



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

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង  
Trial Chamber  
Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

10 February 2015

Trial Day 241

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

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KHIEU Samphan

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UCH Arun  
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MS. ELIZABETH BECKER (2-TCE-97)

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**List of Speakers:**

Language used unless specified otherwise in the transcript

<b>Speaker</b>	<b>Language</b>
MS. BECKER (2-TCE-97)	English
JUDGE FENZ	English
MS. GUIRAUD	French
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
MR. KOUMJIAN	English
JUDGE LAVERGNE	French
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. SENG LEANG	Khmer

1 PROCEEDINGS

2 (Court opens at 0902H)

3 MR. PRESIDENT:

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

5 And before we hand the floor to the International Co-Prosecutor,

6 Ms. Se Kovulthy, could you report the attendance of the Parties

7 and individuals to today's proceedings.

8 Do we have any translation issues? There seems to have no

9 translation output. Can you check, the court officer?

10 [09.03.48]

11 (Speaking Khmer)

12 (No interpretation)

13 (Short pause)

14 [09.07.10]

15 MR. PRESIDENT:

16 The Greffier, Se Kovulthy, please report the attendance of the

17 Parties.

18 THE GREFFIER:

19 For today's proceedings, all Parties to this case are present. As

20 for Nuon Chea, he is present in the holding cell downstairs as he

21 waives his direct presence in the courtroom. His waiver has been

22 delivered to the Greffier. The expert, Ms. Elizabeth Becker, is

23 present in the courtroom. Thank you.

24 MR. PRESIDENT:

25 Thank you, Ms. Se Kovulthy. The Chamber will now decide on the

2

1 request by Nuon Chea. The Chamber has received a waiver from Nuon  
2 Chea not to be present in the main courtroom. It is dated 10  
3 February 2015. He states that due to his health condition - that  
4 is, back pain, dizziness and cannot concentrate for long and in  
5 order to effectively participate in the future hearings, he  
6 requests to waive his right to participate in and be present at  
7 the 10th February 2015, hearing.

8 [09.08.25]

9 Nuon Chea has been informed by his counsel about the consequence  
10 of this waiver, that it is in no way be construed as a waiver of  
11 his rights to be tried fairly or to challenge evidence presented  
12 or admitted to this Court at any time during his trial. The  
13 Chamber also has seen the medical report by the duty counsel of  
14 the ECCC, dated 10 February 2015, who notes that the health  
15 condition of Nuon Chea remains unchanged but he has - he feels  
16 dizzy, he has backache and cannot sit for long, therefore he  
17 recommends that the Chamber shall allow Nuon Chea to follow the  
18 proceedings from a holding cell downstairs. Based on this  
19 information, and in pursuant to Internal Rule 84.5, the Chamber  
20 grants Nuon Chea's request to follow the proceedings from the  
21 holding cell downstairs via an audio visual means for today's  
22 proceedings.

23 As he waives his right to be present in the main courtroom, the  
24 AV unit, you are instructed to link the proceedings to the  
25 holding cells downstairs so that Nuon Chea can follow the

3

1 proceedings and that applies for today's proceedings.

2 The Chamber will now hand the floor to the International  
3 Co-Prosecutor to put further questions to this expert. You have  
4 the floor.

5 [09.10.09]

6 QUESTIONING BY MR. KOUMJIAN RESUMES:

7 Thank you, Mr. President and good morning. Good morning, Your  
8 Honours. And good morning, Ms. Becker. I'd like to begin by  
9 asking you to look again at a document that Judge Lavergne had  
10 you look at and that is E333.1. That could be - please, Your  
11 Honour - Mr. President, may the witness be given a copy of that.

12 MR. PRESIDENT:

13 Yes you can do so.

14 [09.11.04]

15 BY MR. KOUMJIAN:

16 Ms. Becker, I believe yesterday you said you had seen this  
17 document some years ago and had - or were familiar with it. In  
18 the second paragraph, you recall it says:

19 "The American journalists, especially the woman, mostly  
20 photographed what was bad, such as children working at the  
21 traditional medicine producing office in Kampong Cham, naked  
22 children, children walking in lines from the rice paddy wearing  
23 ragged clothes."

24 Q. Does this refresh your recollection about the document we're  
25 talking about?

4

1 [09.11.49]

2 MS. BECKER:

3 A. Yes.

4 Q. And I'd like to focus on a couple of other points. First, the  
5 fourth paragraph of that document. In the document, in the fourth  
6 paragraph, going down five lines, it says that the British  
7 Professor asked about - and perhaps, just so that my  
8 pronunciation does not distort anything, I'll ask my colleague,  
9 Mr. Seng Leang, to pronounce the two names.

10 MR. SENG LEANG:

11 It's Chao Seng and Phok Chhay.

12 BY MR. KOUMJIAN:

13 Q. Ms. Becker, did you know either of these individuals?

14 MS. BECKER:

15 A. I don't believe so, no. I think they are the students, aren't  
16 they?

17 Q. No, perhaps I - perhaps this will trigger your memory. If not,  
18 again, any time you're not sure of something or don't know the  
19 answer, just say so, but there is a document on the case file  
20 Your Honours, and that is E3/1340 which is a statement of Mr.  
21 Chao Seng. It lists him as a member of Parliament of the GRUNK -  
22 excuse me, of FUNK coalition and special envoy to Europe of the  
23 Cambodian Head of State. Were you familiar with the man with that  
24 title? And that is dated the 30th of April 1975, that document.

25 [09.13.55]

5

1 A. No.

2 Q. Your Honours, - do you recall Ms. Becker, Mr. Caldwell asking  
3 about these individuals?

4 A. No.

5 [09.14.16]

6 Q. For the record, Your Honour, I would like to just draw  
7 everyone's attention to some other documents on the case file and  
8 that is D120, English ERN 00242931; and D88, English ERN  
9 00195605. And these are statements by Duch to the Office of  
10 Co-Investigating Judges where he described how Chao Seng was  
11 arrested per instructions from Son Sen and Nuon Chea. And I would  
12 like to also mention E3/1878, which is the S21 confession of Phok  
13 Chhay, alias Touch, and D108/2686, English ERN 00873461. It's  
14 entitled - it's from S21 entitled 'Names of prisoners smashed on  
15 6 July 1977, and Phok Chhay, alias Touch, is number 123 on that  
16 list, which is dated 14 March 1977. Do you recall, during your  
17 trip, if any of the individuals you asked about, you were told  
18 that they'd been arrested or had been told that they had been  
19 killed?

20 A. No, we were never told if anyone had been arrested or killed  
21 or had died.

22 [09.16.30]

23 Q. Now, turning to paragraph six, on page four of that document,  
24 the second sentence or second sub-section of paragraph six  
25 indicates:

6

1 "The two American journalists clearly serve the American  
2 government and the CIA as we have precisely identified."  
3 Ms. Becker, did anyone during that trip accuse you of being a  
4 member of the CIA? Or serving the CIA?

5 A. No.

6 Q. Now, is it -- it is a fact, is it not, that you had previously  
7 written quite critically about the American role in the war in  
8 Cambodia?

9 A. Yes.

10 Q. Mr. Dudman, who is the other American journalist on the trip,  
11 had also written very critically about the American role in the  
12 wars in Southeast Asia, in Vietnam and particularly in Cambodia.  
13 Is that correct?

14 [09.18.08]

15 MR. PRESIDENT:

16 Madam Expert, please wait. And Counsel Kong Sam Onn, you have the  
17 floor.

18 MR. KONG SAM ONN:

19 Thank you Mr. President. I'd like to object the question put  
20 forward by the Co-Prosecutor. He should rely upon a precise  
21 article or document that he refer to in his questioning. Thank  
22 you.

23 BY MR. KOUMJIAN:

24 Mr. President, I'm happy to adopt the suggestion of counsel. Ms.  
25 Becker, Mr. Dudman in particular had written a small book, '40

7

1 Days With the Enemy', which he published in 1971, discussing a  
2 period of captivity where he was held for about - well I guess 40  
3 days - he was held for 40 days by opponents of the Lon Nol regime  
4 and actually, if you read the book, they were Vietnamese forces  
5 with Khmer Rouge cadres included. Is that correct? That he had  
6 written that book? If there's any part of that that you're not  
7 sure of, explain.

8 [09.19.34]

9 MS. BECKER:

10 A. No. Yes. I've read the book and yes.

11 Q. And would you - how would you describe how the book treats the  
12 American involvement in Cambodia - the American military invasion  
13 at that time of Cambodia?

14 A. I would say that Richard Dudman criticises the US involvement  
15 in the war in Cambodia as a continuation of the mistakes made in  
16 - by being involved in the war in Vietnam.

17 [09.20.22]

18 Q, Just a bit more then, on this, as we're talking about Mr.  
19 Dudman and your own background, I want to talk a little bit more  
20 about your selections for this trip. The Washington Post, which  
21 you worked for then, how would that be described in the hierarchy  
22 of American newspapers at that time?

23 A. It was definitely one of the most important newspapers. It was  
24 just the Watergate - it was the paper of - newspaper of Watergate  
25 and the Watergate investigations led to the resignation of

8

1 President Nixon. It was the paper - it is the paper of the  
2 capital of the United States and under publisher, Katharine  
3 Graham and editor, Ben Bradlee it rose to the top ranks.

4 [09.21.26]

5 Q. Mr. Dudman, at that time, worked for another newspaper out of  
6 St. Louis, I believe, is that correct?

7 A. Yes. The St. Louis Post-Dispatch.

8 Q. And how would you describe that newspaper as far as the many  
9 newspapers that appear in the United States - how it would rank  
10 if you know?

11 A. It's a very good regional newspaper. It is not a national  
12 newspaper. Richard Dudman, because of his long service in  
13 Washington writing about American foreign policy, had a profile  
14 higher than the newspaper.

15 [09.22.26]

16 Q. Thank you. Now, Malcolm Caldwell, in your book at page 420,  
17 the English ERN is 00238133; in French it's at page 409, French  
18 ERN 00638669; and in Khmer, page 556 00232554; you wrote  
19 "Caldwell saw himself as a friend of all poor revolutionaries -  
20 Vietnamese, Thai and Cambodian."

21 MR. PRESIDENT:

22 I think there is a technical issue with the interpretation  
23 system. Court officer, could you check it with the ITU?

24 (Short pause)

25 [09.24.31]

1 The International Co-Prosecutor, you may continue, and please  
2 repeat your last question since there was no interpretation. And  
3 please be reminded that when you refer to a document number or  
4 ERN number, please do it slowly and if possible do it twice.

5 Thank you.

6 BY MR. KOUMJIAN:

7 Thank you. Ms. Becker, I am going to read a very short sentence  
8 that you wrote in your book "When the War was Over" - that's,  
9 E3/20 and it appears at page 420 in English, the English ERN  
10 00238133; in French it appears at page 409, and the ERN is  
11 00638669; in Khmer it appears on page 556, the ERN is - excuse me  
12 - 00232554. You wrote; "Caldwell saw himself as a friend of all  
13 poor revolutionaries - Vietnamese, Thai and Cambodian - and he  
14 was extremely upset at the prospect of war between Cambodia and  
15 Vietnam."

16 Q. Is that what you wrote about the man who was killed the last  
17 night of your visit?

18 MS. BECKER:

19 Yes.

20 [09.26.35]

21 Q. At that time of your visit, late 1978, was there one country  
22 that was an ally - an absolutely critical ally - to any military  
23 prospects for Cambodia in any potential conflict with Vietnam?

24 A. Yes, China.

25 Q. Were there Chinese in Phnom Penh, to your knowledge, at the

10

1 time of your visit?

2 A. Yes, in fact, as I said, we came - the only way to come to  
3 Cambodia was through China. We came on a Chinese airline and the  
4 majority of the people in the plane were Chinese. The Chinese  
5 Embassy was large. The Chinese presence was palpable.

6 Q. In your understanding of the situation, would anything that  
7 disrupted relations between China and - and Cambodia, such as the  
8 murder of a Chinese official in Phnom Penh, have been very  
9 damaging to Cambodia's military prospects?

10 A. That's a little hypothetical. I can't answer that.

11 MR. KOUMJIAN:

12 Thank you and I appreciate it. I don't want you to speculate.

13 MR. PRESIDENT:

14 Defence Counsel Kong Sam Onn, you have the floor.

15 [09.28.32]

16 MR. KONG SAM ONN:

17 In fact I wanted to object to the question but the expert already  
18 replied. Thank you.

19 MR. PRESIDENT:

20 Thank you and the International Co-Prosecutor, you may continue.

21 MR. KOUMJIAN:

22 Thank you, Your Honour. I would point out the witness is an  
23 expert so I am allowed to ask her to draw inferences and opinions  
24 from facts but I appreciate that if she is unable to do so, she  
25 should not. Let me move on. I'd like you to look at your - at the

11

1 - I don't know if we have a copy, of the notes that you took  
2 during your trip - that's, E3/1171. Mr. President, could we have  
3 the witness have an opportunity to review her notes? I have a  
4 copy if she needs one.

5 [09.29.47]

6 MR. PRESIDENT:

7 Yes, you can proceed with that.

8 BY MR. KOUMJIAN:

9 So, Ms. Becker, this is E3/1171. I'm going to ask you about  
10 something that appears in English at ERN - and you'll see these  
11 numbers stamped on the top left - on the top left it should be  
12 stamped 0087871; in Khmer the ERN is 00726621; and in French the  
13 ERN is 00764046. Just for context, you may look at the preceding  
14 page, but is it correct, looking at this page - that is, ERN that  
15 ends in 871, you're discussing your visit to the 6 January Dam?

16 MS. BECKER:

17 A. Yes.

18 [09.31.40]

19 Q. And it appears, is it correct, that here you're repeating some  
20 information that you were told in the first paragraph? Is that  
21 correct?

22 A. Yes.

23 [09.32.00]

24 Q. Who was telling you this? Do you recall?

25 A. On the next page, I write 'the cadre speaking was Mit, Comrade

1 Chhi, she who is 26 years old'. That would be on your 871.

2 Q. So on page 871, the page it appears that you have numbered 7  
3 just above it or 17 - it seems to be cut off in my copy - the  
4 sentence, the third line down, it indicates - I'll read it and  
5 you tell me if it's correct: 'took 2,000 people to build water  
6 gate, 20,000 people to build dykes and canals'. Have I  
7 interpreted your short-hand correctly? Is that what you wrote?

8 [09.33.10]

9 A. Yes.

10 Q. Now, when you visited the site, was work still going on?

11 A. Yes, repair work.

12 Q. Going down to the second-to-last paragraph, again I'll try to  
13 read your shorthand, you wrote: "When I went to take pictures, a  
14 picture of soldiers at the water gate, they ran away, taking  
15 their arms. Cadre refused to acknowledge there were soldiers,  
16 much less how many or why they were needed to guard the dam." Did  
17 I correctly interpret what you wrote?

18 A. Yes.

19 Q. So, on this work site which included apparently, to what you  
20 were told, the labour of thousands of people, there were armed  
21 soldiers. Is that correct?

22 A. Yes.

23 Q. Now, during - do you recall being told during your visit about  
24 whether people in cooperatives were free to leave the  
25 cooperatives?

1 [09.35.07]

2 A. No, we were not told that they were free to leave the  
3 cooperatives.

4 Q. Were you told anything about a system about controlling the  
5 movements, that you recall?

6 A. There - Because I would go out without their permission, they  
7 did talk about - when they told me to go back, they talked about  
8 security considerations, and the requirement to have permission  
9 to leave.

10 MR. KOUMJIAN:

11 Can I have just one moment, Your Honour?

12 Thank you. I'll move on at this time.

13 [09.36.43]

14 BY MR. KOUMJIAN:

15 Q. It was mentioned yesterday that there were requests to see  
16 Sihanouk, and those were denied. Correct?

17 MS. BECKER:

18 A. Yes.

19 Q. Did they indicate - did anyone indicate to you, where Sihanouk  
20 was?

21 A. That he was occupied. He was busy.

22 Q. It was also mentioned that you had asked to see Hu Nim and Hou  
23 Youn. What was the response, as best you recall, to your request  
24 to see them, these fellow Three Ghosts along with Khieu Samphan?

25 A. The request was ignored.

1 [09.37.54]

2 Q. I'd like to go back for a moment to the interview you gave  
3 with Ieng Sary, since we're just talking about the cooperatives,  
4 something actually I should have probably covered yesterday. If  
5 the witness could be given the copy of her interview with Ieng  
6 Sary? I believe she has it.

7 If you go to the last page of that document. On the last page,  
8 and this is, Your Honours, E3/94. It's at ERN in English  
9 00342504; in Khmer, the ERN is 00578899; and in French, 00602002.  
10 You asked a question: "This was your system of justice?" And the  
11 answer from Ieng Sary, according to these notes, was:

12 "In 1975, at the evacuation of cities, town, we didn't separate  
13 the people by base or network. But there was confusion. In 1976,  
14 then we began to divide the people. There was great confusion in  
15 1976. Even people who were Base People, for a long time were  
16 accused of being agents. The first to divide people in categories  
17 were So Phim and Nhim Ros. It was not ordered from the top to the  
18 bottom. Pol Pot didn't order the division into categories."

19 [09.40.20]

20 "Later on, in a meeting of leadership in 1976, this division was  
21 accepted by the leadership. Collectively it was decided. Two or  
22 three opposed it, but we didn't want a split. As chairman, Pol  
23 Pot summed it up collectively. At that time we divided it up: 1.  
24 people of the base; 2. poor people from the cities; 3. people who  
25 supported Lon Nol."

15

1 Q. Do you recall Ieng Sary giving you that answer?

2 A. Yes.

3 Q. Now, in your interviews with refugees during the time of  
4 Democratic Kampuchea -- since the fall of Democratic Kampuchea,  
5 with those who lived through the regime, have you learned about a  
6 division of individuals by the regime into categories?

7 [09.41.41]

8 A. Yes.

9 Q. Did Ieng Sary, or anyone - First of all, did anyone else on  
10 your trip discuss with you this division into categories?

11 A. Yes, we talked about it generally, in a sort of  
12 non-ideological way. We always talked about Old People, New  
13 People, people from the city going out to the collectives, the  
14 co-ops.

15 Q. What was the difference, when people are divided into  
16 categories, what was the purpose of that? Were they treated  
17 differently?

18 A. Yes, it was a system of privileges and the New People were -  
19 were treated much more poorly than the old people, in terms of  
20 the food, the amount of labour. All sorts of ways. It was a  
21 hierarchy.

22 Q. In classic Marxism as I understand it, I'm not an expert, poor  
23 people from the cities, the proletariat, would be the actual -  
24 actually, the base of a Communist party. Why was it that poor  
25 people were listed in this list, if you know, behind Base People?

