



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

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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

6 April 2016
 Trial Day 396

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

The Accused: NUON Chea
 KHIEU Samphan

Lawyers for the Accused:
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 Anta GUISSSE
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For the Office of the Co-Prosecutors:
 Nicholas KOUMJIAN
 SENG LEANG

For Court Management Section:
 UCH Arun

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUISSÉ	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Mr. KOUMJIAN	English
Mr. LIV Sovanna	Khmer
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. SENG Leang	Khmer
Mr. SOS Kamri (2-TCW-827)	Khmer

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

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 Today, the Chamber will hear testimony of a witness -- that is,

6 2-TCW-827, in relation to the target group of the Cham people.

7 Ms. Chea Sivhoang, please report the attendance of the parties

8 and other individuals to today's proceedings.

9 THE GREFFIER:

10 Mr. President, for today's proceedings, all parties to this case

11 are present.

12 Mr. Nuon Chea is present in the holding cell downstairs. He has

13 waived his right to be present in the courtroom. The waiver has

14 been delivered to the greffier.

15 The witness who is to testify today, namely, 2-TCW-827, confirms

16 that, to his best knowledge, he has no relationship, by blood or

17 by law, to any of the two accused -- that is, Nuon Chea and Khieu

18 Samphan, or to any of the civil parties admitted in this case.

19 The witness is awaiting for the call by the Chamber.

20 [09.03.06]

21 MR. PRESIDENT:

22 Thank you, Ms. Chea Sivhoang. The Chamber now decides on the

23 request by Nuon Chea.

24 The Chamber has received a waiver from Nuon Chea, dated 6 April

25 2016, which states that, due to his health, headache, back pain,

2

1 he cannot sit or concentrate for long. And in order to
2 effectively participate in future hearings, he requests to waive
3 his right to be present at the 6 April 2016 hearing.

4 He advises that his counsel advised him about the consequence of
5 this waiver, that in no way it can be construed as a waiver of
6 his rights to be tried fairly or to challenge evidence presented
7 to or admitted by this Court at any time during this trial.

8 [09.03.59]

9 Having seen the medical report of Nuon Chea by the duty doctor
10 for the Accused at ECCC, dated 6 April 2016, which notes that
11 Nuon Chea has a chronic back pain and feels dizzy and fatigued
12 when he sits for long and recommends that the Chamber shall grant
13 him his request so that he can follow the proceedings remotely
14 from the holding cell downstairs.

15 Based on the above information and pursuant to Rule 81.5 of the
16 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
17 follow today's proceedings remotely from the holding cell
18 downstairs via an audio-visual means.

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

22 Court officer, please usher witness into the courtroom.

23 (Witness enters the courtroom)

24 [09.06.41]

25 QUESTIONING BY THE PRESIDENT:

3

1 Q. Good morning, Mr. Witness. What is your name?

2 MR. SOS KAMRI:

3 A. My name is Sos Kamri.

4 Q. Thank you, Mr. Sos Kamri.

5 Are you known by any other names or aliases?

6 And please observe the microphone. You should speak only after
7 you see the red light on the tip of the microphone so that your
8 response will go through the interpretation system and it can be
9 interpreted into French and English simultaneously.

10 [09.07.33]

11 A. I also have an Islamic name -- that is, Kamaruttin Yusof.

12 Q. Thank you, Mr. Sos Kamri.

13 And when were you born?

14 A. I was born in 1950.

15 Q. And where were you born?

16 A. I was born in Akmok <village>, <which is called> Spueu
17 <village>, Cheyyou <commune>, Chamkar Leu <district>, Kampong
18 Cham <province>.

19 Q. And where is your current address?

20 And please observe the microphone.

21 A. I live in Chrang Chamreh village, Chrang Chamreh commune,
22 Ruessei Keo district, Phnom Penh.

23 [09.08.46]

24 Q. What is your current occupation?

25 And please observe the microphone, Mr. Witness.

4

1 A. I am the director of the Supreme Islamic <Centre>.

2 Q. What are the names of your parents?

3 A. My father is Kae Sos, who is deceased, and my mother is Toam
4 Sam. She is also deceased.

5 Q. What is the name of your wife, and how many children do you
6 have?

7 A. My wife is Sa Sos Phah or Sa Phah, and we have eight children.

8 [09.09.42]

9 Q. Thank you.

10 The greffier made an oral report that, to your best knowledge,
11 you are not related, by blood or by law, to any of the two
12 accused -- that is, Nuon Chea and Khieu Samphan, or to any of the
13 civil parties admitted in this case. Is that report accurate?

