months later I heard
18 Pol Pot order a house for us because he learned that I stayed in
19 that house and it was not proper so he would ask a house to be
20 built or to be arranged so that we could share it.

21 [15.22.02]

22 That house, the new house that was newly arranged for us was to
23 the north of that current poor house. Then we were asked to live
24 in that house together with my husband. It was difficult. The
25 food was not sufficient so we had some water, but we did not have

1 enough rice. I remember we sometimes had to eat bread and we had
2 to eat Khmer "kor ko" soup and "prahae" soup as usual; very
3 modest Khmer soup.

4 [15.23.16]

5 Q. From the time when you started living together again in the
6 new house with Mr. Khieu Samphan, I mean the new house, you said
7 was situated at K-3. Were there any improvements in your living
8 conditions; what I mean is that you said at K-1 you did not have
9 a bed, you slept on a mat. Was the situation any different at K-3
10 when you went to live with the new house that was built specially
11 for you and Mr. Khieu Samphan?

12 A. The house condition was decent, the new house. It was a brick
13 house, but there was no bed or mattress or mat. We had to sleep
14 on the floor; there was no proper table. My daughter felt stuffy
15 in the room and she at some point could not sleep the whole night
16 and my husband had to help make her sleep. Then we made a request
17 for a bed, if not a proper bed then a small wooden bed would be
18 fine because it was too warm in the house to sleep on the floor
19 directly. And then we were given this bamboo bed where we could
20 sleep. And my daughter felt that the room was too warm for her.
21 She kept crying all night. Then I made a request for a kind of
22 cradle where she could sleep.

23 [15.25.54]

24 And I had to make her sleep and my husband would help carry her
25 until she fell asleep and most of the time it was late, very late

1 at night. Sometimes it was at sometimes in the morning before we
2 could go to bed because we had to make our daughter go to bed
3 first and the life was very difficult. Life was not better in
4 Phnom Penh than what we experienced in the jungle.

5 Q. You have just talked about your daughter. How about your first
6 child, the one who was born in the jungle; was that child also
7 with you at K-3?

8 A. My son when he was three years old, about three years old, he
9 was asked to be in the children's unit. I did not want or we did
10 not want our kid to go there, but it was compulsory and other
11 children would be asked to stay at the children's unit and once
12 in a while, I would ask for permission to have my son be brought
13 to us so that we can be with him and then he would never want to
14 return, but we had no choice.

15 [15.28.06]

16 Q. Who had taken that decision, to send your son to that place?

17 A. The office. People at the office made the decision. So the
18 decision could have been made from the upper level, and my
19 husband had to follow the decision. I told him to delay sending
20 our kid to that place. We should wait until he was about four
21 years old or older than that. But my husband said the decision
22 was made by the upper level and he had no alternative, or he had
23 no option.

24 Q. You stated that initially, all the people at K-1 had gone to
25 live at K-3. Did you remain at K-3 with everyone else was there,

1 or there were any changes such that some people left to go
2 somewhere else?

3 A. In about four or five months that we stayed, Nuon Chea, Pol
4 Pot, and others, namely Ieng Sary and his wife, Son Sen and his
5 wife, Vorn Vet, and others whose names I can't recall, had left
6 K-3 and nobody else came. Only Nuon Chea, he, once in a while,
7 came and only my husband remained there.

8 [15.30.59]

9 Q. Madam, I'm sorry, but I have to ask you for details because
10 I'm not really grasping what you're telling us. This may be a
11 communication problem. We can check that. But what my question
12 is: Was that you, when you got to K-3 to join up with Khieu
13 Samphan - well, you said you lived with the wife of Nuon Chea; is
14 that correct, initially? You lived near the kitchens with Nuon
15 Chea's wife in K-3; is that right?

16 A. Yes.

17 Q. In this case, you came to K-3. Were there other leaders living
18 in that particular place?

19 A. When I arrived I saw all the leaders were there.

20 Q. How long did they stay? Did they stay there living until the
21 Vietnamese arrived? Could you elaborate on that a little, please?

22 A. Mr. President, I don't really understand the question.

23 [15.33.06]

24 Q. I can reword this, Mr. President.

25 Madam, I'm just trying to find out if you are telling us that the

1 leaders who you said were in K-3 when you arrived, to find out if
2 they stayed there for a long time.

3 A. They stayed at K-3 for four or five months, the most, and then
4 they had left. All of them had left. Only my husband remained.

5 Q. So where did they go? Did you know?

6 A. They went to their respective places as they had their own
7 office or ministry. To my understanding, they only stayed there
8 temporarily before their actual offices were organized. Nuon Chea
9 and Pol Pot went to K-1, as for the rest, they went to their
10 respective ministry. That's how I learned later on.

11 [15.34.45]

12 Q. You and Khieu Samphan stayed living in K-3 until when?

13 A. I remained staying with him until the arrival of the
14 Vietnamese.

15 Q. Can you tell us what the jobs were at K-3 that you had to do?

16 A. At K-3 my main role was to cook for my husband and to look
17 after my children. These are the two main tasks that I did there.