16

1 Why was it the fact that poor people were divided by whether they  
2 were from the countryside or from the cities?

3 [09.43.32]

4 A. Within this context, and in the last years of the war,  
5 beginning with the US bombing, and then the intensification of  
6 the war between the Khmer Republic and the Khmer Rouge, the  
7 population of Phnom Penh doubled, tripled, so that the population  
8 of the city was not necessarily city-dwellers. The city became a  
9 very mongrel version of itself, so that when you talk about  
10 people leaving the city, going into the countryside, you're  
11 talking often about people who were displaced from the rural  
12 areas during the war, and then were only temporarily in the city.  
13 That would be the context.

14 Q. Ms. Becker, as someone who was in Cambodia, 1972 to 1974, you  
15 saw the influx of people from the countryside to the cities, to  
16 Phnom Penh. Correct?

17 A. Yes.

18 [09.44.41]

19 Q. And I presume that they came for a variety of reasons. Can you  
20 explain some of the reasons that people left their villages and  
21 came to Phnom Penh?

22 A. Well, as I said, the first huge infusion was because of the  
23 American bombing. It would be hard to exaggerate the tonnage  
24 dropped, and the amount of villages destroyed, land destroyed.  
25 So, the first part of - until the bombing ended on August 15th,

1 1973, there's little doubt that most of those refugees came  
2 fleeing the bombing, fleeing the destruction. And in most of our  
3 interviews with the refugees, they talked about the bombing. They  
4 talked about - they had no place to go. They didn't know where  
5 they would be safe, except in the city.

6 Q. Now, at some point, you mentioned the bombing ended. The  
7 refugees, did they continue to come? The American bombing ended,  
8 I should clarify.

9 A. Well, there wasn't much bombing other than American. The Khmer  
10 Republic had a very small air force, and what they did was  
11 nothing compared. Yes, and this had to do with - the country was  
12 being severely divided by the armies, and the Cambodians were  
13 fleeing into the city for supplies. There were - there was the  
14 beginning of refugees fleeing the Khmer Rouge zones. There was  
15 clear division - this is when we were beginning to get a sense of  
16 the difference in the Khmer Rouge zones. But you know, some were  
17 fleeing the Khmer Rouge zones, some were finding relatives, and  
18 the majority, easily the majority, were simply fleeing fighting.  
19 There was a - there was a considerable lack of political  
20 understanding about what this war was about. Not taking sides,  
21 just simply avoiding the fighting.

22 [09.47.19]

23 Q. You mentioned some of these people fleeing Khmer Rouge zones.  
24 Did any of them discuss why they fled the Khmer Rouge zones?

25 A. The - the testimony that was the most complete and convincing

18

1 on this, was a book by a man named Ith Sarin, called "Regrets of  
2 the Khmer Soul". This was published in '72, '73 probably, and  
3 very popular in the city. It showed Cambodia's map, with the  
4 Mekong making a broken heart. And it - he was, I think, a school  
5 inspector. We discussed it in my interview with Ieng Thirith. I  
6 wrote a big piece about it. It was the first, almost diary-like,  
7 discussion of what was going on in the Khmer Rouge zone. The lack  
8 of rights, the hard work, and at the same time, a respect that  
9 they weren't - that the peasants weren't going to be cheated the  
10 way they were cheated with the old system. But this is one of the  
11 first times where you had the notion of the pineapple with the  
12 eyes that can see everything.

13 [09.48.40]

14 So, it was the first sense of the authoritarian, police-state  
15 nature of the zones, with some of the corresponding attraction  
16 vis-a-vis the corruption of the Khmer Republic. That is - that  
17 was a lot of what it was, that you know, you didn't want to join  
18 the authoritarian nature of the zones. But again, this was a --  
19 one of the best sophisticated documents open to the public. When  
20 you did discuss it with the refugees, the lack of - of a  
21 political basis for fleeing was notable. It was simply fleeing  
22 the fighting.

23 Q. Before the fall of Phnom Penh to the Khmer Rouge in April  
24 1975, did the Khmer Rouge and the FUNK-GRUNK forces broadcast  
25 over the radio appeals to the people of Phnom Penh? Do you recall

1 that, or not?

2 [09.49.52]

3 A. Yes.

4 Q. What, if anything, did they ask the people of Phnom Penh to  
5 do?

6 A. Are you talking about just before 1975, April '75?

7 Q. During the war before April '75, any time. And if you're not  
8 sure, that's fine.

9 A. The reason I asked is they regularly broadcast appeals, and  
10 generally the tenor is 'Rise up against the Khmer Republic.' The  
11 earliest appeals were in the name of Prince Sihanouk, and they  
12 were very effective. Prince Sihanouk asking the people,  
13 particularly in the rural areas, to support the Front, worked  
14 very well. This was - this was an ongoing appeal, all throughout  
15 the war.

16 [09.50.59]

17 Q. Did they ask the people of Phnom Penh to leave Phnom Penh?

18 A. I don't know.

19 Q. Thank you. You've just mentioned, at the time - you mentioned  
20 Norodom Sihanouk, at the time, Prince. I would like to now ask  
21 you some questions about the late King, Norodom Sihanouk. As a  
22 person who was a journalist covering, and an author writing about  
23 Cambodia, have you studied the remarkable life of Norodom  
24 Sihanouk?

25 A. Yes.

1 Q. Have you ever seen him in person?

2 A. Yes.

3 Q. Can you describe your contacts with King Norodom Sihanouk?

4 A. After January 1979 when I first met him, I interviewed him  
5 multiple times in the United States, during that period in the  
6 '80s when he was a nominal - when he was a member of the  
7 coalition, the DK coalition, against the Vietnamese occupation. I  
8 wrote articles about our interviews, and then I saw him briefly  
9 here in - in Phnom Penh after he returned, after UNTAC -- after  
10 the United Nations-brokered peace agreement and elections.

11 [09.52.49]

12 Q. Thank you. I'd like to read a few passages from your book  
13 about King Sihanouk, and then ask you for your comments or  
14 clarifications. This again is from E3/20, "When the War Was  
15 Over." The first passage is English ERN 00238146, it's page 433;  
16 in French, 00638681, at page 422; in Khmer, it's at 00232570  
17 continuing on to the next page. That's at page 572 to 573.  
18 You wrote: "Just two days before the Vietnamese captured Phnom  
19 Penh, Prince Norodom Sihanouk was freed from house arrest,  
20 apparently at the strong insistence of the Chinese. Sihanouk,  
21 with his wife Monique, and what remained of his family and some  
22 friends, was first taken to meet Pol Pot, who told him, 'It's  
23 time for you to help us in the diplomatic field. We are in great  
24 difficulty.' Without hesitation, Sihanouk agreed to help and went  
25 on to Beijing. There he held a record-breaking six-hour news

21

1 conference. He spoke of his three years of house arrest, sleeping  
2 no more than three hours each night, pacing the rooms of the  
3 small apartment inside the royal palace, cooking his own meals,  
4 and listening to foreign broadcasts over the radio. Sihanouk and  
5 his entourage saw no one but Khieu Samphan during the first two  
6 years. During the final year, 1978, Sihanouk was taken around the  
7 countryside each month to lift up the spirits of the peasants in  
8 preparation for the coming Vietnamese invasion."

9 So, my first question is, who held King Sihanouk under house  
10 arrest for three years?

11 [09.55.39]

12 A. The government leaders of Democratic Kampuchea.

13 Q. Now, you also write about the 1975 United Nations General  
14 Assembly. And you do this at page 205 and 206 of your book. In  
15 English, the ERN is 00237910, continuing to the next page; in  
16 French, 00638469, page 207 and 208; and in Khmer, 00232273, and  
17 that's pages 275 and 276.

18 You wrote that, "Following in the footsteps of Ieng Sary, who had  
19 arrived earlier as Cambodia's new Foreign Minister, Sihanouk  
20 performed well. He knowingly repeated the lies Ieng Sary had told  
21 the UN, and that the evacuation had been carried out without  
22 bloodshed, that the refugee reports of wholesale executions were  
23 unfounded, and the revolution was self-reliant, in no need of aid  
24 from abroad."

25 [09.57.17]

1 Then, going on to the next page, you wrote: "His mission  
2 fulfilled, Sihanouk departed New York, and announced he would  
3 make an 11-country tour, to places like Albania, Somalia, and the  
4 Yemen Arab Republic, before returning to Cambodia. The Cambodians  
5 who had served Sihanouk in Beijing, during his war years in  
6 exile, decided to quit. Privately, the Prince had warned them of  
7 the dangers they would face, and they defected to France. In  
8 Paris, they contradicted everything the Prince had said at the UN  
9 about the Khmer Rouge. They said the new revolutionaries had  
10 thrown out the liberal programme promised during the war, and  
11 they feared the refugee stories were true, and they were afraid  
12 to go back to Phnom Penh." Is that correct, that you wrote this  
13 about Prince Sihanouk?

14 [09.58.36]

15 A. Yes.

16 BY MR. KOUMJIAN:

17 Before I ask you some details about this, I want to read on to  
18 another section, and this is at page 445 in English, ERN  
19 00238158; and in Khmer, 00232579.

20 You wrote: "His wife, Princess Monique, said simply she would  
21 never go back to Cambodia. The next morning, the Prince woke up  
22 panicked by the chains that international diplomacy had thrown  
23 around him. In an uncharacteristically clumsy gesture, he passed  
24 a note to Andrew Young, the US ambassador at the United Nations,  
25 pleading for political exile. Ambassador Young immediately

1 consulted his superiors at the State Department in Washington,  
2 and on their orders, arranged for the Prince to be admitted to  
3 the Lennox Hill Hospital. There, Young told Sihanouk it would be  
4 a mistake for him to choose exile. Richard Holbrooke, the  
5 Assistant Secretary of State for East Asia, said, 'We told him  
6 that he would lose his standing as an independent leader if he  
7 chose exile in the United States.'"

8 Q. Now, at the time, did you learn about this incident where  
9 Prince Sihanouk first spoke at the United Nations, speaking  
10 favourably about the Khmer Rouge, repeating a speech, many of the  
11 words of Ieng Sary, and then later sought asylum?

12 MS. BECKER:

13 A. How did I know? It was public knowledge, and just reporting.

14 [10.00.40]

15 Q. Did - do you know who wrote the speech that Prince Sihanouk  
16 read or gave to the United Nations General Assembly then, in  
17 January of 1979?

18 A. No.

19 Q. At the time, do you know how many children or grandchildren  
20 Prince Sihanouk had? Did he have children or grandchildren?

21 A. Yes.

22 Q. Do you know if any of his children, grandchildren, or other  
23 family, were inside Democratic Kampuchea at the time that Prince  
24 Sihanouk went to New York and spoke at the General Assembly?

25 A. Yes.

1 Q. At the time that Prince Sihanouk was in New York and spoke at  
2 the General Assembly, do you know if he was aware whether or not  
3 his children and grandchildren were still alive? Or all of them  
4 were alive or dead?

5 A. At the dinner that I quote, where I'm talking to Prince  
6 Sihanouk and Princess Monique, he mentioned family in Cambodia,  
7 but we did not go into detail.

8 [10.02.22]

9 Q. Did you later learn - during the time just before he came to  
10 New York, he had told you and you wrote - if this is correct, do  
11 I understand correctly? He was under house arrest, and isolated.  
12 And basically the only outlet that he had to the outside world  
13 was a radio and Khieu Samphan.

14 [10.02.45]

15 A. Yes.

16 Q. Did you later learn about how many children and grandchildren  
17 of Norodom Sihanouk were killed during the DK regime?

18 A. Yes, I learned that some were killed.

19 Q. You later wrote in the book at page 478. The English ERN is  
20 00238191; and in Khmer it's 00232618 at page 620; and for some  
21 reason there is not a French translation although it has been  
22 requested. You wrote in a lengthy written interview, "Sihanouk  
23 said he realised the Vietnamese were withdrawing from Cambodia  
24 and he believed that another Khmer Rouge holocaust is becoming  
25 inevitable". Let me add another point you wrote on the next page.

1 You quote Sihanouk as saying, "What does it mean if you demand  
2 that the Vietnamese troops withdraw but allow the genocidal Pol  
3 Pot clique the possibility of returning to masses, the --",  
4 Excuse me, "if you allow." Let me start that all over. "But what  
5 does it mean if you demand that the Vietnamese troops withdraw  
6 but allow the genocidal Pol Pot clique the possibility of  
7 returning to massacre the Cambodian people again?"

8 When you spoke to Prince Sihanouk in the 1980s, did he explain to  
9 you his view about the human rights record about how the Khmer  
10 Rouge treated the people of Cambodia?

11 A. Yes.

12 Q. And, what would he say about the Khmer Rouge?

13 A. He was inconsistent. He would sometimes talk about the  
14 genocidal regime as in this quote. And, at other times he would  
15 talk about the necessity of working with them.

16 [10.05.48]

17 Q. Well, are those two inconsistent? Did Prince Sihanouk in the  
18 1980s ever deny the human rights abuses, the killings of the  
19 Khmer Rouge?

20 A. Not that I remember.

21 [10.06.19]

22 Q. To another topic, and very briefly, touch on this issue of  
23 Vietnamese victims of the Khmer Rouge. You wrote, on page 242,  
24 English ERN 00237947 at page 242; in French 00638502 at page 222;  
25 and in Khmer 00232320 at page 322:

1 "There was also a new directive in the middle of 1977 to kill off  
2 a new category of enemy people of Vietnamese ancestry. By this  
3 time, Sisopha had learned to hide her Kampuchea Krom family  
4 history. 'They started killing people with any Vietnamese blood,  
5 even Kampuchea Krom'."

6 [10.07.35]

7 Can you tell us first of all, who was Sisopha?

8 A. She was a member of the Mey family, one of the families that I  
9 chronicle in the book to give a human face to the -- what went  
10 on.

11 Q. And did you interview her on one occasion, on more than one  
12 occasion?

13 A. Many occasions.

14 Q. Was she, as I understand from the passage, a Kampuchea Krom  
15 descendent?

16 A. Yes.

17 Q. Was she born in Cambodia?

18 A. I believe so, yes. I can't remember right now, but I think she  
19 was.

20 [10.08.38]

21 Q. I want to move on and discuss with you the Chams. You lived in  
22 Cambodia, '72 to '74. You've been back many times since. What can  
23 you tell us briefly about the Cham people in Cambodia?

24 A. The Chams are the Muslim minority and there's a basic bias,  
25 when I lived here in the '70s of -- one of those sort of racial

1 biases of their Islam. They were considered -- they were  
2 criticised as being supposedly lazy and being exotic. There's the  
3 Islam... the Muslim countries of the region, particularly Malaysia  
4 and Indonesia, had a special interest in protecting them during  
5 the war, and then during Democratic Kampuchea, they were  
6 targeted.

7 Q. Are Chams visible in Cambodia? As you drive around the country  
8 or even Phnom Penh or go down the river, can you recognise a  
9 Cham?

10 A. Well, certainly by dress. The women wear scarves. The men are  
11 in different clothes. And, their communities tend to look  
12 differently. For the most obvious reasons, they have mosques.

13 Q. And, do they have a headwear that's different?

14 A. Yes, the women are scarved and the men have those hats.

15 Q. Do many of the men have beards?

16 A. Yes.

17 [10.10.45]

18 Q. You wrote on page 251 of your book, in English the ERN is  
19 00237956; in French it's 00638511; and in Khmer, 00232332:

20 "The Khmer Rouge policy of eliminating ethnic differences and  
21 creating a new race had the greatest effect on the Muslim Chams.  
22 These exotic people were twice doomed for their foreign race and  
23 their 'reactionary' faith. For generations, they had avoided  
24 being absorbed into the society of Buddhist Khmer."

25 [10.11.37]

1 And, then on page 252, the next page, in all of ERNs:

2 "They were considered the best and most ferocious fighters in  
3 Cambodia. The majority of Chams joined the Khmer Rouge and were  
4 among their ranks until 1973, when with the inauguration of the  
5 Cooperatives, the Communists declared the Chams' distinct  
6 lifestyle counter-revolutionary."

7 You go on to write:

8 "After the Khmer Rouge victory, the attack against the Chams  
9 became open and systematic. The religious and community leaders  
10 of the Chams were hunted down and murdered. Mosques were  
11 destroyed or desecrated, used like pagodas, as granaries, pig  
12 sties, or prisons. Copies of the Islamic religious book, the  
13 Quran, were destroyed. Cham schools were shut down, as were all  
14 schools."

15 [10.12.50]

16 And then, I'll perhaps read all of these before asking questions.

17 On page 250 to 251 -- excuse me -- so, it's the same page that I  
18 was reading:

19 "The rules that all Cambodians had to follow after the revolution  
20 had even more devastating consequences on the Chams, forcing them  
21 to choose their faith and identity or the revolution and their  
22 lives. They had to drop their family and given names and choose  
23 Khmer names. To look Khmer, they had to cut their hair, shave  
24 their beards, and wear clothes that further robbed them of their  
25 identity. They were forced to eat pork at gunpoint as a test.

1 And, their families too were broken up, preventing the adults  
2 from passing on to the children or to the children who were sent  
3 to dormitories with Khmer children or on mobile youth brigades."

4 [10.14.02]

5 And finally:

6 "But, the Chams rebelled. Whole Cham villages took up arms  
7 against Khmer Rouge and whole villages were in turn slaughtered  
8 by the Khmer Rouge. Even villages that did not openly protest  
9 were massacred by zealous cadres and none of the Cham villages  
10 were allowed to remain intact. Chams were dispersed to  
11 predominantly Khmer cooperatives and forced to integrate. In some  
12 cooperatives, Chams were forced to eat pork forbidden in Islam  
13 and were not allowed to speak their language or practice their  
14 faith."

15 How many -- in your research, did you speak to Chams?

16 [10.14.59]

17 MR. PRESIDENT:

18 Madam Expert, please wait.

19 And, Counsel Koppe, you have the floor.

20 MR. KOPPE:

21 Thank you, Mr. President. Although I find it a very fascinating,  
22 interesting subject, there's much to be said about this subject.  
23 But, I also do remember the email, the Senior Legal Officer wrote  
24 to us with five topics that we should be concentrating on. The  
25 treatment of the Chams is definitely not as mentioned as a topic

30

1 in that email. So, I'm just wondering... I've no problem in itself  
2 with this line of questioning but is there any meaning as to the  
3 content of that email or is it just a suggestion from you?

4 (Judges deliberate)

5 [10.18.06]

6 MR. PRESIDENT:

7 I'd like to hand the floor to Judge Fenz, to clarify this issue  
8 to the Parties. Judge Fenz, you have the floor.

9 JUDGE FENZ:

10 We -- the reason for the email was obviously to avoid this expert  
11 to be on the stand for a couple of weeks. Now, undeniably the  
12 issue of the Cham is part of Case 002/02, so in order to balance  
13 those two facts, we would suggest, as the email said, not to  
14 focus on this issue. So, the question is how many more questions  
15 to this topic does the Prosecution envisage?

16 MR. KOUMJIAN:

17 I can finish this topic in 5 minutes or less.

18 JUDGE FENZ:

19 In this case, generally, we suggest for Parties to keep these two  
20 issues in balance with further the questioning. Please go ahead.