14 A. Yes, that is correct. I am not related to any of them.

15 Q. Mr. Sos Kamri, which religion are you practising?

16 A. I am an Islamic follower.

17 Q. Thank you.

18 As an Islamic follower, can you inform the Chamber that you shall
19 tell the truth, the whole truth, and nothing but the truth that
20 you have remembered and witnessed?

21 A. Yes, I can say to the extent that I remember and I will say
22 only the truth.

23 Q. Can you tell the Court that you only tell the truth?

24 A. I can tell the accounts which are true and which I can recall.

25 [09.11.26]

5

1 Q. The Chamber would like to inform you now of your rights and
2 obligations before this Court.

3 Mr. Sos Kamri, regarding your rights as a witness in the
4 proceedings before the Chamber, you may refuse to respond to any
5 question or to make any comment which may incriminate you. That
6 is your right against self-incrimination.

7 For your obligations, as a witness in the proceedings before the
8 Chamber, you must respond to any questions by the Bench or
9 relevant parties except where your response or comment to those
10 questions may incriminate you, as the Chamber has just informed
11 you of your right as a witness.

12 You must tell the truth that you have known, heard, seen,
13 remembered, experienced or observed directly about an event or
14 occurrence relevant to the questions that the Bench or parties
15 pose to you.

16 And Mr. Sos Kamri, have you been interviewed by OCIJ
17 investigators, and if so, how many times, when and where?

18 A. Yes, I was interviewed, but I cannot recall how many times.

19 [09.12.55]

20 Q. And before you appeared before us, have you read the written
21 record of your interview with OCIJ investigators in order to
22 refresh your memory?

23 A. Yes, I have.

24 Q. To your best recollection, can you tell the Chamber whether
25 the written record of your interview is consistent with your

6

1 testimony or interview with OCIJ investigators?

2 A. I can recall parts of the written record of my interview.

3 MR. PRESIDENT:

4 Pursuant to Rule 91bis of the ECCC Internal Rules, the Chamber

5 give the floor first to the Co-Prosecutors to put question to Sos

6 Kamri, and the combined time for the Co-Prosecutors and the Lead

7 Co-Lawyers is two sessions.

8 You may proceed.

9 [09.14.22]

10 QUESTIONING BY MR. KOUMJIAN:

11 Q. Good morning, sir. I'd like to start by asking you, sir,

12 you've told the Court that you are a Cambodian who practises

13 Islam.

14 Can you tell us how you identify yourself ethnically? What is

15 your ethnicity?

16 MR. SOS KAMRI:

17 A. I am a Cham ethnic minority.

18 Q. Thank you.

19 In discussing the Islamic community in Cambodia, in particular

20 during the 1970s, were all of those who were Muslim -- did all of

21 those who were Muslim consider themselves to be Cham, or were

22 there other ethnicities among the Muslim population?

23 [09.15.28]

24 MR. PRESIDENT:

25 Witness, please hold on.

7

1 And Counsel Koppe, you have the floor.

2 MR. KOPPE:

3 I object to this question, Mr. President. Good morning.

4 The witness is not in a position to testify as to how -- how the
5 150,000 or so Muslims defined themselves. He can testify about
6 himself, possibly his family, maybe some people from his village,
7 but his testimony should be limited to what he knows himself.

8 BY MR. KOUMJIAN:

9 Your Honour, the witness has said he's the President of the
10 Islamic Association. He certainly would have knowledge about what
11 ethnicities make up the Islamic community of Cambodia. And he
12 lived, of course, and <practised> Islam during the 1970s.

13 So may I ask the question?

14 Q. Sir, what different ethnicities made up the Islamic community
15 -- or make up the Islamic community in Cambodia?

16 [09.16.46]

17 MR. SOS KAMRI:

18 A. It is my understanding that there are always ethnic
19 minorities, and Cham people can live in Cambodia and they are
20 part of the Cambodian community as a whole.