18 Q. And did you know what your husband spent his days doing?

19 A. Every day he was by himself and when I came to cook porridge,
20 or to clean the house, or to cook the food every day, he would
21 cuddle my middle daughter, bathe her, and then after he went down
22 to his workplace; and that was his daily routine, and he never
23 missed it.

24 [15.36.54]

25 I did not go to his workplace and at that time I did not know the

1 nature of his work. But my daughter went frequently to his
2 workplace with him, and she could speak some words at the time,
3 and sometimes she would come back and spoke some words like she
4 was pretending to be on the phone. She said, "No, no, no." And I
5 asked her what she was talking about because every time she
6 returned from her father's office she would pretend to speak
7 about something, and later on I learned that she heard people
8 speaking on the phone at the office. As people would ring and
9 request for goods to be delivered to the base and she just
10 imitated of what they were speaking on the phone.

11 So I was asking the people who worked there about the nature of
12 the work and I was told that it was kind of a warehouse where
13 goods were stored and goods would be delivered to the base; and
14 there were all kinds of goods including salt, rice, clothing,
15 cooking utensils, and by then I learned of what he worked with.
16 But before that I did not know the nature of my husband's work.
17 So that's how I came to know what he was working on.

18 [15.39.10]

19 So, sometimes after a meal, he would come to the house or he
20 would continue to go to work at his workplace.

21 Q. Did he often go away from K-3?

22 A. He did not go out frequently. To my knowledge, he went to K-1,
23 occasionally, and usually he would return for his meal.

24 Q. When he went away from K-3, did he take bodyguards with him?

25 A. No.

1 Q. How did he travel?

2 A. He had a Lambretta driver for him. It was a Lambretta and it
3 was kind of vehicle without the sidewall. He did not have any car
4 or any expensive vehicle.

5 [15.41.14]

6 Q. After the leaders left K-3, were there still a good number of
7 people working there? Was there a lot going on? Were there
8 offices with staff who came in every day to work? Was there a lot
9 of work going on in K-3?

10 A. At K-3, it was quiet. There was another family and she - her
11 name was Oeun (phonetic). She also had her young baby. As for the
12 guards, there were guards outside, but I did not know how many
13 guards there were, and inside I did not have many other people
14 with me. There were only a few.

15 Q. What does a few actually mean? Can you give us a more precise
16 range of the number of people who might have been there?

17 A. There was him and two other people who worked with him, and
18 the two who worked as a telephone receptionist at the store, and
19 there was myself, and there was another woman by the name of Oeun
20 (phonetic), and the rest there was none. But there were people
21 who were outside.

22 [15.43.33]

23 Q. And the ones outside were the guards, is that right?

24 A. I did not know, actually, the nature of their work. But yes,
25 they were likely guards.

1 Q. You told us that you stayed in Phnom Penh until the Vietnamese
2 arrived. At which point, did you leave the city or did you stay;
3 what happened exactly?

4 A. I delivered my - another child, and I left two days after my
5 delivery. At that time, he came to pick me up from the hospital
6 with Chhoeun (phonetic) and then I was put on the train on the
7 4th. I actually delivered my baby on the 2nd. I left in the
8 afternoon but I cannot recall exactly the exact date that I left.
9 It could be the afternoon of the 6th, because I actually
10 delivered my baby on the 4th, and by the afternoon of the 6th, he
11 came to pick me up with Chhoeun (phonetic) from the hospital and
12 put me on the train with my two other children as we had to pick
13 them up from the childcare. And I was only two days delivered -
14 after my delivery of the baby, and he told me that he would also
15 leave that night when he put me on the train.

16 [15.46.22]

17 So I went on the train and I did not see him, and then we reached
18 at Angk Romeas and there was no further track for the train. Then
19 So Hong saw me and picked me up and took me to Battambang. I had
20 a fever and I felt unconscious and I woke up in the morning and
21 later on I continued my journey to Svay, and probably by the
22 11th, the 12th, or the 13th, Vietnamese arrived and then we fled
23 from Svay by - on foot, and we walked to the border and my young
24 son who was seven months died at the border, and during this
25 period of time I did not meet him even when my child died. He was

1 not there.

2 Q. Madam, coming back a little bit, I'd like to ask you if you
3 know the name Doeun?

4 A. Only when I came to K-3, I saw him and he was there. And he
5 did not stay there permanently; he went in and out for the - the
6 - for the - the month that he stayed and then he left. I never
7 spoke to him and I did not know much about him, but indeed I saw
8 him there.

9 Q. Did you know what his work involved in K-3?

10 A. No, I did not.

11 [15.49.30]

12 MR. VERCKEN:

13 Mr. President, I have no further questions.

14 Thank you, Madam.

15 MR. PRESIDENT:

16 Thank you.

17 BY MR. VERCKEN:

18 Q. I do have one more question, madam, one final thing, please.

19 Could you please tell the Court why you have come here today?

20 Your husband is accused of extremely serious crimes and I think
21 your presence here shows that you support him, but would you like
22 to say a few words to tell the Chamber the reasons for your
23 support?