21 [10.19.21]

22 MR. PRESIDENT:

23 I notice the International Lead Co-Lawyer is on her feet. You  
24 have the floor.

25 MS. GUIRAUD:

31

1 Thank you, Mr. President. I'll be very quick here. Among the five  
2 points in the email that was sent to us, there are the CPK  
3 policies with regard to specific groups. And, we had the  
4 impression that among the specific groups, the issues of the Cham  
5 could be included. So, I just simply wanted to provide this  
6 contextual information to you because as far as we are concerned,  
7 the Cham were among the five points that you asked us to work on  
8 in view of our questioning of the expert here present today.

9 [10.20.08]

10 MR. PRESIDENT:

11 Thank you, for your observation, Counsel. It is now appropriate  
12 for a short break. We will take a break now, and return at 10.30  
13 to resume our proceedings. And, court officer, please assist the  
14 expert during the break and have her return into the courtroom at  
15 half past 10.

16 The Court is now in recess.

17 (Court recesses from 1020H to 1038H)

18 MR. PRESIDENT:

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

20 And, the Chamber will hand the floor again to the International  
21 Co-Prosecutor to put question to the expert. And, please repeat  
22 the last question to the expert. And, the Chamber would like to  
23 remind you again that when you read a quote or extract from a  
24 document, please try to do it as slow as possible. Thank you.

25 [10.39.26]

1 BY MR. KOUMJIAN:

2 Thank you, Mr. President.

3 Q. Ms. Becker, did you speak to Chams before 1979 and since 1979?

4 MS. BECKER:

5 A. Yes.

6 Q. Where did you interview Chams after 1979?

7 A. Here in Cambodia.

8 [10.39.58]

9 Q. There -- we previously saw in document E3/1156, which was the  
10 report with Ket (sic) and Mut about your visit that you had asked  
11 to speak to Chams.

12 Q. Were you given the opportunity during your 1979 -- 1978 trip  
13 to speak to Chams?

14 A. No.

15 Q. Did you see any mosques during your trip?

16 A. No.

17 Q. By the way, during your trip, did you see any Christian  
18 churches?

19 A. No. In fact, the one that I knew the best, the French  
20 cathedral right at the corner, near where I used to live at the  
21 hotel, that had been completely torn down.

22 Q. Just so the record is clear, that's in Phnom Penh, and can you  
23 describe the location a bit more?

24 A. It was catacornered to the hotel which is now called the  
25 Raffles, and it faced -- it was a large cathedral and it faced Le

1 Phnom. So it was looking towards the river, on Monivong.

2 [10.41.55]

3 Q. Thank you. On page 226 of your book, in English the ERN is  
4 002337931; in French, page 208, 00638488; and in Khmer, 00232301;  
5 you said:

6 "Another basic step was the elimination of the family as any  
7 meaningful unit of the society. Besides, devising the three  
8 constitutional categories of citizens - worker, peasant, and  
9 soldier - the Khmer Rouge created other artificial categories  
10 that amounted to an unorthodox new class system that subordinated  
11 the family by ignoring it. These categories redefine identities  
12 and attitudes shifting from family to revolutionary loyalties or  
13 so the Khmer Rouge hoped.

14 Q. Can you explain what you mean when you talk about the Khmer  
15 Rouge eliminating the family as a meaningful unit of society?

16 [10.43.49]

17 A. That families no longer automatically live together. Children  
18 were divided from their parents often at very young ages. That  
19 children were discouraged from seeing their parents as their  
20 authority figures, that it would be the Khmer Rouge, the cadre  
21 who would be the authority figure. That, a married couple would  
22 not necessarily at all live together, that they could be divided.  
23 That, the loyal -- and all those things that makes a family stay  
24 together, the parents, the children, educating -- all those  
25 responsibilities that used to be parental, became the State.

1 Education, feeding, clothing, all those sorts of things, so that  
2 you ended up with situations where children would go against  
3 their parents, because that would be required of them under the  
4 rules.

5 Q. How did that differ from the situation in the -- that you  
6 observed in 1972 to 1974 in Cambodia?

7 A. The -- it was night and day. It was -- Cambodians have very  
8 strong families. Remarkably, you would see fathers, very involved  
9 with their children and in ways that you don't often see in all  
10 societies. You had distant brother cousins, a huge net for  
11 families where different familial responsibilities. The family  
12 was the basic -- the centre. And, it was interesting as I note  
13 with Madam Ieng Thirith. As soon as it was possible, she  
14 regrouped her family together. It's very deep, very deep.

15 [10.45.56]

16 Q. I want to go back a moment because I forgot a question to ask  
17 you, something about the Cham. You went on your visit in 1978 to  
18 Kampong Cham, is that correct?

19 A. Yes.

20 Q. And you travelled by river? Is that correct?

21 A. I believe so, yes.

22 Q. On that trip, or in any other parts of - well, let me go back  
23 a second. You, I think, said at one point or can you tell us,  
24 approximately how many miles or kilometres did you travel in that  
25 trip?

1 A. I believe I wrote 2000. We, as I said, we spent an inordinate  
2 amount of time in cars or boats.

3 Q. In all of that travel, do you recall how many persons you saw  
4 in recognisable Cham dress, wearing head scarves or the other  
5 distinctive clothing, headdresses of Cham men?

6 A. None.

7 [10.47.37]

8 Q. I want to ask you about a passage at page 281 of your book. In  
9 English, the ERN is 00237986; in French, 00638540; and in  
10 Khmer, 00232370. You wrote, before -- excuse me, you wrote:

11 "In July 1977, there was the first real massacre in Komphot's  
12 cooperative. 'Before, they only took the one person they  
13 suspected of something, not the family. This massacre of New  
14 People and Old People, they took the whole -- whole family. All  
15 of the children, even the babies. There were seven or eight  
16 families taken away at once. We did not know why'."

17 Q. First of all, who was Komphot?

18 [10.49.11]

19 A. Mey Komphot was a banker who I knew very well during the Khmer  
20 Republic period. And, he -- I tell his story throughout the book.  
21 I begin with him. His quote is the first one in the book, from a  
22 Cambodian. He is a banker, very well educated, Canadian-French  
23 education. And he stayed on. He was one of the people who  
24 believed the Khmer Rouge would bring a great revolution -- a good  
25 new government. And, I interviewed him at length when he -- after

1 1979.

2 [10.50.02]

3 Q. He discusses that children, even babies, were killed. And, I  
4 just want to read to you a bit from a document E2133 (sic), ERN  
5 is 00242285; the Khmer original, 00006728. It's a list of 18  
6 names. The last two have the parenthesis -- in parenthesis,  
7 female. And then it states, "Total prisoners including 160  
8 children, smashed by Brother Sre are 178 persons". So, we had the  
9 18 names listed. 160 children for total of a 178.

10 As a person who's researched the Khmer Rouge period, do you have  
11 an explanation of why killed children?

12 [10.51.34]

13 A. I can repeat the rationalisation. The network system that they  
14 -- everyone was accused through a network. And, as the killing  
15 snowballed, the networks exploded from adults having relationship  
16 with other adults to a network including the entire family. That  
17 was the rational -- the rationalisation. But, if nothing else,  
18 this is very irrational.

19 [10.52.18]

20 Q. You mentioned at the beginning of your testimony that in  
21 addition to the book 'When the War was Over', you wrote a small  
22 book about Bophana. Can you tell us about that book?

23 A. Her story is in 'When the War was Over'. And, when I first  
24 went to the Tuol Sleng archives, I purposely looked for a woman  
25 victim who would have been someone I could have known when I

1 lived there. And, women are often left out of histories. So, I  
2 talked to the wonderful archivist there and I asked for Bophana's  
3 file. And, they were thrilled because it was their favourite  
4 file. It's a story of a wonderful young woman who is very  
5 courageous and the file contains her love letters to her husband  
6 who was a cadre.

7 [10.53.27]

8 Anyway, the story is told right in the middle of this book. It  
9 attracted the attention of a then young filmmaker named Rithy  
10 Panh, who called me up from Paris and asked if he could do a  
11 documentary based on the story. I said sure; gave it to him for  
12 free. And, he did his documentary -- the tragedy, the Cambodian  
13 tragedy. He did it French-Khmer. And, he fell in love with her  
14 too. And, he named -- that film, you can see every day now, twice  
15 a day at Tuol Sleng. And, he named the Bophana archives that he  
16 helped co-found to reconstruct the audio-visual memory of this  
17 country to gather all the films and photographs, and Cambodian  
18 Government, the French Government, everybody was helpful. And  
19 then so, she became this big figure and people wanted a -- just a  
20 separate little book about her. So, I just wrote the book for  
21 Cambodian audience only in English, French, and Khmer, and it's  
22 published by Cambodia daily.

23 [10.54.37]

24 Q. You mentioned that you reviewed her file at Tuol Sleng. What  
25 was in the file? How big was this file and what did it consist

1 of?

2 A. It's the largest file in the archives. She was kept longer  
3 than most and from the records, she was tortured some -- very  
4 severe -- she was a very attractive young woman and it was clear  
5 that she was sexually abused. She was made to write many, many  
6 confessions. Her husband was also brought in and hurt. It's all  
7 the usual, the biography, re-written confessions, forced to make  
8 up these networks that then would lead to other people being  
9 killed. But, the - the cash of letters is what brought her story  
10 to life. And, it's one of the few, contemporary, sort of like  
11 diaries of the emotional life of someone going through this.

12 [10.55.56]

13 And, what just strikes you is the depth of her feelings and her  
14 ability to describe it, both, as a contemporary Cambodian woman  
15 with allusions to French romantic tales and of course allusions  
16 to Ramayana. And, at the end she called herself Sita, within  
17 Khmer it's Seetha (phonetic), as the Sita to her husband. So,  
18 it's a - it's an extraordinary story. And, this big. And, as I  
19 said, the archives -- the two women archivists were absolutely  
20 thrilled that someone finally asked for her file.

21 [10.56.35]

22 Q. And, did you determine why she was brought to Tuol Sleng and  
23 tell us her ultimate fate?

24 A. She and her husband, Deth, were trying to figure out if they  
25 could live together, and secretly passing letters to each other,

1 they -- he was trying to secure permission for movement. And,  
2 there was jealousy within her village, and suspicions, so that  
3 they were caught, and for, essentially, for wanting to live  
4 together and trying to subvert the rules they were both brought  
5 in, and they were both killed in Tuol Sleng.

6 [10.57.31]

7 BY MR. KOUMJIAN:

8 Thank you. I just want to conclude with a couple of questions  
9 back where I began, when we talked about the Khmer Rouge,  
10 particularly Ieng Thirith talking about the Vietnamese being  
11 behind the United States' cooperation between Vietnam and the  
12 CIA.

13 [10.58.03]

14 On page 435 of your book, it's at ERN 00238148. The French ERN is  
15 00238148. And I'm missing at the moment - I don't have at the  
16 moment the Khmer ERN. You wrote:

17 "Brzezinski said: 'I encouraged the Chinese to support Pol Pot. I  
18 encouraged the Thai to help the DK. The question was how to help  
19 the Cambodian people. Pol Pot was an abomination. We could never  
20 support him but China could."

21 Q. And the Brzezinski you referred to there is who, Ms. Becker?

22 A. Zbigniew Brzezinski was the National Security Adviser to  
23 President Jimmy Carter.

24 [10.59.35]

25 Q. Did you verify - is what he is saying correct, that the United

1 States encouraged China after the 1979 to support Khmer Rouge  
2 forces militarily?

3 A. I - well, the evidence is yes, they - that's a recorded  
4 interview, and the United States did play the - one of the  
5 foundation roles in creating this alliance between the Khmer  
6 Rouge, Sihanouk and Son Sann, the former Prime Minister, who --  
7 the three of them had their supporters and military people along  
8 the Thai-Cambodian border and they, to become a military and  
9 political entity which then allowed Democratic Kampuchea to be in  
10 an alliance with Sihanouk as they had and then Democratic  
11 Kampuchea could keep its status representing Cambodia at the  
12 United Nations, among other things.

13 Q. Given that he refers to Pol Pot as an abomination, why was the  
14 United States, at that time, willing to deal or at least  
15 encourage others to deal and support Pol Pot's forces even though  
16 he was aware of his horrible record?

17 A. This was the last - it turned out Cambodia became the last  
18 major piece of the Cold War to be resolved. The United States  
19 sided with China against -- which included in this - sided with  
20 China against the Soviet Union, the Soviet Union supported  
21 Vietnam, United States supported China, which supported  
22 Democratic Kampuchea. And then within this, of course, the United  
23 States still, as I said, had such rancour against Vietnam, it was  
24 not difficult for them to - to be against Vietnam. And after the  
25 Vietnamese invaded and occupied Cambodia, the United States was

41

1 particularly instrumental in convincing Europe to go along with a  
2 embargo against Cambodia which many of us wrote against because  
3 it was at a time when Cambodia was just recovering from the Khmer  
4 Rouge and that for a decade it severely limited the ability of  
5 food and humanitarian aid to get into Cambodia, but that -- it  
6 was at that stage it was the most severe embargo in the -- in the  
7 world against -- against Cambodia and it also tightened the  
8 embargo against Vietnam.

9 [11.02.45]

10 MR. KOUMJIAN:

11 Mr. President, Your Honours, thank you. This concludes my  
12 questions. I'll turn it over to my civil party colleagues please.

13 MR. PRESIDENT:

14 Thank you, International Co-Prosecutor. And the International  
15 Lead Co-Lawyers for Civil Parties, you have the floor.

16 QUESTIONING BY MS. GUIRAUD:

17 Thank you, Mr. President. Good morning, Ms. Becker. My name is  
18 Marie Guiraud. I am one of the civil party lawyers, and we have  
19 10 representatives of the civil parties today coming from Svay  
20 Rieng and Takeo provinces.

21 [11.03.28]

22 Q. I wanted to start my questioning by revisiting a document that  
23 was discussed this morning by my colleague from the OCP that  
24 lists the different requests that were yours when you arrived in  
25 Cambodia in December 1978. This document is document E3/1156, ERN

1 Khmer 0032944; French 00807143; and English 00524508. Among the  
2 nine requests that you formulated at the beginning of your stay  
3 in Democratic Kampuchea, at point - at request number seven, you  
4 asked to get information on the recruitment for the army. Do you  
5 remember having formulated this particular request asking about  
6 recruitment for the army?

7 MS. BECKER:

8 A. Yes.

9 Q. Can you therefore explain to us why you made this request?

10 What was the information that was available to you back then with  
11 regard to recruitment for the army? And what is the information  
12 that you gathered during your trip and during the different  
13 interviews you conducted later?

14 [11.05.11]

15 A. The - the point was I - we vague - I vaguely knew that there  
16 was a problem with the army because of the purges in the various  
17 zones, and by the time we arrived in Cambodia, Heng Samrin, Hun  
18 Sen had already joined from the eastern zone with the Vietnamese  
19 to prepare for what became the front that came with the  
20 Vietnamese to invade. So my question was, they were facing a war  
21 and they already had some significant, significant loss of the  
22 soldiers who were fleeing the purge in the eastern zone and went  
23 to Vietnam, plus the presumption being that some of the military  
24 had already been lost in the purges so what, you know, what - who  
25 were they recruiting? How were they going to face what was going

1 to be a very difficult battle with Vietnam?

2 [11.06.23]

3 Q. Thank you. In order to have you reacted to your previous  
4 statements, did you gather information during your trip or during  
5 the interviews you conducted on the way the losses were  
6 compensated for and who was recruited into the army?

7 A. The information was more indirect than direct, but when I was  
8 on the Eastern front with Commander Pin, it was quite clear that  
9 there were very young soldiers and I took quite a few  
10 photographs, just of the soldiers because the age was so markedly  
11 young.

12 Q. Can you tell us -- when you tell us that these were very young  
13 soldiers that you saw and that you photograph, can you give us  
14 more information on their age if possible?

15 A. This is guessing, but many didn't look like teenagers. And  
16 when I - when I mentioned it, it was very hard to get ages, so  
17 they - they resisted it and it was easy - it was interesting  
18 because it was easier to get ages of the young workers at the  
19 institute than it was of the soldiers.

20 Q. So in order to conclude with this point, you ask for their age  
21 and the people you spoke to refused to give you an answer or they  
22 were rather vague in their answers. Is that so?

23 A. Yes.

24 Q. Thank you. Now continuing with this document, I wanted to  
25 revisit a point that was brought up by the International

1 Co-Prosecutor this morning. It's point number nine of your visit  
2 in - in which you say that you wish to meet or inform yourself  
3 about the Cham population, and I wanted to know why you were  
4 particularly interested back then, before you travelled to  
5 Cambodia, in the Cham population? And what was the information  
6 that was available to you before you travelled to Cambodia on how  
7 the Cham were treated in Democratic Kampuchea?

8 [11.09.21]

9 A. Already from the refugee reports on the border the Chams were  
10 already pinpointed by the refugees as targets. I think, I can't  
11 remember that any other minority group had already been  
12 identified by the refugees. It was the Chams.

13 Q. So if I understood well, it is on the basis of the information  
14 that you gathered from refugees that you concluded that the issue  
15 of the Cham required further investigation. Is that so?

16 A. Yes, but I had not interviewed those refugees in Thailand.  
17 Other people had.

18 Q. Thank you. Now I wanted to have you react to questions and  
19 answers that you provided yesterday with regard to Buddhism and I  
20 wanted to use the information that you provided to us yesterday  
21 in light of the two years you spent in Cambodia before you  
22 travelled - before Democratic Kampuchea. When you were questioned  
23 by Judge Lavergne, you said that during your stay you had noticed  
24 that the pagodas were empty and you said the following yesterday  
25 at 1.33 in the afternoon, "The pagodas were empty and I saw more

1 than one that was used as a grainer, and when I asked questions  
2 with regard to the pagodas they simply told me that it was just a  
3 reaction in that the people had lost their faith." So I wanted to  
4 have you react to this issue - this issue of Buddhism. I wanted  
5 to know if you could explain to us what Buddhism represented  
6 before in Cambodia before 1975, in particular in light of the two  
7 years you spent here. What, according to you, the Democratic  
8 Kampuchea Regime then did with regard to Buddhism, in particular,  
9 in light of what you noticed during your trip in 1978?

10 [11.11.43]

11 A. First, what I said yesterday was that the Khmer Rouge called  
12 it a reactionary faith and the translator said react to something  
13 so it's - and this was said repeatedly this - that Buddhism was a  
14 reactionary faith and people no longer were attracted to it. And  
15 this was astonishing because the - the official, you know,  
16 Buddhism was part of what Cambodia was officially, and the sound  
17 of the - the Buddhist (inaudible) were part of the functioning of  
18 the society. There were religious minorities, but it was a  
19 proudly very Buddhist country. There was - I - it was so much a  
20 part of the fabric of life from the morning when the monks would  
21 come around begging for food to the Buddhist holidays, the  
22 celebrations of weddings, the calendar - the official calendar  
23 included the Buddhist holidays, the funerals, the pagodas, the  
24 language included Buddha - it's hard to divide it. The Buddhist  
25 Institute was one of the - the institutes that help form an

1 independence here in Cambodia. The -- all these symbols you see  
2 this -- you look of the courtroom, I mean this - it's Buddhist.  
3 So the idea that in, you know, one-year, bing, it's reactionary,  
4 it's impossible that they defrocked the monks, forbid the faith  
5 and just took it out. There is no more Buddhism.