21 Q. Okay. Thank you.

22 My question's a little different, but let me rephrase it.

23 Have you heard of the Chvea? I may be mispronouncing it in
24 English. I'll spell it: C-H-V-E-A.

25 A. Yes, I heard of Chvea.

8

1 Q. And can you explain who the Chvea are?

2 A. I do not know the detail historical background of the Chvea
3 group.

4 [09.17.46]

5 Q. Do they practise Islam? Do you know that, whether or not they
6 practise Islam?

7 A. Chvea people practise Islamic religion.

8 Q. And sir, have you ever heard of the term "Islamic Khmer"?

9 A. Yes, I have.

10 Q. And how is that term used or how has it been used?

11 A. I do not know the details. However, we lived in Cambodia, and
12 we carried Cambodian citizenship. And we considered ourselves
13 part of Cambodian community, but we are also known as Islamic
14 Khmer.

15 Q. Did the Chvea live in different -- were they concentrated in
16 different parts of Cambodia than the Cham?

17 A. <They had> the freedom to live as a community or to live
18 dispersed with Cambodian people <like the Cham people did>.

19 [09.19.25]

20 Q. Okay. Let me make my question more precise.

21 Before the Khmer Rouge came, do you know in which parts of the
22 country the Chvea lived?

23 A. At that time, I was pretty young, so I do not know in which
24 geography -- geographical locations they lived.

25 Q. Okay. Thank you.

1 Sir, let me move on, then, to -- you say you were born in 1950.

2 Did you grow up in Spueu -- in the village of Akmok, also known
3 as Spueu?

4 A. At that time, Akmok village or Spueu village, it referred to
5 the same village.

6 Q. Thank you.

7 Is -- you said you were born there. Did you -- were you educated
8 there?

9 A. I studied general education and Islamic religion in Akmok.

10 [09.20.52]

11 Q. Where were you when the Khmer Rouge came to your village?

12 Excuse me. What year was it when the Khmer Rouge came to your
13 village?

14 A. Khmer Rouge entered Akmok village prior to 1975.

15 Q. Okay. If you don't remember the exact year, that's fine.

16 When they entered the village prior to 1975, do you remember --
17 what were you doing at that time? Were you in school, were you
18 working?

19 A. After the coup d'état, I didn't go to school anymore because
20 <the> schools closed. And during that time, I worked in the
21 plantation. And by 1973, I taught young children at their houses.

22 Q. Okay. So when the Khmer Rouge arrived, were you working on the
23 plantation or were you teaching Cham children?

24 A. I was teaching the children.

25 [09.22.32]

10

1 Q. When you say you were teaching them, can you explain what you
2 would teach them? Was it strictly reading, mathematics, or was it
3 also religious training?

4 A. At that time, I taught the children both -- that is, Islamic
5 morality and religion, and Khmer literature.

6 Q. And can you help us by explaining how life was for Cham people
7 in Akmok and Spueu village after the Khmer Rouge arrived and how
8 it changed over time, if it did change?

9 A. They all -- they <> all worked in the rice fields.

10 Q. When you say "they almost all worked in the rice fields", who
11 do you mean?

12 A. All the villagers living in the village worked in the rice
13 fields and in the plantation.

14 Q. When they arrived, you indicated you were teaching children,
15 including providing religious training. Can you -- were you
16 allowed to continue to do that throughout the time of the Khmer
17 Rouge regime?

18 A. No, I was not allowed to continue that teaching. However,
19 people could continue studying Khmer literature.

20 [09.24.30]

21 Q. When the Khmer Rouge first arrived, did they allow the
22 religious teaching to continue?

23 A. Before the fall of Phnom Penh, we could provide religious
24 teaching. However, that was banned after the fall of Phnom Penh.

25 Q. Did life for Cham people change in any other way after April

11

1 1975 and the fall of Phnom Penh?

2 Were you allowed, for example, to continue to go to -- to
3 continue to pray publicly?

4 A. After the fall of Phnom Penh, we were not allowed to eat at
5 our own home. We had to eat communally at a common kitchen. And
6 we were not allowed to continue our religious practice.