24 MS. SO SOCHEAT:

25 A. I would like to inform Your Honour, Mr. President, that I am

1 here today in order to show Your Honours that despite my husband
2 is being charged for those offences, personally, I'd like to show
3 Your Honour that my husband is a person whom I know very well.
4 He's kind, gentle. He's non-discriminatory. He does not
5 discriminate between the poor or the rich; he's be friends with
6 anyone, and this despite all the difficulties living in the
7 jungle for the periods that I stayed with him together as husband
8 and wife.

9 [15.51.47]

10 My husband is an honest person and I trust him despite all the
11 charges against him. I solemnly declare as his wife that what I
12 see is different from what other people might see. I went through
13 all the difficulties, all the hard living condition in the
14 jungle. Sometimes we had to flee; we had to crawl; until the time
15 we could have a house after the liberation. It was not an easy
16 life like some people might say.

17 If my husband is compared to other men, to me he's the best. He
18 is a man of virtue, of high morality. He never upsets me by any
19 act and he is very faithful.

20 He has no privileges in anything. We did not have anything
21 expensive in the house. Even while other - other leaders had good
22 cars, nice houses, my husband never enjoyed that kind of life.
23 And that's the kind of trust that I have placed upon my husband.
24 He's not a cruel person. He's not a murderer, not the one who
25 went around making any arrest, and I put my life on that before

1 you. And that's what I saw with my own eyes.

2 [15.54.05]

3 And I went through all the hardship, difficulty with him. And
4 during the three-year period, we - we had gone through a lot of
5 misery together with my young children and he understands the
6 hardship as a woman with young children. And of course I
7 understand the - the victims who were evacuated, who had to work
8 hard at the work sites, who were starved, who were deprived of
9 food and water. I went through the same difficulty. And why it
10 happened and I'd like Your Honours to - to look through all that.
11 And once again, I can say with confidence before Your Honours that
12 my husband is an honest person. He's not the one who committed
13 any degrading act or who was greedy for rank or promotion. He's
14 not that kind of person.

15 [15.55.23]

16 He has lived an ordinary life even before 1975, after the
17 liberation of 1975, as I have stated before Your Honours.

18 And even after the arrival of the Vietnamese, I had not met him
19 even for once until 1982 or 1983 and I only met him briefly and
20 then we separated again.

21 Q. Madam, I have a last question picking up on what the President
22 asked you at the very start of this hearing because he said to
23 you what is your work now and you said you were a housewife.
24 Well, can you just supplement that by explaining to us how you
25 live today on the basis -- with what income?

1 MR. PRESIDENT:

2 Witness, please wait.

3 The prosecutor, you may proceed.

4 MR. RAYNOR:

5 Mr. President, this question is entirely irrelevant to any of the
6 issues that have to be judged in this case. It's not relevant to
7 Khieu Samphan's character and it's not otherwise relevant to any
8 other issue and for that reason, I object on the grounds of
9 relevance alone.

10 [15.57.13]

11 MR. VERCKEN:

12 If I can reply, Mr. President, I think that the prosecutor's
13 objection is unfounded. I do think that it's important for your
14 Chamber to understand how the person who is closest to Mr. Khieu
15 Samphan, his wife, lives today, what her resources are. It's a
16 very simple question and I imagine the answer will take a few
17 seconds to give, so I do believe that that's a question that can
18 be asked and that it does concern the character of my client.

19 (Judges deliberate)

20 [15.58.13]

21 MR. PRESIDENT:

22 The objection and ground for the objection is valid as the
23 question is not related to the character of the Accused -- that
24 is, the living condition of the witness.

25 So Witness, you are not instructed - you are now instructed not

1 to respond to the last question put to you.

2 Thank you, Madam So Socheat.

3 The proceeding today has come to an adjournment. The Court is now
4 adjourned and resume tomorrow, Tuesday 11th, starting from 9 a.m.

5 And for tomorrow's proceeding -- that is, for the morning
6 session, we will continue to hear your testimony who will be
7 questioned by the Prosecution and by the Lead Co-Lawyers, and if
8 time is allowed, it will be Nuon Chea's turn.

9 And for the afternoon session, the Chamber will hear the
10 testimony of a witness -- that is, TCW-648.

11 The information is for the parties and all for the support staff
12 and the general public.

13 And Madam So Socheat, the hearing of your testimony is not yet
14 concluded and we will continue to hear your testimony tomorrow
15 morning; hence you are invited to return tomorrow morning to
16 continue your testimony starting from 9 a.m.

17 [15.59.55]

18 Court Officer, in collaboration with WESU, please assist this
19 witness for her to return to her place of residence and have her
20 returned to the courtroom tomorrow morning at 9 a.m.

21 And likewise, Duty Counsel, you're invited to return tomorrow.

22 Security guards, you're instructed to take the accused, Nuon Chea
23 and Khieu Samphan, back to the detention facility and have them
24 returned to the courtroom tomorrow morning before 9 a.m.

25 For Nuon Chea, you are instructed to take him to the holding cell

1 downstairs so that he can participate the proceeding through a
2 remote means.

3 The Court is now adjourned.

4 (Court adjourns at 1600H)

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