6 [11.13.53]

7 Q. Thank you. In an article that you wrote following your visit  
8 on 29 December 1978, an article that you wrote for the Washington  
9 Post that's called in French or in English, 'Cambodia is seeking  
10 a self-sufficiency and independence regardless of the human  
11 cost'. It is -- the index of this document is E3/3391, ERN  
12 English 00445257; ERN Khmer 00703543; French 00729119. And you  
13 write with regard to this question, and I quote free translation.  
14 "I also noted the complete erasure of Buddhist culture, which is  
15 the founding of the -- the base of the Cambodia nation for  
16 centuries, which gave me the feeling that Cambodia had lost what  
17 I considered before as its soul." Can you confirm today that that  
18 is the feeling that you had when you travelled to Cambodia in  
19 December 1978?

20 A. Yes.

21 [11.15.20]

22 Q. Thank you, Ms. Becker. Now I wanted to have you react to  
23 statements that you made yesterday when you answered certain  
24 questions put to you by Judge Lavergne and in particular when he  
25 spoke to you about at the 1.35 in the afternoon, he - when he

1 spoke about the issue of family relations and marriage, and you  
2 -- when you answered his question, you spoke about, in paragraph  
3 23 so that the paragraph so that the parties may follow the  
4 record, you indicated that it was necessary to obtain permission  
5 to marry. And I wanted to know if you could explain to us a bit  
6 more in detail who gave you this information, and when and upon  
7 which occasion were these people that you had interviewed, were  
8 these senior leaders, can you tell us a bit more about this  
9 information that you provided yesterday that it was necessary to  
10 get permission to get married? Who gave this permission?

11 [11.16.23]

12 A. The permission came - I was told it was through the  
13 cooperative leaders and this is a subject brought up several  
14 times and - and I'm sure that Prasith was involved in this so it  
15 would be up there and co-op leaders. I can't tell you exactly  
16 which province I was in, but definitely.

17 Q. And more generally speaking, was the issue of marriage brought  
18 up during your various discussions with the senior leaders when  
19 you travelled to Democratic Kampuchea?

20 A. Yes, it came up regarding when to marry, in order to ensure  
21 population growth, and who should marry and - and how married  
22 people lived or did not live together.

23 Q. Thank you. Now I would like you to have -- react to the three  
24 points that you mentioned. You seemed to draw a parallel or in  
25 any case a link between the moment of the marriage and the issue

1 of the increase of the population. So did I understand well? And  
2 is this a link that you made yourself, marriage and population  
3 increase?

4 A. No, I do not make that like myself. This -- when you said in  
5 our conversations when did marriage came up and marriage did come  
6 up in terms of population increase, and - and when - when would  
7 be the ideal for people to marry and the - the importance to  
8 Democratic Kampuchea to increase the population.

9 [11.18.39]

10 Q. Thank you. I will revisit this question a little bit later. I  
11 simply wanted to have you react to the two other points that you  
12 mentioned, in particular, who had to marry and I wanted to have  
13 you react on this, and how married couples then were supposed to  
14 live together? Did you have any information on that? Who got  
15 married with whom and how married couples lived together?

16 A. During the trip in December 1978 the - I didn't get all the  
17 detail I would later learn. So, in 1978, it was simply the co-op  
18 approving of marriage. They did not talk about who decided who  
19 would marry. How to live together, I raised because I saw,  
20 particularly when I was out on my own groups of men and  
21 dormitories that were clearly single sex so having heard them  
22 talk about the desire to increase the population, it seemed  
23 contradictory that I would see the single sex male, particularly  
24 male dormitories, and that's when they talked about visitations,  
25 but again not in great detail.

1 [11.20.29]

2 Q. Well, that was in fact the point of my next question I wanted  
3 to have you react to an indication you gave yesterday to the  
4 Chamber with regard to these visits, who spoke to you about this  
5 and what did you know about this?

6 A. I can't tell you exactly who talked to me, but I am sure it  
7 was Prasith again. It was simply, if I'm not mistaken, I was  
8 given, you know, that they visited X number of times a week or X  
9 number of times a month. Generally, when I ask a question, they  
10 had numbers. They would rather - they had rules and regulations,  
11 and I remember I think in some -- one of those notes there were  
12 their rules and regulations said X number of visits per month or  
13 week.

14 [11.21.36]

15 Q. Thank you. When you speak about rules and regulations, what do  
16 you mean by this? Is this a written document? Is this a document  
17 you saw? Is this a document that was shown to you? What can you  
18 tell us about this document?

19 A. No document. Rules and regulations means that when I - you  
20 would say how many times do they, you know, how much rice do they  
21 eat, then you would always say 'they eat X number of kilos a  
22 month' or '1 kilo', whatever. How many times do they visit, then  
23 the answer would be 'X number of rules', so I'm not talking about  
24 a document or a law that I saw. I am talking about the answers I  
25 received.

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1 Q. In fact, how do you react to this last point of with regard to  
2 rules and regulations which is not a written document, but  
3 answers that were given to you, were these answers given to you  
4 in such a detailed way?

5 MR. PRESIDENT:

6 The International Lead Co-Lawyer for Civil Parties, please leave  
7 a sufficient pause before you start putting question because  
8 otherwise it will be overlapped and it will be not a proper  
9 record on a transcript, and please repeat your last question.  
10 Thank you. And also when you referred to an extract from a  
11 document, please read it slowly. And if possible, repeat the  
12 reference number twice, and if it comes to the name, maybe your  
13 national counterpart can assist with the pronunciation. Thank  
14 you.

15 [11.23.33]

16 BY MS. GUIRAUD:

17 Thank you, Mr. President. My last question regarding these rules  
18 and regulations that you spoke to us about and you explained to  
19 us that you were provided with answers that seemed detailed to  
20 your different questions, answers that were already known, and I  
21 wanted to know if these answers were given to you, simply with  
22 regard to marriage or if they gave you answers with regard to  
23 other topics that were discussed during your stay. For example,  
24 working conditions, the rice production, etc., etc.?

25 MS. BECKER:

1 A. Yes, and I have them in that chapter in my book, and at one  
2 stage we just got tired of writing the same X number of dessert,  
3 X number of rice and so on and so forth, but this is all detailed  
4 about what is considered required.

5 [11.24.41]

6 Q. Thank you. I have a last series of questions so maybe I will  
7 be able to finish before the lunch break. I want to have you  
8 react on the concept that you brought up in your book, which is a  
9 concept that I'm going to mention in English because of French  
10 translation is not quite adequate. It's a concept. Did you  
11 already hear this term "Kampuchea worker peasant", had you  
12 already heard this term before?

13 A. Had I heard it before I went there? Yes.

14 [11.25.31]

15 Q. And in order to expand on that when you were on site, did you  
16 hear this concept again? And if so, who mentioned it?

17 A. Yes, and I heard it often enough that I didn't notice.

18 Q. Can you explain to us what the meaning is of this concept?

19 A. Well, as I took it and this is from reading official  
20 Democratic Kampuchea, throughout those years as they broadcast on  
21 and I read on Foreign Broadcast Information Service, FBIS, you  
22 see worker peasant throughout. I mean, it's a very common,  
23 common, common thing. And that would be that in the new class  
24 society, peasants take the role of what would have been the  
25 proletariat, the working class in a more urbanised setting so

1 that in worker peasant, you have the most common basic class.

2 That's how I understood it in context.

3 [11.27.12]

4 Q. And according to you, did this - did this concept involve a  
5 complete erasure of individual identity or of community identity?

6 A. This concept alone I wouldn't say it erased individual -- it's  
7 putting a lot on one concept. I mean, it certainly -- the whole  
8 class system certainly vastly diminished individuality and  
9 community redefining it, and this is one of the building blocks.

10 [11.28.17]

11 Q. Did you ever hear when you discussed with the different  
12 leaders, explanations regarding purity, ethnic purity? Is this a  
13 term that came up in the different interviews you conducted? And  
14 if that is the case, can you expand on this a little bit?

15 A. What I heard was this - the one Cambodian nation, one  
16 Cambodian people. And when -- I read more about the sense of the  
17 purity, then I heard. When I would ask about minorities, I was  
18 told this is one Cambodian nation, one Cambodian people.

19 Q. In your book you indicate, in English ERN 00237951; in French  
20 00638506; Khmer 00232325; and I quote you free translation, "the  
21 obsession of racial purity under the Khmer Rouge government --  
22 regime". Can you tell us a bit more about this?

23 A. Yes, that's after all the research after the -- particularly  
24 after the Democratic Kampuchea was overthrown and all the  
25 research that I did, and others did on the purging, the killing

1 of -- of minorities and I include interviews and referenced other  
2 research, but it was - it was very much the pure Khmer race, and  
3 as I - as it was quoted in the Cham chapter, women look alike,  
4 men look alike, you - you are just one Cambodian nation.

5 MS. GUIRAUD:

6 Thank you. Mr. President, I am done. Thank you very much.

7 MR. PRESIDENT:

8 Thank you. And the International Co-Prosecutor, you have the  
9 floor.

10 [11.31.27]

11 MR. KOUMJIAN:

12 Thank you, Your Honours, I just wanted to bring to the Parties  
13 and Your Honours, attention, one document. Yesterday I read the  
14 names of four individuals that Ben Kiernan asked Malcolm Caldwell  
15 to inquire about before his trip to Cambodia in 1979. There is a  
16 document on the case file E3/129 in which those four names appear  
17 as numbers 2, 5, 6, 8. It's called 'Names of prisoners coming  
18 from France not yet interrogated'. It's an S21 document. So --  
19 and it indicates that each of these four individuals entered S21  
20 on the 23rd of October 1976. I will just ask Mr. Seng Leang to  
21 read the names please?

22 [11.32.30]

23 MR. SENG LEANG:

24 Mr. President, on the list the names appear at the number 2,  
25 which is Ki Kim Sri, and at number five, Lay Rose, and number

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1 six, Ou Lam, and lastly, that is number eight, Choeu Vut. Thank  
2 you.

3 MR. PRESIDENT:

4 Thank you. And Judge Lavergne, you can proceed.

5 JUDGE LAVERGNE:

6 Before concluding this session, we need to make one clarification  
7 so that this should be reflected on the record. This morning in  
8 answer to a question by the Prosecutor, Ms. Becker referred to a  
9 book written by a Cambodian who had lived underground with the  
10 Khmer Rouge, and you gave the title of this book in English. I am  
11 not sure it was translated into French, unless I am wrong, you  
12 referred to the book titled "Regrets of the Khmer Soul", and that  
13 book was written by a Cambodian called Ith Sarin, and you  
14 referred to it in your book, and the reference is E3/20 and the  
15 ERN in English is 00237845; and in French it is 00638411. I do  
16 not have the Khmer ERN. Could you please specify whether it is  
17 indeed the book you referred to this morning?

18 MS. BECKER:

19 A. Yes,

20 [11.34.46]

21 MR. PRESIDENT:

22 Thank you. It is now time for lunch break. We will take a break  
23 now and resumed at 1.30 this afternoon. Court officer, please  
24 assist the expert during the break time and have her return to  
25 the courtroom at 1.30 this afternoon.

1 And security guards, you are instructed to take Mr. Khieu Samphan  
2 to the waiting room downstairs, and have him return to this  
3 courtroom before 1.30 this afternoon.

4 The Court is now in recess.

5 (Court recesses from 1135H to 1333H)

6 MR. PRESIDENT:

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

8 And we will hand the floor to Nuon Chea's defence to put  
9 questions to this expert. You can proceed.

10 QUESTIONING BY MR. KOPPE:

11 Thank you, Mr. President. Good afternoon, Your Honours, Counsel,  
12 good afternoon Ms. Becker. I've listened with great interest to  
13 your answers. I have some more questions as you might imagine. My  
14 first question would be to know a little bit more about your  
15 book. Your book was published in 1998; the second edition. 1998.  
16 Yes. And the first edition was 1986.

17 Q. Would you be able to tell us when you did your last primary  
18 research; that is to say your last interview with one of the  
19 people involved in that period?

20 [13.35.53]

21 MS. BECKER:

22 A. It would have been in nineteen ninety -- I think in '94 around  
23 -- the early nineties.

24 Q. Would it be possible, July '92? Is that in your book?

25 A. Yes. If that's in the book, yes.

1 Q. Did you do any -- what exactly did you do between let's say  
2 that last interview in '92 and the actual publication of your  
3 book in 1998?

4 A. I was a full time reporter and editor.

5 Q. No. I mean in relation to your book, did you do any --

6 A. I -- yes, I did freelance articles and -- yes, freelance  
7 articles directly by Cambodia. Freelance articles and occasional  
8 -- I went to Cambodia in 1995 was my previous trip to Cambodia  
9 before the book 1995.

10 Q. Did you do any substantial research after the second edition  
11 of your book on Cambodia or more specifically, the period of DK?

12 A. You mean since 1998?

13 Q. Correct.

14 [13.37.48]

15 A. Secondary not -- I have come back to do interviews but largely  
16 about this particular contemporary Cambodia. And that sometimes  
17 bled into Democratic Kampuchea.

18 Q. Would it be a fair summary of me to say the bulk of your  
19 primary research was before the publication of -- the first  
20 publication, the first print in 1986 and then, some research up  
21 until '92, '98; would that be correct?

22 A. The bulk would be by 1992, yes.

23 Q. Would it then be fair to say that you haven't done major  
24 research for let's say the past 23 years, 22 years? On the topic,  
25 obviously.

1 A. Major, no. But I've kept up with secondary.

2 Q. The reason I'm asking you is I have noticed that some possibly  
3 important secondary literature is not in your book, partly or not  
4 mainly because it's post-1998. I'm referring to two books: one  
5 book from an American scholar, Steven Morris, who extensively  
6 used material from Soviet archives, and a more recent book from a  
7 Cambodian journalist together with an American journalist, Thet  
8 Sambath. Have you read these books?

9 [13.39.58]

10 A. I know Sambath's movie certainly. And in fact, I nominated him  
11 for an award. And I -- of course I know Steven Morris' work. I've  
12 known it for a long time. But I don't -- I can't say that I can  
13 remember his recent book that well.

14 Q. Well, his recent book is from 1999. So by definition you  
15 couldn't have incorporated that book in your book.

16 A. Was it your question whether or not I'd read it?

17 Q. I'm sorry. Whether you incorporated this book into your --

18 Yes, it's your -- we're speaking English, that's why I go faster  
19 than normal, I will slow down. I'm sorry. The other thing that I  
20 have noticed in your book is and maybe I'm wrong, please correct  
21 me if I'm wrong, there's relatively little literature coming from  
22 China or either secondary literature or primary sources from the  
23 -- indicating the Chinese perspective on what happened in DK,  
24 would that be correct?

25 [13.41.38]

1 A. I don't think that's accurate. In fact, a recent book by  
2 Andrew Mertha on the Chinese in Democratic Kampuchea, which was  
3 published in the last year or two, begins with a quote from me,  
4 and it's -- and quotes me extensively on the Chinese role in  
5 Democratic Kampuchea.

6 Q. I could give you one concrete example. I went through your  
7 book and I haven't seen any reference to a secret report which is  
8 public. From January 1979, drafted by Geng Biao, and basically  
9 portraying the view of China on what happened during DK; would  
10 that be correct?

11 A. That's correct.

12 [13.42.42]

13 MR. PRESIDENT:

14 Counsel Koppe, please wait. And Judge Lavergne, you have the  
15 floor.

16 JUDGE LAVERGNE:

17 Counsel Koppe, for some time now, you've been asking questions  
18 such as why the expert hasn't taken certain documents into  
19 account, why she didn't mention documents that were published in  
20 her book. The problem is that we do not know exactly when the  
21 documents you are referring to were published. If you are  
22 referring to a specific document, could you please give us the  
23 references of those documents and the dates on which they were  
24 published. Otherwise, we would not be able to ascertain the  
25 relevance of your questions.

1 MR. KOPPE:

2 I was actually going to refer to that document later on in my  
3 question but I'm very happy to do it now. I'm referring to  
4 document E307/5.2.1, ERN, there's only the English ERN I'm  
5 afraid, 01001620. And it's called, 'Geng Biao's Report on the  
6 Situation of the Indochinese Peninsula'. And it was put on the  
7 case file by a request of our team.

8 [13.44.18]

9 JUDGE LAVERGNE:

10 But when was it published? Because if you want to ask a question  
11 as to why it wasn't mentioned in Ms. Becker's book, we need to  
12 know when it was published.

13 MR. KOPPE:

14 Yes, Judge Lavergne. In the opening paragraph of the report it  
15 says: "The following document was released by Taiwanese  
16 intelligent sources and was published in January 1981 by Issues  
17 and Studies in Taipei". So it is a document from 1981 referred to  
18 by Nayan Chanda in his book and also referred to by Steven Morris  
19 in his book. And to be complete, Nayan Chanda's book is, I think,  
20 in the same year written as the first edition of Madam Becker's  
21 book.

22 BY MR. KOPPE:

23 Another question, Ms. Becker, is a follow-up question from the  
24 Prosecution on the use by you of earlier scholarly work, Kiernan,  
25 Chandler, Heder. I wrote down in my notes that at one point, you

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1 said in an answer that among the group you shared a lot.

2 Q. Would you be able to expand a little bit on what you mean that  
3 you shared a lot?

4 [14.46.05]

5 MS. BECKER:

6 A. Well, if someone was working on an issue and they knew someone  
7 else had documents, we would share them.

8 Q. Would you be able to say that you relied more on one scholar  
9 or the other, or is that very difficult for you to say?

10 [13.46.31]

11 A. Well for instance Nayan Chanda and I shared a lot because he  
12 was a Vietnam scholar and Vietnam reporter, and I was a Cambodia  
13 reporter. So, we shared an awful lot on the diplomatic -- Nayan  
14 wrote on the diplomatic history, and he was very much on  
15 diplomatic history. So I shared with Nayan. With Ben Kiernan, he  
16 found the documents about the murder of Malcolm Caldwell; he  
17 shared that with me. Steven Heder was excellent on translating  
18 Khmer Rouge documents. David Hawk. I mentioned David; he was one  
19 of the first to put the collections of photographs together and  
20 so he would bring things to me to go over. It depended on the  
21 subject.

22 Q. Thank you. Going back to an earlier question from the  
23 Prosecution, on your contact with officials, for instance, from  
24 the State Department just prior to your trip to DK, in that  
25 context, have you spoken to an analyst of State Department, a

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1 person with the name of Douglas Pike?

2 [13.47.54]

3 A. Douglas Pike is much more a Vietnam expert and I did not talk  
4 to him before my DK trip.

5 Q. Have you used a report that he had written for US Congress in  
6 the fall of '78, for your book?

7 A. I certainly talked to the members of Congress who wrote the  
8 report. Yes, and talked to them. But not to Douglas Pike.

9 Q. But my question was whether -- do you remember whether you  
10 actually used his report to write certain chapters of your book?

11 A. Yes, I read it. It's one of the secondary -- yes, 1978 report  
12 of the Congress. Yes.

13 Q. The reason why I'm asking is because I didn't find it in  
14 reference but -- what else can you tell us about Douglas Pike  
15 other than that he was specialist on Vietnam?

16 A. I don't -- his regular biography. I do not know him well.

17 Q. Then moving on to another American journalist, Richard Dudman.  
18 You spoke about him already before. Would it be correct if I  
19 describe him, in that period '78, as a very experienced  
20 journalist?

21 A. He was a very experienced journalist on US foreign policy.

22 [13.50.12]

23 Q. I believe he is 96 years old now. He is -- I think he is still  
24 alive. What else would you be able to tell us about his qualities  
25 as a journalist?

1 A. He has - he has a good reputation, as I wrote in the book. He  
2 -- his whole -- his major journalism career was in Washington  
3 covering the State Department and making occasional trips with  
4 foreign -- US foreign officials.

5 Q. I've googled him and I've seen that he won a George Polk  
6 Lifetime Achievement Award in 1993. Would you be able to tell us  
7 what exactly that award includes -- implies?

8 A. It is an award to a reporter who does dangerous assignments.  
9 And 1978 Kampuchea proved to be very dangerous.

10 Q. Is it a prestigious award?

11 A. Yes.

12 [13.51.40]

13 Q. I would like to talk a little bit more about Richard Dudman.  
14 I'm not quite sure if that was sent to you. I would like to  
15 discuss with you an article, or rather an op-ed that he wrote in  
16 the New York Times on August 17, 1990. Mr. President, that would  
17 be E307/5.2.16. There's only, I'm afraid, an English ERN,  
18 01002091. My first question to you: have you read this op-ed?

19 A. Yes.

20 Q. Do you have any general comments on that op-ed he wrote?

21 A. I disagree with it.

22 Q. Would you be able to explain with what you disagree and why?

23 A. By 1990 when it was published, all of the -- Tuol Sleng had  
24 been open for years. The evidence was clear and Dick had retired.  
25 He'd never gone back to Cambodia since December 1978. And I like

1 and admire Dick and I was sorry to see that he wrote that because  
2 the evidence was the contrary.

3 [13.53.35]

4 Q. If you'll allow me, I'll read a few -- just two or three  
5 passages from that article to know more specifically what he is  
6 saying. The title of the article -- I'm not sure if that is  
7 coming from him is, "Pol Pot Brutal? Yes, But no Mass Murderer".  
8 And he opens his article by saying the following: "Blind hatred  
9 of Pol Pot and the Khmer Rouge is pushing the US towards policy  
10 changes that could well contribute to the ultimate destruction of  
11 Cambodia as an independent society through conquest by Vietnam".  
12 He then -- I'll skip a few paragraphs, he then moves on to say,  
13 and I quote again: "Before we abandon the opposition coalition,  
14 we should take another look at the man we love to hate. At the  
15 conventional wisdom that Pol Pot and the Khmer Rouge are  
16 irrational fanatics, who practiced deliberate genocide,  
17 slaughtered more than one million Cambodians, and wrecked the  
18 Cambodian society and economy. The evidence for these fixed  
19 beliefs consists mainly of poignant though statistically  
20 inconclusive anecdotes and extrapolation from accounts of mass  
21 executions in a few villages. It comes mostly from those with an  
22 interest in blackening the name of the Khmer Rouge: from  
23 Cambodian refugees, largely the middle and upper class victims of  
24 the Pol Pot revolution, and from the Vietnamese who long ago  
25 annex much of Cambodia, and now covert the rest". Excuse me. What

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1 would be your reaction on these two paragraphs?

2 [13.55.42]

3 A. That his ideas are entirely out of date. That he doesn't even  
4 mention all of the archives that were uncovered after the  
5 Vietnamese invasion. That this was -- there was no question, the  
6 reason we're having this trial right now is the evidence is  
7 overwhelming. And as I said, I really like Dick and I admire him  
8 and I'm very sorry to see he wrote that. Because the evidence is  
9 this was an incompetent, murderous regime.

10 Q. Thank you. Then he moves on and then, that's my last quote  
11 from this specific article. He moves on to a very brief summary  
12 of his bigger report from 1979, January. And if you allow me, I  
13 quote again. So he talks about his visit and he says:

14 "Still, the information I had received in advance was mostly  
15 misleading. Observing many hundreds of Cambodians -- too many, I  
16 judged, to have been arranged for my benefit -- I saw a generally  
17 healthy population, a normal demographic mix of men, women and  
18 children including babies in arms and yes, many nursing mothers.  
19 I looked in vain for distended bellies and dull brownish hair.  
20 Working hours, 7 a.m. to 7 p.m., were not unreasonable for the  
21 harvest season. A natural rubber factory, a pharmaceutical plant  
22 and a textile mill appear to be operating efficiently. Rice  
23 export had resumed on a modest scale, as confirmed later by the  
24 US Department of Agriculture".

25 I'll move on to more details in his report, but that would --

1 that is his 1990 sort of very short summary of his visit. What  
2 would be your initial reaction to this paragraph in this article?

3 [13.57.58]

4 A. This is what we call single source reporting that when you go  
5 simply to a country and you allow government officials to make  
6 your itinerary, to define who you talk to and who you do not talk  
7 to, and do not allow you any freedom of movement at all; that is  
8 single sourcing. And that's not complete journalism and I  
9 disagree, as you know.

10 [13.58.22]

11 Q. I would like to put before you a passage from a dissertation  
12 written in 1990 by a Dutch academic. It's a book called, "The  
13 Eyes of the Pineapple". It's written by Roel Burgler. Mr.  
14 President, it's the E3 number -- no, sorry, the E30715.2.17 (sic)  
15 is the relevant number, and the ERN that I'm specifically  
16 referring to is 01002473. I'm afraid there's no French or Khmer  
17 ERN yet. It's a footnote on page 352. And in this footnote, he  
18 explains how he has analysed and researched the various reports  
19 of delegations and visitors to DK in 1978. And the footnote reads  
20 as follows: "I will quote Dudman, in my opinion, the most  
21 critically insightful of the visitors extensively". And then he  
22 goes on to say, "See also Becker '79, Ito '78, Stanic '78, [...]"  
23 etc. etc. What would be your reaction to this scholar's  
24 categorising, as you will, of his reporting in relation to other  
25 reporting, including yourself?

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1 [14.00.22]

2 A. Well, as much as -- I don't like to be drawn in, I'm not going  
3 to criticise Dudman as a human being but my book is quoted  
4 extensively and I'm quite confident that my reporting has been  
5 quoted extensively.

6 Q. Thank you. I would like now to --

7 MR. PRESIDENT:

8 Counsel Koppe, please wait. And Judge Lavergne, you have the  
9 floor.

10 JUDGE LAVERGNE:

11 Yes, Counsel Koppe, unless I'm mistaken, I didn't hear who is the  
12 author of the book that you're referring to?

13 [14.01.11]

14 BY MR. KOPPE:

15 The author, Judge Lavergne, is a scholar called Roel Burgler.  
16 Roel Burgler. And his book is titled "The Eyes of the Pineapple".  
17 It's published at the University of Nijmegen.

18 Ms. Becker, I would like now to move on to the report Richard  
19 Dudman actually wrote right after his visit to DK together with  
20 you and Malcolm Caldwell. These are more -- more detailed quotes,  
21 and I will read a few and I would like to have your specific  
22 comments, if that's all right with you.

23 I would like to start, Ms. Becker, with -- and I'm referring,  
24 excuse me, Mr. President, to E3/3290. The English ERN is  
25 00419207. There are no French or Khmer ERNs. My first quote is on

1 page three and in the first column. And it reads as follows, Ms.  
2 Becker: "While the visit amounted to a conducted tour with strict  
3 limits on conversations with ordinary Cambodians and no  
4 opportunity to speak with any but a few top government officials,  
5 there was plenty of opportunity for observation in tours of 11 of  
6 the 19 provinces". A little further on that same page, it says  
7 and I quote: "Despite the restrictions the Cambodians placed on  
8 our activities, we were able to gather significant information  
9 about the new Cambodia for the first time since the Communist  
10 victory of almost four years ago."

11 Q. Would you agree with that observation?

12 [14.03.38]

13 MS. BECKER:

14 A. I agree that we were heavily restricted and I know I disagree  
15 on what he considers opportunities for observations. We were as I  
16 said, we went through a lot of provinces but we were stuck in the  
17 car most of the time or in boats. And --

18 Q. On this specific topic, did you ever speak to him afterwards  
19 when he published this article?

20 A. Not only did we speak to each other, we debated each other  
21 regularly on television.

22 [14.04.29]

23 Q. Was that in 1979? I'll move on. I'll move on to a next quote;  
24 that is a page later, ERN 00419208; same document. He says, "At  
25 the same time, the physical condition of life may well have

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1 improved for many peasants and former urban workers. Possibly for  
2 the vast majority of the population as the regime claimed". He  
3 goes on to write, "The new communist Cambodia became one huge  
4 work camp, but this people clearly were not being worked to death  
5 and starved to death as foreign critics often charged. [...] What I  
6 found in two weeks of touring Pol Pot's Cambodia, under strict  
7 government supervision but with good opportunity for observation,  
8 was a regimented life of hard work for most Cambodians leavened,  
9 however, by much improved housing, regular issue of clothing and  
10 an insurance of apparently adequate food. I did not find the grim  
11 picture painted by the thousands of refugees who couldn't take  
12 the new order and fled to Thailand or Vietnam. [...] Workers  
13 usually appeared to be operating under their own direction. There  
14 was no sign of government cadres giving orders or armed guards  
15 enforcing the working hours, although, individuals seemed to know  
16 what was expected".

17 That would be sort of the first set of quotes from his report  
18 January '79. Would you be willing to comment on these  
19 observations?

20 [14.06.30]

21 A. Yes. The major disagreement between Richard Dudman and I, was  
22 that he did not know Cambodia before. So when he made a statement  
23 "this is improved housing, this is better clothing", he's  
24 comparing it to nothing. He had been in Cambodia once before when  
25 he was captured by Vietnam -- by the Vietnamese soldiers. He had

1 not been to Cambodia before. So we regularly had discussions as I  
2 -- all through that - "Richard, this has not improved." You had  
3 to know this is not at all. We just went to a couple of model  
4 places. What you see is, you know, Potemkin village and even that  
5 is not improved. And we did see armed guards. We were stopped.  
6 Every time we tried to do something, we were stopped and often by  
7 armed guards. So, disagreement.

8 [14.07.28]

9 Q. Then I'll move on with some more quotes. The next page, Mr.  
10 President, ERN 00419209, and I quote again: "At 11 a.m., the  
11 midday break began, and the farm workers headed for lunch at one  
12 of the huge new communal dining halls. Afterwards, many could be  
13 seen relaxing or taking naps in hammocks slung under the houses  
14 on stilts. Work resumed at 1 p.m. There could be no doubt that  
15 quitting time was 5 p.m. Wherever we were in the country, men,  
16 women and children began filing out of the paddies at that hour  
17 to bathe in an irrigation canal, wash clothes or tend household  
18 vegetable plots and then head for the dining hall once more.  
19 Officials said the harvest sometimes required night work, too,  
20 when the moon was full. But we saw no work in the fields after  
21 dark".

22 [14.08.33]

23 A little further on that same page, "One of Cambodia's biggest  
24 achievements in these three-plus years was its housing program."  
25 and then he goes on to speak about the housing program. Then on

1 the same page again, Ms. Becker, he says, and I quote; "I saw no  
2 evidence of starvation, however. My observation of hundreds of  
3 ordinary Cambodians suggested that they got adequate diet, if a  
4 plain one. [...] Disregarding such stage setting," the stage  
5 setting that you spoke about as well, "I could tell the state of  
6 nutrition by common site by playful small children, sometimes  
7 running about naked in indoor yards in the hot tropical sunshine  
8 with none of the listlessness or protruding bellies that bespeak  
9 starvation or malnutrition. I saw many pregnant and nursing women  
10 who appeared to be in good health. The sight seems to refute  
11 reports by some refugees that life is so austere that most women  
12 have been become barren and mothers' milk had gone dry."  
13 And finally, Ms. Becker, on the next page 00419210 ERN, "U.S.  
14 specialists have acknowledged that the Cambodian claim of  
15 reviving rice production to the point of resuming exports would,  
16 if true, be a spectacular achievement.

17 Q. Again my question would be to you, if you would like to  
18 comment on these specific observations?

19 MS. BECKER:

20 A. We were never allowed after dark. We were often weren't around  
21 after 5 p.m. and we couldn't make those observations. The  
22 housing, I'm not sure what he is talking about. The houses we  
23 saw, a couple -- a few houses on stilts, the new ones, but the  
24 housing was not as good as what it was before. The hundreds we  
25 saw doesn't begin to reflect the millions and as I say, we

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1 already knew about rice exports because it was required. We saw  
2 the - we actually saw the ships so, that does not at all  
3 diminished what I said that we did not see any proof of any of  
4 that. It was too narrow.

5 [14.11.13]

6 Q. I'll move to the next topic Ms. Becker, but it somehow still  
7 puzzles me, Richard Dudman was already covering the Cuban  
8 revolution and the assassination of John F. Kennedy, he was a  
9 very, very experienced journalist, yet there seems to be  
10 substantial differences between his observations and your  
11 observations. You said that you had debates on this, in '79, were  
12 you able to establish why there are such discrepancies in your  
13 observations?

14 A. Yes, exactly what I said. He did not know Cambodia before and  
15 I did. And subsequently he did not want to go back to Cambodia.  
16 It's just simply, it's not the first time this has happened.

17 Q. I understand your answer but observing if children are  
18 malnourished or generally are looking unhealthy or -- that is -  
19 these are observations that don't need any prior visit to  
20 Cambodia or any prior knowledge of Cambodia, would you agree with  
21 me?

22 A. We did not see evidence that there were no malnourished  
23 children in Cambodia. We in fact saw and we took pictures of  
24 children who were very thin and you couldn't tell. We weren't  
25 close enough to be able to see nourishment or not nourishment.

1 No, we just didn't see that.

2 [14.13.04]

3 Q. Very well, I might come back to that point. I would like to  
4 move on Ms. Becker, to the earlier mentioned Douglas Pike and the  
5 report that he wrote before Congress in October '78. With this  
6 report in hand, I'm actually moving to my next topic, that would  
7 be the position of Vietnam, the role of Vietnam, in relation to  
8 DK and in general Southeast Asia. He wrote this report at the  
9 request, as I understand, from Congress. It seems that he is  
10 reflecting the position and the views of the State Department in  
11 those days and it's a very interesting report, I have to say. One  
12 of the things that he is saying in his conclusions is the  
13 following and I would like quote that and then ask for your  
14 reaction.

15 [14.14.22]

16 Mr. President, this is Document E3/2370. I'm referring to English  
17 ERN, 00187396; and it seems there's only a French translation --  
18 that is, French ERN 00344747. It's just a few of the conclusions  
19 that he is making before Congress in that report.

20 The first conclusion is the following and I quote - I quote  
21 Douglas Pike:

22 "Vietnamese communists long have regarded a federation of  
23 Indochina as the proper ultimate political configuration for the  
24 peninsula. Of necessity this would require Cambodian and Laotian  
25 acquiescence, or at least find rulers in the two countries who

1 are amenable to the idea. In creating a federation of Indochina  
2 the Vietnamese are in no hurry."

3 That's the first part of his conclusions. I'm moving a little  
4 slower because of the translation.

5 [14.15.52]

6 The second would be and I quote again:

7 "The present border war, which is actually internecine communist  
8 conflict, has been going since at least 1970. Neither side can be  
9 condemned as instigator; neither is simply a victim."

10 He goes on to say in his conclusions, and I quote again:

11 "Cambodian behaviour in the war is not as irrational as appears.  
12 There is a logic both to Cambodian strategy and rhetoric,  
13 particularly when viewed in the light of Cambodian history."

14 And the last part of his conclusion I would like to put before  
15 you, Ms. Becker, is the following and I quote:

16 "The most likely future of the war appears, as of this moment, to  
17 be indeterminate; that is, a debilitating inconclusive rise and  
18 fall in the level of battle. The second most likely outcome,  
19 Cambodia firmly turned into a client state, is an attractive  
20 prospect for Vietnam but one fraught with dangers."

21 Now, I apologise, these are many quotes from his conclusions at  
22 once, but since you're an expert on the matter, I'm sure you'll  
23 be able to put them altogether and give your reaction to his  
24 conclusions.

25 [14.16.35]

1 MR. PRESIDENT:

2 Hold on, Expert. Mr. Co-Prosecutor, you may proceed.

3 MR. KOUMJIAN:

4 Your Honour, in the introduction to Mr. Koppe's question, he made  
5 certain representations about this document and he said it  
6 reflected the views of the United States, Department of State.  
7 That clearly is incorrect, and neither the witness, Your Honours,  
8 or the public should be misled about that. If one looks at the  
9 foreword, it indicates this study was prepared by Douglas Pike  
10 who was a Foreign Service officer on detail as a scholar in  
11 residence to another organisation, The Congressional Research  
12 Service. The findings expressed are those of Mr. Pike and do not  
13 necessarily reflect the views of the members of the Committee of  
14 International Relations. So this is not a document reflecting the  
15 views of the Department of State and the document itself, looking  
16 at it, in the key findings of Mr. Pike on Vietnam on Cambodia on  
17 Page 6, sites two sources, Khieu Samphan and an official document  
18 from the Government Archives of Democratic Kampuchea. So those  
19 were the sources Mr. Pike used for this report.

20 MR. KOPPE:

21 As I understand, Mr. Pike is a very senior analyst working --  
22 used to work for the State Department. He's also Professor of  
23 History at Berkley, I believe, afterwards. He is dead now. The  
24 quote that I just heard is not the opinion or views of the House  
25 of Congress. It doesn't say anything whether he represents the

1 State Department, yes or no. Anyway, we're talking with an expert  
2 and I'm sure Ms. Becker is able to answer my questions.

3 [14.19.46]

4 MS. BECKER:

5 A. Thank you, the back and forth about Indochinese federation and  
6 Vietnamese intentions, is rich and it is old and it continues  
7 today. Douglas Pike, when he was in the Foreign Service was one  
8 of the key architects of the theory of the Domino. The Domino  
9 theory that propelled the United States to war, that in fact had  
10 Vietnam not invading Cambodia but invading non-communists  
11 Southeast Asia. So this is a very rich and constant history. I,  
12 of course, write extensively about it and show the different  
13 scenes in it. So it's - there's not anything one way or the  
14 other. The predictions of the State Department at that point,  
15 because I did go to them, was not either of the things that Mr.  
16 Pike mentions in his own capacity but the State Department told  
17 me and Mr. Dudman just before we left that they'd suspected the  
18 Vietnamese would stop at the East bank and the retreat simply to  
19 tell the Cambodians to stop. The latest things on the Indochinese  
20 federation are done in a Pulitzer prize winning book called  
21 "Embers of War", which shows the Chinese and the Soviet communist  
22 interest in the Indochina federation that they would rather have  
23 it and they would rather have Ho Chi Minh do that, in order that  
24 they wouldn't have to deal with all three of them. So it's rich  
25 and it's continuous and there are more and more documents coming

1 out.

2 [14.21.24]

3 Q. I'm coming to the Soviet Union perspective and the Chinese  
4 perspective a little bit later. But my question is do I  
5 understand from you that you do not necessarily agree with the  
6 conclusions that I read to you on the content?

7 A. You read a lot. He predicted a couple of things. One, Card A,  
8 Card B, Card C. The one thing that stuck out was that Cambodia is  
9 not irrational and the presumption being that there is  
10 rationality on either side. We all have pointed out that this  
11 border war has been going on since 1970; I mean there is nothing  
12 new in what he said.

13 [14.22.22]

14 Q. You are right, there are many conclusions that I read to you.  
15 Let's then take them step by step. Vietnamese communists long  
16 have regarded the federation of Indochina as the proper ultimate  
17 political configuration for the peninsula. Is that a conclusion  
18 that he draws which in your opinion is a correct one or is a  
19 false one?

20 A. I don't think that's a static idea at all and I'm not sure  
21 that he could even say it then. As I said, no one seriously  
22 believed that the Vietnamese were fighting their war in order  
23 take over Cambodia. At that point, the ultimate is Indochinese  
24 federation; I don't think you can say that. No.

25 [14.23.19]

1 Q. But if you rightfully say that Douglas Pike was instrumental  
2 in his formulation of the Domino theory, then surely he wasn't an  
3 unknowing liberal but he was somebody with possibly conservative  
4 views. So my question is why -- he wrote this in '78, reflecting  
5 on his knowledge of policy of Vietnam in the beginning of the  
6 '70s, why would he be wrong and why would you be right?

7 A. That he thinks -- he didn't prove it. I'm saying he didn't  
8 prove it. And he did not prove it.

9 Q. Well, the academics or scholars who can actually prove it  
10 maybe, would see high prices for uncovering material because it's  
11 all - it seems buried in the archives of Vietnam itself possibly.  
12 So it's very difficult at this stage even now to uncover it. But  
13 the question is the likeliness of --

14 MR. PRESIDENT:

15 Judge Fenz, you may proceed.

16 JUDGE FENZ:

17 We generally appreciate if you don't testify but ask questions.

18 [14.25.00]

19 MR. KOPPE:

20 I agree, but I'm in a debate with an expert so sometimes it's  
21 difficult not to.

22 Q. What about the other conclusions of Douglas Pike. For  
23 instance, the question whether Cambodia DK behaved irrational or  
24 not vis-a -- Vietnam.

25 MS. BECKER:

1 A. I think the war proved that their foreign policy did not make  
2 sense. I think they should not have instigated that. The whole  
3 Pol Pot interview I had with Richard Dudman was the model for  
4 irrationality, the idea that he actually built his foreign policy  
5 his war policy on the notion that Warsaw Pact was going to join  
6 Vietnam and NATO was going to join Cambodia; that's the model of  
7 irrationality.

8 [14.26.07]

9 Q. I was coming to that topic but now that you mentioned it,  
10 didn't Vietnam enter into a military aid agreement with the  
11 Soviet Union and weren't there Soviet military advisors in DK -  
12 in Vietnam prior to the invasion, possibly also East German  
13 military advisors?

14 A. Yes, in fact I mentioned that the Soviet-Vietnam agreement was  
15 one of the big temperature risers for the Sino-Soviet split.  
16 There is no question that agreement was critical. And yes, there  
17 were Soviet advisors in Vietnam and Chinese advisors in DK. But  
18 the idea that we'd see Warsaw Pact troops, the NATO troops.

19 Q. Coming back to the NATO troops that you mentioned yesterday,  
20 can you point me to any DK publication, any DK document,  
21 especially the Black Paper, any FBIS report that says that Pol  
22 Pot or DK thought that NATO troops would come to join their fight  
23 and on top of this why didn't you mention this seemingly erratic  
24 detail in your report, nor did Dudman?

25 A. First of all, it was so irrational that it was taken out of my

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1 report. I have no idea. The editors took it out. You have the  
2 recording of Pol Pot saying that - I gave it to the Trial. I  
3 can't answer for Richard Dudman.

4 Q. What about the publications? The Black Paper?

5 A. That was by the Foreign Ministry given out before we went to  
6 see Pol Pot. You'll have to ask DK on that one.

7 [14.28.13]

8 Q. I checked the Black Paper and there is no mention of NATO  
9 troops. Would it be possible that this whole NATO thing, was bit  
10 lost in translation?

11 A. No, did you hear the - did you listen to the recording? I gave  
12 it to the Court.

13 Q. No but I'm saying not lost in translation, but maybe the  
14 translator who was translating it didn't understand it properly  
15 as sometimes happens here. It was conveyed to you in a way that  
16 didn't make sense but it wasn't actually the words of Pol Pot.  
17 That's what I meant with "lost in translation."

18 A. The translation was done by Kheat Chhon with Thiounn Prasith  
19 and Ieng Sary helping them. I don't think that would have been a  
20 mistake with those people, with Pol Pot.

21 [14.29.11]

22 Q. Of course, I'm not here to speculate as to what Pol Pot  
23 possibly said but would you agree with me that the conflict  
24 between DK and Vietnam became the centre piece in US therefore  
25 NATO/Soviet relations?

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1 A. Not NATO. It was the US-Chinese relation that was critical on  
2 this issue. Europe, NATO? No. This was US-China and that was very  
3 critical and you see this particularly around Tiananmen Square.  
4 As you get closer and closer to that divide.

5 Q. That was 1989.

6 A. Yes.

7 Q. I think your answer got lost.

8 A. You asked if this affected US-NATO and I said "No". This was  
9 more important for US-Chinese and it continues all the way up  
10 through Tiananmen Square and you can see that US policy towards  
11 Cambodia is very much determined by US-Chinese policy. NATO, no.

12 Q. Because of time, I'll move to the other conclusion on the  
13 border war between Vietnam and Cambodia. He's basically saying,  
14 it started already in 1970, both are at fault, both are not  
15 necessarily acting irrational. Would you agree or disagree with  
16 that?

17 A. In 1970, the major change on the border was when the United  
18 States supported the coup against Sihanouk. The troops -- the  
19 Vietnamese - the communist Vietnamese troops both from the north  
20 and from the south, who had been confined to the eastern zones,  
21 they spread across the country and the Vietnamese communist  
22 troops took the fight against the Lon Nol government so that the  
23 Khmer Rouge forces could build, could arm and so on and so forth,  
24 so they could be ready to carry the fight on their own. That was  
25 the major change in Cambodian-Vietnamese military relations. So,

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1 to call that a border war, no. It was very much the first -- in  
2 fact it was very surprising to many people that the Vietnamese  
3 communist picked up the slack. They won Chanla one campaign, they  
4 won the Chanla two campaign and that's all the way across this  
5 country.

6 [14.32.07]

7 Q. I would like to follow up on that but I would move on to the  
8 next line of questioning and that is, we have been talking about  
9 the American perspective on Vietnamese ambitions. You basically  
10 said Indochinese federation, I don't think so. I would like now  
11 to read to you a passage coming from the Soviet archives quoted  
12 in a book that we discussed earlier, a book by Steven Morris,  
13 entitled "Why Vietnam invaded Cambodia?" Specifically, Ms.  
14 Becker, I would like to take you to Page 66 of that book -- that  
15 is, ERN E307/5.2.4. I'm afraid again, Mr. President, there's only  
16 an English ERN 001001733. And Morris is quoting the Soviet  
17 Ambassador to Vietnam. I will read it slowly so that the  
18 translation can keep up.

19 [14.33.21]

20 "But this did not mean that Hanoi had abandoned entirely its  
21 desire for an Indochinese federation. In February 1973, the  
22 Soviet ambassador to North Vietnam spelled out what he believed  
23 to be Hanoi's goals."

24 And the Ambassador is quoted in the book.

25 "The program of the Vietnamese comrades for Indochina is to

1 replace the reactionary regimes in Saigon, Vientiane and Phnom  
2 Penh with progressive ones, and later when all Vietnam, and also  
3 Laos and Cambodia, start on the road to socialism, to move toward  
4 the establishment of the federation of the Indochinese countries.  
5 This course of the VWP (Vietnam Worker's Party) flows from the  
6 program of the former Communist Party of Indochina."

7 [14.34.16]

8 So, Ms. Becker, my question would be it seems that also the  
9 Soviets in 1973 still see Vietnamese policy in terms of creating  
10 an Indochinese federation. What would be your reaction on that?  
11 A. I'm not surprised at all. As I said, it was a moving target  
12 and depending on the period, it's whether or not different people  
13 and different parties saw that. Now, if you remember correctly,  
14 the Soviet Union had very poor relations with both sides of the  
15 Cambodian war. The kept their - the Soviet kept their Embassy in  
16 Phnom Penh throughout the war and the first thing that the -- one  
17 of the first things that the Khmer Rouge did was trash the  
18 Soviets who thought they would be treated as allies. So, it's a  
19 very tricky thing, but I'm not at all surprised. You'll find  
20 references to this from very different periods. But as I said,  
21 the most recent Soviet archive work, again I'll repeat, in the  
22 book "Ambers of War", traces, one, the Soviets having very little  
23 interest in Vietnam, Cambodia or Laos and not wanting to give  
24 much money. They were much interested in Europe and therefore  
25 very happy to have a Indochina federation kind of, Indochinese

1 party and it was Ho Chi Minh who fought with them to have a  
2 separate Vietnam party.

3 Q. I'll go back to Ho Chi Minh but it seems, maybe I just don't  
4 understand it correctly, but that Douglas Pike is accurately  
5 describing Vietnamese policy in relation to what the Ambassador  
6 of the Soviet Union is saying about Vietnam's ambitions. So I  
7 don't see really any light between Douglas Pike on the one hand  
8 and the Soviet Ambassador on the other hand.

9 [14.36.27]

10 MR. PRESIDENT:

11 The Expert, please wait. And International Co-Prosecutor, you can  
12 have the floor.

13 MR. KOUMJIAN:

14 Your Honour, again, it sounds more like counsel's views rather  
15 than stating a question to the expert.

16 MR. KOPPE:

17 Well at least I'm not touching only the surface, Mr. Prosecutor.  
18 I'm asking whether the views of the Soviet Union were in line  
19 with the perceptions and observations of Douglas Pike.

20 MS. BECKER:

21 A. The interview with the Soviet Ambassador is very interesting.  
22 Douglas Pike has his views, I don't -- maybe the Soviet  
23 Ambassador and Douglas Pike agree, you're absolutely right. But I  
24 don't, if we can call that American policy, Vietnamese policy and  
25 Soviet policy.

1 [14.37.34]

2 Q. If you allow me then, Ms. Becker, let me know turn to how the  
3 Chinese saw the ambitions of Vietnam and I would like to refer  
4 you to the earlier mentioned report of Geng Biao -- that is,  
5 E307/5.2.1, more particularly ERN 01001621. Just for your  
6 background information, because I didn't see it referenced in  
7 your book, this was a very high level meeting in January '79, it  
8 was Central Committee, Standing Committee within China. It was a  
9 secret meeting. Geng Biao was the highest military person within  
10 China reporting to, among others, Deng Xiaoping. So, this is not  
11 a public version of China's views but the perception of China  
12 itself on especially Vietnam.

13 Now as you know -- I'm sure you know that Deng Xiaoping had  
14 referred to Vietnam already as the "Hooligans of the East" and  
15 Geng Biao seems to say the same thing. I would like to quote to  
16 you -- that is at, ERN 01001621; and I quote.

17 "Why did Vietnam not invade Cambodia when the diplomatic  
18 relations between them were broken off last year? Why has it  
19 waited until now to begin its aggression upon Cambodia? As a  
20 matter of fact, as early as before the liberation of South  
21 Vietnam, Vietnam had harboured malicious intentions. The small  
22 handful of its war maniacs, at the instigation of their  
23 social-imperialist behind-the-scenes boss, had wanted to encroach  
24 on Cambodia, drawing it into the so-called "Indochina Alliance",  
25 and turning it into the springboard and base of

1 social-imperialism in its attempt to realize its global strategic  
2 plan and expand into Southeast Asia."

3 My question would be this view of China on Vietnam's ambitions  
4 seems also to correspond with the conclusion of Douglas Pike  
5 before US Congress and Soviet views of Vietnamese policy, would  
6 you agree?

7 MS. BECKER:

8 A. There's - that's maybe --

9 [14.40.18]

10 MR. PRESIDENT:

11 Mr. Expert -- Madam Expert, please wait. Judge Fenz, you have the  
12 floor.

13 JUDGE FENZ:

14 Counsel, you are doing it again. Presenting the opinion of one  
15 person as the opinion of the country, is making -- evaluating a  
16 piece of evidence you are putting forward. So please, stop it.

17 [14.40.50]

18 MR. KOPPE:

19 I'm not sure if I understand. If I follow, we are talking,  
20 Vietnamese foreign policy and I'm putting forward foreign policy  
21 views of the US, Soviet Union and China. I'm just reading how  
22 they saw Vietnam and I'm asking the expert opinion of Ms. Becker.  
23 That's what I'm supposed to do.

24 JUDGE FENZ:

25 You're putting forward the opinions of individuals, not of

1 countries. Whether these opinions accurately reflect the opinions  
2 of the country is something which has to be determined. It's an  
3 issue of language.

4 MR. KOPPE:

5 In respect of Douglas Pike, I agree there could be a discussion.  
6 However, with relation to this document, this is clearly Chinese  
7 policy, there is no doubt about that whatsoever. So, and if I'm  
8 wrong, I'm sure the expert will be able to correct me.

9 JUDGE LAVERGNE:

10 Counsel Koppe, is this an official Chinese document? Has it been  
11 confirmed to be a Chinese document? This document were obtained,  
12 and we do not know under what circumstances it was obtained.

13 MR. KOPPE:

14 To be honest, I find that a little disappointing that after seven  
15 years we still do not - we still have to discuss the value and  
16 relevance of Geng Biao. All scholars are referring to this  
17 extremely important report. It is without a doubt the view of  
18 China, reflecting Chinese policy and if I'm wrong I'm sure the  
19 expert will correct me.

20 [14.42.46]

21 JUDGE FENZ:

22 Counsel, there has been a ruling. Please adapt your language to  
23 it. That's the only thing we're asking you at this point in time.

24 [14.42.56]

25 BY MR. KOPPE:

1 Q. Fine. Ms. Becker - yes I laugh too -- would you be able to  
2 tell Chinese policy in relation to - what the Chinese views were,  
3 I'm sorry, of Vietnamese policy toward DK or toward Cambodia in  
4 general.

5 MS. BECKER:

6 A. That totally reflects the public view. In fact you will see it  
7 in my book. The Chinese definitely accused Vietnam of wanting an  
8 Indochinese federation and that's one of the reasons they gave  
9 when they invaded Vietnam from the Chinese border and taught  
10 Vietnam a lesson with the invasion. That's no secret. They very  
11 much used the Vietnamese desire for an Indochinese federation to  
12 say very publicly, it's a very public point, that they considered  
13 Vietnam going after an Indochinese federation.

14 Q. Then I think, we agree?

15 A. Yes, we agree.

16 Q. Thank you very much for your answer.

17 MR. PRESIDENT:

18 The time is appropriate for a short break. We'll take a break now  
19 and return at 3 o'clock this afternoon.

20 Court officer please assist the expert during the break and have  
21 her return to the courtroom at 3 o'clock.

22 The Court is now in recess.

23 (Court recesses from 1444H to 1504H)

24 MR. PRESIDENT:

25 Please be seated. The Trial Chamber is back in session.

1 And the floor is given to Defense Counsel for Noun Chea to put  
2 questions to the expert. Counsel, you may proceed.

3 BY MR. KOPPE:

4 Thank you, Mr. President. Good afternoon again, Ms. Becker.

5 Before the break, we spoke about the US Congress report on  
6 Vietnam's ambitions toward Cambodia. We spoke about Soviet policy  
7 or ideas about what Vietnam's ambitions were. We did the same  
8 with China. Of course, who is missing in this lineup is King  
9 Father Sihanouk and his views as to the Vietnamese invasion in  
10 1978, '79. You spoke already, briefly, about Prince Sihanouk. You  
11 spoke about your interview, or rather his press conference in  
12 Beijing.

13 Q. Would you be able to tell us some details about the content of  
14 that five-hour press conference that Prince Sihanouk gave in  
15 Beijing in January '79?

16 MS. BECKER:

17 A. Yes. As I talked about it with the International Prosecutor,  
18 it was a long interview. He explained what it was like to be in  
19 -- under house arrest, how his whole -- what he lived through  
20 during Democratic Kampuchea. Then he went on to New York to the  
21 UN, and that's the speech that I actually covered, where he threw  
22 in his lot with Democratic Kampuchea, saying that he was really  
23 worried about Vietnam. And then afterwards is when he then tried  
24 to stay in the United States or France, and they refused.

25 [15.07.13]

1 Q. Thank you. My question as to his press conference in Beijing  
2 would more focus on his views on the Vietnamese invasion and what  
3 his opinion was, what had led to the Vietnamese invasion and how  
4 it should be viewed in general.

5 A. Of course, I don't remember his exact words, but it was very  
6 clear. He's throwing in his lot with Democratic Kampuchea. He's  
7 afraid Vietnam is going to swallow up Cambodia, and he kept that  
8 line all throughout.

9 Q. So is it your recollection that there's really, when it comes  
10 to the Vietnamese invasion and Vietnamese ambition, there's no  
11 light as to what he said in Beijing and what he officially said  
12 before the Security Council, I believe it was 15 January, 1979?

13 A. Not that I remember, no.

14 Q. Do you remember the exact words of his speech? Maybe I could  
15 help you a little bit. He compared the invasion, Vietnam of DK,  
16 as the invasion of Nazi Germany of Poland. Do you remember that?

17 A. No, but I take your word for it.

18 Q. And that he used -- he was using the example of a big boa  
19 constrictor, being Vietnam, slowly swallowing up Kampuchea. Do  
20 you remember him saying that?

21 A. No. As I said, he kept saying "swallowing Kampuchea", and DK  
22 leaders all said "swallowing Kampuchea." So, yes, that was the  
23 line.

24 Q. And did he, do you remember, qualify the Vietnamese invasion  
25 as a naked act of aggression, annexation and the fulfilment of

1 long-term ambitions to swallow up little Kampuchea?

2 [15.09.48]

3 A. Absolutely. It was standard speech for the next couple years.

4 Absolutely.

5 Q. So, would it be a fair conclusion, in your expert opinion,  
6 that there was not much light between what the Soviet Union saw  
7 as Vietnamese ambitions, what China saw as were Vietnamese  
8 ambitions toward DK, what Douglas Pike thought, and what Prince  
9 Sihanouk thought?

10 A. The Soviet Union and China did not agree on Vietnam's  
11 ambitions. And the United States -- you had the Soviet Union, and  
12 I don't think that Douglas Pike is particularly a relevant issue,  
13 but I would definitely disagree with you that the Soviet Union  
14 and China agreed on what Vietnam was up to.

15 [15.10.48]

16 Q. Okay. Now, let's talk a little bit, if that's okay with you,  
17 about Vietnam itself. We talked about its ambitions or its policy  
18 toward DK or Cambodia in general. Would you be able to tell us  
19 something about the regime post 30 April '75, in the unified  
20 Vietnam led by Le Duan or Le Youn -- as I understand you have to  
21 pronounce it in Khmer -- would you be able to tell us anything  
22 about the regime that he was leading in Vietnam?

23 A. That's a big subject. You mean how they were unifying it? I  
24 don't know where to begin.

25 Q. I agree with you it's a very big subject. Let me focus on, for

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1 instance, it's policy toward the Soviet Union. Would it be fair  
2 to say that Le Duan was a Stalinist and a close follower of the  
3 Brezhnev doctrine?

4 [15.12.11]

5 A. There's no question that Vietnam was very close to the Soviet  
6 Union and was very fearful of the Chinese, since Ho Chi Minh and  
7 his famous expression about the lips and the cup and the teeth  
8 and all that. There's no question, they were Soviet side and very  
9 -- starting to question Chinese behaviour.

10 [15.12.37]

11 Q. I briefly mentioned the Brezhnev doctrine. Would you be able  
12 to shed some light on what the Brezhnev doctrine is?

13 A. In what regard?

14 Q. Especially in regard as to what should happen to socialist  
15 countries that would not stay in ideological line with Soviet  
16 Union. Think of Czechoslovakia and maybe think of Afghanistan, a  
17 year later, '79.

18 A. I don't --

19 MR. PRESIDENT:

20 Madam Expert, please wait, and the International Co-Prosecutor,  
21 you have the floor.

22 MR. KOUMJIAN:

23 In my limited research, the Brezhnev doctrine, what Brezhnev said  
24 was that when forces that are hesitant -- excuse me, when forces  
25 that are hostile to socialism try to turn to the development of

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1 some social country, turned the development of some socialist  
2 country towards capitalism, it becomes not only a problem for the  
3 country concerned, but a common problem and concern of all  
4 socialist countries. And I just want to make sure that counsel  
5 has the same understanding that Brezhnev was talking about a  
6 country turning towards capitalism.

7 MR. KOPPE:

8 Well, I'm not sure that Czechoslovakia in 1968 was turning to  
9 capitalism, but let's leave that discussion aside. My question  
10 is, would you be able to put the Brezhnev doctrine in the light  
11 of the Soviet invasion in 1968 in Czechoslovakia and later --

12 MR. PRESIDENT:

13 Counsel Koppe, could you speak more louder because your voice  
14 could not be heard by the interpreter.

15 [15.14.38]

16 BY MR. KOPPE:

17 They already put two of those piles to put the microphone closer  
18 to me. I will speak louder that's, I suppose, the only solution.

19 Q. So again, would you be able -- better like this? - would you  
20 be able to put the Brezhnev doctrine or explain it taking  
21 Czechoslovakia '68, Afghanistan '79 into the consideration and  
22 discuss the Brezhnev doctrine and, of course, especially how  
23 Vietnam was related to that doctrine?

24 A. Quite frankly, I've never seen that comparison before. Have  
25 you?

1 [15.15.16]

2 Q. You mean the Brezhnev doctrine and '68 Czechoslovakia?

3 A. No, you asked me if I, maybe I misunderstood your question,  
4 you said the Brezhnev doctrine as it applied to Czechoslovakia,  
5 Afghanistan, etc. How does that affect Vietnam and Cambodia?

6 Q. The thing is we're going a little fast, I agree, but I only  
7 have limited time. What I'm trying to achieve from my question  
8 is; would you be able to tell if Vietnam adhered to the Brezhnev  
9 doctrine, was in agreement officially with the Brezhnev doctrine.  
10 In other words, were they in agreement with the Soviet invasion  
11 of Czechoslovakia in '68, and later the Soviet invasion in  
12 Afghanistan '79? Generally speaking, in other terms maybe, were  
13 they called the Cuba of Asia? Were they in the same, could they  
14 be seen in the same terms of policy as Brezhnev in the Soviet  
15 Union?

16 A. Given this, I've not seen this comparison before, but in '68,  
17 Vietnam was so involved with the war, I'm not sure that they  
18 would say one way or the other. I'm afraid, I don't see the  
19 comparison. I cannot remember an official Vietnamese statement  
20 saying the Brezhnev doctrine informed their invasion of Cambodia.  
21 I do not remember that, no.

22 Q. Are you aware of Soviet advice to Vietnam to do with DK a  
23 Czechoslovakia -- the same thing, to do as the Soviet Union did  
24 with Czechoslovakia in 1968?

25 A. No, I'm not.

1 Q. Maybe let me rephrase in other terms. Was Vietnam in '76, '77,  
2 '78, '79, a Soviet satellite in the Stalinist tradition?

3 [15.17.53]

4 A. I would never have called Vietnam a Soviet satellite, no.

5 Q. But you have read Steven Morris's book? It will be difficult  
6 to find the exact quote, but that is basically his understanding  
7 of Vietnam versus the Soviet Union. Would you agree with that?

8 A. I agree with Nayan Chanda's analysis, which is a much more  
9 independent Vietnam, not a Soviet satellite. And I think what is  
10 pertinent in this argument is that Vietnam was incredibly poor  
11 after '75, very poor. The United States started an incredible  
12 embargo. And the poverty of the Vietnamese led to their people  
13 being sent to factories all over Eastern Europe and the Soviet  
14 Union, the then-Soviet Union, to work, and it was highly resented  
15 by Vietnam. Those of us who later visited, they hated it. In  
16 fact, if you remember when the Berlin wall fell, you saw all  
17 these Vietnamese workers trying to get out. So they were  
18 definitely beholdng. They were so poor, they had to pay back all  
19 that debt with sending their workers out. And we -- this was  
20 known, this was publicly known. But that, I don't think, meant  
21 that they were satellites, it meant that they were very poor and  
22 they had to do that.

23 [15.19.22]

24 Q. Would you agree with me that Nyan Chanda was not able to use  
25 Soviet archives as opposed to Morris, who was able to access

1 material in the Soviet archives?

2 A. I'll repeat for -- my expert on Soviet archives is not  
3 necessarily Steven Morris; it's the man -- the Danish man who  
4 just won the Pulitzer called "Embers of War" that went through  
5 him. And Sophie Quinn-Judge, I think, is better. And neither of  
6 them would have ever called Vietnam a Soviet satellite.

7 Q. I'll move on. In relation to Vietnam, and very briefly on  
8 this, its own human rights record. You have written about that in  
9 your book. Would you be able to say something about mass  
10 executions in South Vietnam by North Vietnamese troops after 30  
11 April, '75, especially former South Vietnam officials and  
12 military?

13 [15.20.35]

14 A. There's no question their human rights record was abysmal. I  
15 can't say that I know of exact reports on the number of  
16 executions and so on and so forth. But that may be the fact that  
17 the government is still in power and you have no access to them.  
18 So, I'm not alone on that one. But no one is defending Vietnam's  
19 human rights record.

20 Q. Just to finish that topic. Of course, we all remember the  
21 million-plus boat refugees, ethnic Chinese, who were expelled  
22 from Vietnam. Would you be able to say one or two sentences about  
23 that?

24 [15.21.19]

25 A. Yes, and I actually reported on all that in both sections.

1 There are two, as you know, two different boat peoples. The ones  
2 in the south, who made it largely to Southeast Asia, and the  
3 Chinese in the north. And that was very much related to Cambodia,  
4 the ones in the north. The ethnic Chinese became very suspect by  
5 the Vietnamese, because the Vietnamese thought the Chinese were  
6 behind their war with Cambodia. And they -- even though the  
7 ethnic Chinese had been completely supportive of the Communists,  
8 they were driven out. A lot went to Hong Kong. And it was another  
9 one of the tragedies in this horrible war.

10 Q. My last question on this topic would be in the light of what  
11 we talked about earlier, in terms of Vietnamese ambitions toward  
12 DK, Vietnam's position in the Soviet bloc, as you will, its  
13 abysmal, your words, human rights record. Would you be able, in  
14 your expert opinion, to qualify the invasion of Vietnam of DK? Is  
15 that -- was it a large-scale act of aggression, as Prince  
16 Sihanouk calls it, or was it a humanitarian intervention?

17 A. Did you say humanitarian?

18 Q. Yes, I did.

19 [15.23.15]

20 A. I don't think anybody's ever accused the Vietnamese of doing a  
21 humanitarian invasion. This was power on power invasion. As you  
22 know, I think the Cambodians overstretched with their small,  
23 little border war. They had no idea the Vietnamese would come  
24 back as quick as they had. The humanitarian was stuck on at the  
25 end when they tried to get the UN to support them. The only thing

1 I would say is that, since I -- one has to be skeptical of all  
2 governments, the one thing I did write is that if Thailand had  
3 invaded and overthrown Phnom Penh, there might have been a very  
4 different reaction. But there -- no one has ever thought the  
5 Vietnamese invasion was humanitarian, at all.

6 [15.24.07]

7 Q. I'm not sure about that, but I would like, at least, the  
8 record to reflect that you were laughing at my suggestion that it  
9 even could be humanitarian intervention and you were laughing  
10 because it is a ridiculous notion. Would that be correct?

11 A. I laughed, because I've never heard it before. No one --  
12 there's definitely a humanitarian component when they defeated  
13 the Khmer Rouge and the Khmer Rouge left. But no one ever thought  
14 that this was primarily humanitarian. If there had not been a  
15 border war, Vietnam would not have been invaded. It was secondary  
16 that there was a big humanitarian component, that the Khmer Rouge  
17 was overthrown and the people had a breather. But, I -- I don't  
18 know anybody believes that this is anything but a Vietnamese  
19 response to the border war with Cambodia.

20 Q. You just gave a very interesting answer to my question. At  
21 least part of your answer was interesting to me. And that is the  
22 following. You said that Vietnam pushed the Khmer Rouge out,  
23 kicked the Khmer Rouge out or beat the Khmer Rouge, in similar  
24 terms. But isn't it true that the government that was installed,  
25 all members of that government were, in fact, former Khmer Rouge.

1 And to expand on that, Prince Sihanouk called the leader of that  
2 newly installed government, a pitiful puppet of the Vietnamese.  
3 So, I'm a little bit lost when you say that the Khmer Rouge was  
4 expelled. There was just another faction of the Khmer Rouge in  
5 power as of 7 January, '79. Would you agree?

6 [15.26.08]

7 A. No, that's like saying that the Vichy government was just  
8 another branch of the French government. Hun Sen, Heng Samrin,  
9 they were a front for the Vietnamese. Everybody wrote that. It  
10 was clear. They were not part of Democratic Kampuchea anymore.  
11 They weren't. They had fled during the eastern purges and then  
12 they were the front for the Vietnamese. In fact, when the  
13 Vietnamese argued -- when Sihanouk was arguing with the UN, they  
14 pretended they weren't there and we all wrote they were. So to  
15 say this is an extension of DK -- they're former DK, yes. But  
16 they were completely split off from DK and they were fighting DK.

17 Q. That brings me to my next topic, Ms. Becker. When -- which  
18 year do you put the uprising, as you will, or the split within  
19 the Khmer Rouge, the split into two groups or even three groups;  
20 one led by Pol Pot, Nuon Chea, Ieng Sary and the other one led by  
21 So Phim, Ros Nhim and others. When -- which year, which time  
22 would you put that split?

23 MR. PRESIDENT:

24 Madam Witness, please wait, and the International Co-Prosecutor,  
25 you have the floor.

1 [15.27.40]

2 MR. KOUMJIAN:

3 Your Honour, the question presumes all kinds of facts that the  
4 witness has not testified to. The question presumes, obviously  
5 counsel would like to presume this, that there was a conspiracy  
6 between various members, Ros Nhim, So Phim, etc. If counsel  
7 wishes to ask the witness whether that was the case, that's fine,  
8 but he shouldn't ask her a question presuming the facts that  
9 there is no evidence from this witness about.

10 BY MR. KOPPE:

11 I'll be happy to move back a little bit. Would you be able to  
12 tell us something about the rebellion or the split within the  
13 Khmer Rouge before the Vietnamese came? So Phim, Ros Nhim, they  
14 were mentioned earlier. One committed suicide in '78, June, and  
15 the other was executed.

16 Q. Would you be able to say something more in general terms about  
17 them?

18 A. As I describe it in my book, it's a purge, it's not a split.  
19 And it comes from the top. And it is, as the evidence shows in  
20 Tuol Sleng, it is an attack on the various regions for the centre  
21 to take more power. I don't describe it as a split; I describe it  
22 as a purge.

23 Q. I realize that that is the dominant view. Of course, this will  
24 be a topic in this trial whether that is an actual accurate view.  
25 But, if I use your words and call it purge, a purge implies that

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1 the other side thinks that the other side is betraying. When do  
2 you think the betrayal for which purges were apparently necessary  
3 started? When did So Phim and Ros Nhim start opposing DK's  
4 policy?

5 [15.30.01]

6 MR. KOUMJIAN:

7 Again, Your Honour, there has been absolutely no evidence from  
8 this witness that Ros Nhim or So Phim opposed the policy, but I  
9 think I'd let the witness answer the question.

10 MR. KOPPE:

11 Exactly.

12 MS. BECKER:

13 A. The evidence shows that the center began purging the regions  
14 in 1977.

15 BY MR. KOPPE:

16 Q. So that would mean exactly when do you think they thought  
17 purging was necessary?

18 [15.30.46]

19 A. The record show that they -- oh, boy, it's in such detail, I  
20 don't even know where to begin. It just became a snowball and  
21 they started to see -- you see it switch in the confessions where  
22 they see the enemy no longer necessarily as CIA or KGB, but they  
23 now see it as Vietnam. And that's when I - that's sort of '77,  
24 and that's when I would date it. There is no, unless you have it  
25 -- I don't remember major policy divisions that were cited. It

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1 was a general sense of traitor -- betrayal. But it was -- one  
2 side had all the power and did all the killing and the other side  
3 was -- the center had the power, did the purging, and they went  
4 systematically through the different regions.

5 Q. I would like to show or to read to you an excerpt from a book  
6 which is the follow-up of a documentary film which was used  
7 evidence very often in the first trial. It's a book called  
8 "Behind the Killing Fields" from Thet Sambath and Gina Chon. Is  
9 it correct that you said earlier that you know this book or do  
10 you know only the film?

11 A. Only the film.

12 Q. Mr. President, with your leave, I would like to quote from  
13 this book. I don't see as quickly the E3 number. E152.2 and the  
14 ERN number in English that I'm quoting, it's page 106 of the  
15 book, 00757532; Khmer 008585341 and 42. Just to give you a little  
16 background, Thet Sambath is quoting what seems to be a  
17 mid-ranking cadre from the northwest zone.

18 [15.33.37]

19 He is called in the book, Chan Savuth, he used to be the head of  
20 the hospital in the region Battambang, and he is quoted or  
21 paraphrased by Thet Sambath, as follows:

22 "Chan Savuth, head of the hospital in his region in Battambang,  
23 said in an interview that in one of the meetings he attended in  
24 Sdao to overthrow Pol Pot, Rhos Nhim said secrecy was mandatory  
25 because anyone who was found to be part of the plot would surely

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1 be killed. '[The] plan was very big an important, and if we won,  
2 things would be good again,' Savuth said. 'We were encouraged  
3 because some [...] members Phnom Penh like Vorn Vet supported this  
4 plot and we had So Phim in the Eastern Zone'."

5 This particular statement of this mid-ranking cadre from  
6 Battambang, seems to be supported by another cadre cited by Thet  
7 Sambath in his book. And I read in the book -- that would be ERN  
8 English 00757531; in Khmer 00858339 and 40; it's page 104 in the  
9 book.

10 "Surviving Khmer Rouge Cadre said there was indeed a plot to  
11 overthrow Pol Pot, Noun Chea, and the rest of the leadership. In  
12 Thoeun of Pursat province said there was a plan in 1976 to stage  
13 a coup that would be led by the Northwest and Eastern zones.

14 'Everyone knew about the plot to overthrow Pol Pot's  
15 leadership'."

16 Now, he's putting this to '76, would that change your answer  
17 you've just given, in light of the testimony of these two cadres?  
18 [15.35.55]

19 A. It's -- I know Sambath, I know when he did these interviews. I  
20 would take it with a grain of salt. I do not think that is proof  
21 that there was a plot, but --

22 Q. Would you be able to expand why you would take that with a  
23 grain of salt?

24 A. Two isolated interviews, I'd want to find some follow-up. It's  
25 way after the fact, there's no other supporting documents.

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1 [15.36.32]

2 Q. Well he's -- I'm just quoting two, there's another - there's a  
3 third one by the way, but I'm just quoting two from his book, I'm  
4 not sure if he doesn't have more. As a matter of fact, there is  
5 evidence in the file which -- I'm careful in my phrasing, Mr.  
6 President, seems to corroborate this evidence, indicating that  
7 the Southwest zone, the leaders of the Southwest Zone, So Phim,  
8 and the leaders of the Northwest zone were conspiring already in  
9 '75, '76. How did they do that? They had a big storage of rice,  
10 weapons, etc., in order to be able to, as this cadre says,  
11 overthrow DK. Again, my reaction as to what your opinion would  
12 be, or your reaction would be, rather.

13 MR. PRESIDENT:

14 Madam Expert, please wait. And the International Co-Prosecutor,  
15 you have the floor.

16 MR. KOUMJIAN:

17 Your Honour, that misstates the evidence in the case file, I know  
18 exactly what counsel is referring to. We've made a submission to  
19 the Court, and that grossly misstates the facts. It's not for  
20 counsel to ask, I think, the witness to evaluate evidence that,  
21 hopefully, the Chamber will hear in the future.

22 [15.38.10]

23 BY MR. KOPPE:

24 I'd be happy to give the records, but then we go into an area  
25 where I'm sure there's like a million objections and I don't want

1 to go there.

2 Q. So, my question in general would be, Ms. Becker, again, why  
3 would you say that we have to take the findings of Thet Sambath,  
4 which he laid down in his book, but also to a certain extent in  
5 his film, with a grain of salt?

6 MS. BECKER:

7 A. Because that's the line of the DK leadership and that's what  
8 all these people were forced to confess. It is exactly what you  
9 read in Tuol Sleng archives, this is not new. This is -- you  
10 spend time in the Tuol Sleng archives and every single one of  
11 them was accused of this, you know.

12 [15.38.58]

13 Q. That's correct, I am not saying something which is new,  
14 however they are people who, apparently, as I understand the book  
15 correctly, were not in Tuol Sleng and say this voluntarily. So --  
16 I mean I can see your point when you say you have to be careful  
17 with interpreting confessions of S21, although there is many  
18 arguments to be made about that, but these seem to be cadres who  
19 have not been in S21 and are, apparently, speaking freely to Thet  
20 Sambath.

21 A. I'll repeat, this was the official --

22 MR. KOUMJIAN:

23 Excuse me, there was no question.

24 MS. BECKER:

25 A. OK.

1 MR. KOUMJIAN:

2 There hasn't been a question.

3 [15.39.50]

4 MR. KOPPE:

5 Seems that the expert - or the witness - was understanding my  
6 question, and she was already starting to address my question.

7 MR. KOUMJIAN:

8 Mr. President, if I could address you, there's a procedure in  
9 courts that I've been in, in the last 35 years, where questions  
10 are asked and answers are given. If without a question there is  
11 no opportunity to object, and without a clear question, the  
12 direction of the examination becomes less fruitful and  
13 undirected. So, I would ask that the counsel ask the witness  
14 questions, and not simply make statements and then wait for a  
15 reaction.

16 [15.40.30]

17 MR. KOPPE:

18 Mr. President, as you are fully aware now, this is a very  
19 important topic to the Noun Chea Defence, trying to establish how  
20 rivalry factions were fighting each other in DK. I think we  
21 should have some leeway in this. The expert is perfectly able to  
22 grasp firmly, to use a DK term, what I'm putting before her and  
23 if she can't, then she can't.

24 MR. PRESIDENT:

25 Although the expert is capable of responding to your question,

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1 the process of Question and Answer Sessions shall follow what has  
2 been the practice in this Court. For that reason, please, tell  
3 your questions accordingly so that you can get proper responses  
4 from the expert in ascertaining the truth in this case.

5 BY MR. KOPPE:

6 I'll do it differently, Ms. Becker. Allow me to put it to you  
7 that the rebellion led by Rhos Nhim and So Phim already started  
8 in 1975 - 1976, and was a full blown rebellion. Is that correct  
9 or am I completely wrong?

10 [15.41.57]

11 MS. BECKER:

12 I do not see the evidence for that, so I think it's wrong, and I  
13 continue to say that these were purges from the top to the  
14 regions.

15 Q. Fair enough. I'll move to another topic, Ms. Becker, and that  
16 is the murder of Malcolm Caldwell, that is more an issue that you  
17 can testify to as what you have seen and experienced. I would  
18 like to take you to the same document that I used - that I  
19 referenced - to give you quotes from Richard Dudman. He's also in  
20 that same report that I gave you quotes about, giving his views  
21 on that night, on what happened. Let me take you, Ms. Becker, to  
22 -- it is, for the record, E3/3290, ERN 00419211. I quote as  
23 follows: "The third westerner in the party, Malcolm Caldwell, 47,  
24 an economist who specialized in Southeast Asia did not make it  
25 through this ordeal. He was shot to death. The three of us were

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1 targets of a terrorist attack, an apparent effort to embarrass  
2 the government of Cambodia."

3 My question to you is, first of all, your reaction as to this  
4 very short analysis of Dudman on the tragic events that night.  
5 [15.44.11]

6 A. I don't understand what you're asking.

7 Q. I'll expand. You, in your book, have given a possible theory  
8 as to the why of the killing of Malcolm Caldwell, and, because of  
9 time, I quickly went to the quote from Richard Dudman in his own  
10 report and he seems to suggest that the killing was done in an  
11 effort to embarrass the government of DK. And if I understand  
12 your analysis correctly, you seem to suggest - and correct me if  
13 I'm wrong - that it was done within DK, or even possibly by DK  
14 authorities. So my question is, would you be able to shed some  
15 more light on the why of this killing?

16 A. Dick doesn't suggest foreigners, does he?

17 Q. No, he doesn't suggest Vietnamese. No, no, no.

18 A. No foreigners.

19 Q. No, no. He seems to suggest that it was probably done by  
20 locals, but in an apparent effort to embarrass the government of  
21 Cambodia. In other words, to embarrass Pol Pot, rather that it  
22 was done at the instigation of Pol Pot, which maybe - I don't  
23 know if I'm wrong - is what you seem to suggest.

24 [15.45.40]

25 A. No, I didn't suggest that at all. It's - what I -- what I

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1 suggested was that first of all, in Tuol Sleng it's clearly  
2 Cambodian v. Cambodia, and if you're going -- and I also say it's  
3 so irrational that to try to find a rationality for this is the  
4 same as finding a rationality for the millions of Cambodians who  
5 died during the Khmer Rouge. However, if you pushed me against  
6 the wall and said, "What would be a reason?", the most obvious  
7 reason that came to my mind was that there were some people in DK  
8 who were not happy that Ieng Sary had promoted opening up the  
9 country to foreigners who were not friendly delegations. That's  
10 the most obvious thing that I could think of, but I don't pretend  
11 that I know.

12 [15.46.43]

13 Q. Would it be possible that it was, in fact, the people that  
14 were behind this attack, this murder, were local Khmer Rouge  
15 cadres, but acting on instructions of the Vietnamese?

16 A. If I were the Vietnamese, and I had those cadre who could  
17 infiltrate Phnom Penh, I would not go after us. There are far  
18 better targets to go after. That's why it doesn't make sense. Why  
19 us?

20 Q. It's speculation, but in your expert opinion, would it be a  
21 possibility that in fact it was an act done by members of the  
22 opposing factions acting on the instructions of Vietnam?

23 A. I think I've answered that question. That's a huge stretch and  
24 I don't see it.

25 Q. Very well. I would like to go to another topic, that's the use

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1 of propaganda by Vietnam. We talked about the use of propaganda  
2 by DK extensively. I would now like to go to a passage in the  
3 report of Douglas Pike to U.S. Congress. It's, Mr. President,  
4 it's E3/2370 and I'm going to English page 00187389; and French  
5 00344740. There's no Khmer translation, I'm afraid. So, Douglas  
6 Pike is writing in his report about the use of propaganda by  
7 Vietnam, following the cutting off of the diplomatic relations  
8 between DK and Vietnam, end of '77. And I quote him as follows:  
9 "Both sides hurl grizzly atrocity charges: dismembering children,  
10 and hurling pieces of their bodies into burning huts; extracting  
11 the livers of wounded to be eaten; tearing fetuses from women's  
12 wombs; raping; butchering entire families; sacking pagodas;  
13 looting hospitals and schools.]"

14 [15.49.34]

15 And to sort of sum up the use of these examples, Douglas Pike  
16 writes in his report, and I quote again as follows: "Both sides  
17 make bids for world public opinion, the Vietnamese far more  
18 skilfully than the Cambodians." Now, he seems to suggest that,  
19 Vietnam, in order to discredit DK, organized a huge propaganda  
20 campaign exaggerating the human rights abuses that there were  
21 undoubtedly happening. But they were exaggerating by giving these  
22 outrageous examples. I interpret his report like that. Would you  
23 be able to give a reaction on his view?

24 [15.50.35]

25 A. As a journalist, I can't disagree with you more. The

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1 Vietnamese have always been more skilful in terms of propaganda  
2 and getting it across. During the war, the Vietnamese communists  
3 were welcoming to journalists, invited them in. The DK killed all  
4 of us who went onto their side. DK was very unfriendly to  
5 foreigners. Look at how they closed themselves off. They were  
6 clumsy and incompetent when it came to getting their message  
7 across to foreigners. And what he's talking about is that  
8 Vietnamese understand how to reach out to reporters, how to reach  
9 out to foreigners; bring them in, show them this. They were  
10 bringing in people all the time, and it's - it was that skill  
11 that he was talking about, more than anything else, I would say.  
12 What did you read from DK? They didn't let you in.

13 [15.51.27]

14 Q. I think we actually agree, because the quote is "Both sides  
15 make bids for world public opinion, the Vietnamese far more  
16 skilfully than the Cambodians", so he seems to suggest that both  
17 sides of the propaganda campaign, only the Vietnamese were much  
18 more skilful in the propaganda campaign.

19 A. Yeah, we're talking about propaganda, we're not talking about  
20 content. We're talking about the skill of the propaganda. And I  
21 would - I am saying that the Vietnamese are more skilful, I'm not  
22 talking about the content on either side.

23 Q. Propaganda is per definition, in these terms, about the  
24 content. He seems to suggest, and I'm not sure if that is  
25 correct, but I would like to have your opinion, he seems to

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1 suggest that Vietnam did a very skilful job in exaggerating or  
2 portraying very gruesome stories about what happened in DK. Would  
3 you agree with that or not at all?

4 A. No, I don't think that's what he's saying. There was -- the  
5 grizzly stories about the DK were coming from refugee camps. The  
6 refugees were telling their stories. I don't think there's  
7 equivalent -- I don't know that he's saying they're equivalency.  
8 I'm saying one is more -- I can hear him say one is more skilful  
9 than the other, but I don't hear him saying there's equivalency,  
10 no.

11 [15.53.04]

12 Q. You mentioned in your answer the stories of refugees, if  
13 that's alright with you I would like to go back to "The Eyes of  
14 the Pineapple", the book of Burgler, and in the first pages he's  
15 trying to analyse how the refugee stories should be interpreted.  
16 Also, in light of what Vickery has written about that, I would  
17 like to give you a quote from his book. It's the second page, I  
18 thought I had the ERN number, but I'm afraid I don't have it  
19 right now, but I will give that later to you, Mr. President. He  
20 writes as follows, he's actually talking first about an example  
21 of a long list of distortions and manifest dishonesty, by serious  
22 and, supposedly, responsible non-partisan Western journals. And  
23 then he goes on to quote -- to say and I quote:  
24 "Distortions also occur through the bias in refugee reports, the  
25 major source of information. These reports emanated mainly from

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1 upper and middle class urban people who had lost all or most of  
2 their wealth and who, therefore, had enough reason to hate and  
3 discredit the new regime. With the sorry conditions of life in  
4 the refugee camps they would depict the situation in Democratic  
5 Kampuchea even worse than it was, to justify their flight. This  
6 bias was compounded by the frustrations and tensions of refugee  
7 life, by covert pressure from camp leaders, Thai officials and  
8 foreign agencies on whom the refugees were dependent."

9 [15.55.06]

10 "[...] by homesickness and the refugee's accounts with each  
11 telling. They would also tell the stories they thought  
12 interviewers wanted to hear, supposing this might help them get  
13 out of the camps to some third country. They were all - they were  
14 well aware that the interviewers were more interested in  
15 sensationalist horror stories. Hearsay became personal experience  
16 and camp leaders, subordinate to anti-communist Thai officials  
17 did select refugees to recount atrocity stories. Stories could be  
18 bought. Sometimes standard interviews were handed out written by  
19 people who could neither read nor write, and sometimes did not  
20 even speak Khmer. Some refugees gave different stories to  
21 different people." End of quote.

22 Madam - Ms. Becker, you just testified earlier that you haven't  
23 actually spoken to refugees yourself, but are you aware that  
24 there is a discussion in academic literature, Vickery, Burgler,  
25 to a certain extent confirmed by a witness on the stand, François

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1 Ponchaud, that there was a lot of exaggeration in the stories of  
2 refugees in Thai refugee camps?

3 [15.56.35]

4 A. I didn't say I --

5 MR. PRESIDENT:

6 Madam Expert, please wait. International Lead Co-Lawyer for the  
7 Civil Parties, you have the floor.

8 MS. GUIRAUD:

9 Thank you, Mr. President. In order to properly follow the  
10 question, could Council give us references, is he talking of  
11 records we don't have. He talks about Ponchaud's testimony. We  
12 are unable to follow him closely because we do not know the basis  
13 on which he is asking these questions to the expert.

14 [15.57.20]

15 BY MR. KOPPE:

16 In any case, I have the ERN number now, Mr. President, it is  
17 01002125. It's document E307.5.2.17. Forget about Ponchaud,  
18 forget about Vickery.

19 Q. My question is, Ms. Becker, your reaction to the quote from  
20 Burgler as to the reliability in general of refugee stories.

21 MS. BECKER:

22 A. First of all, you misquoted me. I only said in that particular  
23 instance I had not gone to Thailand to talk to refugees. I did,  
24 before I went to Democratic Kampuchea and I also talked --  
25 interviewed refugees when they got to the United States. So, I

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1 did not say I had never, at all, on the contrary. Of course, you  
2 always treat refugees stories with care and caution, and you do  
3 all kinds of due diligence; that's not in debate. And, as I wrote  
4 in my book, there was many instances where you had to be careful  
5 and look at -- for instance, when they said anybody wearing a  
6 pair of glasses was killed. That's - that's an example. You  
7 question them, and you find pretty soon it becomes - it's not  
8 wearing glasses, it's someone who's considered an intellectual  
9 and then pretty soon you find out where -- but you have to be  
10 careful, there's no question. I don't think that's an issue at  
11 all. To be careful doesn't mean that you think they're liars. So,  
12 I disagree, I do not think that the refugees were liars, I think  
13 most of us did use care and caution, and I think my profession is  
14 better than you just described it.

15 [15.59.04]

16 Q. The point of my reading the quote to you wasn't saying that  
17 refugees are liars, but that you have to be very careful with  
18 assessing the value, the probative value, if you will, of their  
19 testimony. You came up with stories of refugees in the light of  
20 my question as to the propaganda, the use of propaganda by  
21 Vietnam and then by its puppet government of atrocities, mass  
22 atrocities. So, my question is, in relation to those two things.  
23 On the one hand, exaggeration of atrocities, and on the other  
24 hand, being careful with interpreting stories of refugees. My  
25 question is, would you agree that in order to be able to assess

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1 whether there is deliberate effort of exaggerating the mass  
2 atrocities, the stories of refugees are not relevant in order to  
3 determine that.

4 [16.00.20]

5 A. I got lost in what you just said. Now, you mentioned - who's  
6 using refugee? I have no idea of what you just said.

7 Q. We started -- I started my questions with the quote or the  
8 citation from Pike and the use of propaganda by Vietnam. We were  
9 talking about whether Vietnam was more skilful than Cambodia, and  
10 then you said, "That is very true, but you have to look at the  
11 content." Because the content is actually true, and in order to  
12 back up your answer you were referring to refugee stories, and  
13 then I sort of countered you, "But yes, but you have to realize  
14 refugees are not always telling the truth", so I suppose I come  
15 back to my original question: Did Vietnam and its installed  
16 government use propaganda means to exaggerate stories of mass  
17 atrocities in DK?

18 A. I'm going to walk you through what I think just happened. You  
19 quoted a October 1978, Douglas Pike, item. I said, by 1978 there  
20 are any number of refugee stories on the Thai border. Then, you  
21 just said that this has to do with the installed government of  
22 Vietnam in 1979-80?

23 Q. The propaganda effort started already in 1978 and was then  
24 continued by the government installed by -- by Vietnam. That is  
25 my point.

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1 [16.05.12]

2 A. Okay. It's a very dizzying thing you just did. But when  
3 journalists were finally all allowed to come into Cambodia under  
4 the Vietnamese occupation, and they opened the doors, they didn't  
5 have to say a boo, word. It was the first time it was opened up.  
6 So, propaganda as making things up, no, I'm not going to agree  
7 with you on that one. I mean, Tuol Sleng was there. The records  
8 were there. That's what's being used in this trial.

9 Q. Yeah, but there weren't -- talking Tuol Sleng, is something  
10 different than as to what happened in cooperatives; the stories  
11 about killing people because they had glasses, killing people  
12 because -- for whatever reason, is something different than Tuol  
13 Sleng.

14 A. And by then - if this was a question, by then we had refugees.  
15 My book begins with Mey Komphot, who describes how they were  
16 killed in the cooperatives. He is someone I know and trust, and  
17 has nothing to do with Tuol Sleng, but he was finally free to  
18 talk because 1979, the Khmer Rouge were overthrown. So, we are  
19 not - we're talking about a whole country where people could  
20 leave, and without any propaganda or whatever, I could be  
21 thankful that Komphot was alive and that I could talk to him. So,  
22 no, that -- you're A to B doesn't work.

23 [16.04.02]

24 Q. Very well. I have one very last small question, and that is,  
25 if you allow me Mr. President, in relation to an answer to a

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1 question that you gave from the Prosecution -- that is, about the  
2 killing of Cham. That you were read a few passages from your  
3 book, you will recall them. But I would like to read to you one  
4 other passage in your book as well, it's page 253 of your book  
5 and that would be document E3/20. ERN English 00237958; Khmer  
6 00232334; and French 00438511. It's the first paragraph of your  
7 book, page 253, and you wrote there as follows, and I quote: "One  
8 of the greatest concentrations of Cham's was in the Eastern zone.  
9 So Phim, leader of that zone, had a reputation for disciplining  
10 his cadre and preventing unnecessary bloodshed, but he showed no  
11 mercy towards the Chams. Just as the Eastern zone had complied  
12 with the Party's orders to suppress the Khmer communist returning  
13 from Vietnam during the war, so the Eastern zone complied with  
14 the pogrom against the Chams."

15 Is it your opinion that the killings of the Chams were mainly  
16 done by the Eastern zone troops under the leadership of So Phim?  
17 Disregard the instructions, yes or no, but the actual killing,  
18 the actual fact -- deed of killing, was that done, in your  
19 opinion, primarily, by Eastern zone troops?

20 [16.06.07]

21 A. It's just as I've written it. Yes.

22 MR. PRESIDENT:

23 Today's proceeding has now come to an end and we will resume it  
24 tomorrow. That is Wednesday, 11th February 2015, starting from 9  
25 o'clock. Tomorrow the Chamber will continue to hear the testimony

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1 of the expert, Elizabeth Becker. This is to notify all the  
2 Parties and the general public. The Chamber is grateful to you,  
3 Madam Expert, however your testimony is not yet concluded. We  
4 would like to invite you again to return to the courtroom  
5 tomorrow, commencing from 9 o'clock in the morning. You may now  
6 return to your residence.

7 Court officer, in collaboration with WESU, please make the  
8 necessary arrangements of transportation for the expert to her  
9 residence and have her return to the courtroom tomorrow morning  
10 before 9 a.m. And security guard, you are instructed to take the  
11 accused, Nuon Chea and Khieu Samphan, back to the detention  
12 facility and have them return to participate pending proceedings  
13 before 9 o'clock in the morning.

14 The Court is now adjourned.

15 (Court adjourns at 1607H)

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