7 Q. Were Cham -- did Cham continue to dress in the same manner, or
8 was there any -- were there any regulations about how men and
9 women who were Cham should dress?

10 A. In my village, after it was under the control of the Khmer
11 Rouge, we were not allowed to wear our customary clothing. We had
12 to wear the same clothing provided by the Khmer Rouge.

13 [09.26.26]

14 Q. What about the Cham language? Before the Khmer Rouge, did
15 people in Spueu, Cham people, speak Cham, and did -- were they
16 allowed to continue to do that throughout the DK regime?

17 A. After the Khmer Rouge took control, we could not speak our
18 Cham language openly. However, we could speak to one another when
19 we were not observed.

20 Q. What about the diet? Did your diet change in any way under the
21 Khmer Rouge?

22 A. It's not only about diet; anything which <was a religious>
23 discipline was prohibited.

24 Q. Were Cham people allowed to get together to meet and talk to
25 each other in public?

12

1 A. We could speak to each other in the open where we worked since
2 we were mixed with the Khmer people.

3 [09.28.28]

4 Q. Were Cham people allowed to hold a meeting or to speak
5 together outside of the workplace? Was there any restriction on
6 groups of Cham speaking together?

7 A. Besides the workplace, in the village, we could not gather in
8 large <numbers>.

9 Q. Now, sir, did you continue to teach after the Cham -- excuse
10 me, after the Khmer Rouge arrived, or what did you do after their
11 arrival?

12 A. I was allowed to continue teaching Khmer literature.

13 Q. What instructions did you receive about what you could teach,
14 and who was it that gave you those instructions?

15 A. There was no clear instruction for teaching since my teaching
16 was not that formal. <I was just teaching children.>

17 Q. Did you ever receive any materials, told to teach about
18 something and they gave you some written material?

19 A. There were a few.

20 [09.30.30]

21 Q. Do you recall what it was that you were asked to teach about?

22 A. I recall at that time my teaching was to allow the students to
23 read.

24 Q. About how many hours per day or per week would children --
25 were you allowed to teach individual children? In other words,

13

1 for each child, how many hours of class did they attend per day
2 or per week?

3 A. There were no specific hours set out. It depended on the times
4 that I provided the trainings to them.

5 Q. So were the children available to you --

6 MR. PRESIDENT:

7 Please hold on.

8 You have the floor first, Koppe.

9 [09.31.45]

10 MR. KOPPE:

11 Thank you, Mr. President.

12 My apologies for this observation because I think I'm about 25
13 minutes late with it, but I wanted to verify first before I would
14 rise. Is there a particular reason why the witness has not given
15 an oath, either before the Iron Statue or here, which seems to be
16 the practice with Muslims, on the Koran?

17 And is it -- if, indeed, he didn't take an oath, is it my
18 understand that he is giving testimony unsworn as he, I think,
19 did in a WRI? And if yes, what is the reason?

20 (Short pause)

21 [09.32.48]

22 MR. PRESIDENT:

23 There are two possibilities. In Rule 24.1, the witness can take
24 an oath based on his or her religion or he or she can confirm the
25 truth that he or she knows, so please refer to the Internal Rule.

14

1 In the written record of the interview that this witness provided
2 to the investigator of the OCIJ, he confirms that he was -- he is
3 <a leader in> the Islamic religion. And based on this religion,
4 it is not necessary for the religion leaders to take an oath. And
5 the witness has confirmed already that he will only telling the
6 truth.

7 Mr. Sos Kamri, could you confirm, once again, about the written
8 record of the interview, based on your position and your religion
9 it is not necessary for you to take an oath?

10 Can you tell the reason that you do not take an oath? And I, the
11 President, <have> chosen the second possibility <according to the
12 Rule> that you can confirm the truth that you are telling.

13 The question was put by the defence counsel for the accused, so
14 it is -- should have been raised long time ago. In fact, the
15 counsel should have raised this issue at the beginning of your
16 testimony.

17 [09.34.58]

18 MR. SOS KAMRI:

19 It is not banned in the Islamic religion <> to take an oath. The
20 oath is to take and clear whenever we want to declare that we are
21 the one who owns the property, and if we cannot recall what we
22 remember fully, it is not necessary to take an oath. And if we
23 cannot recall and then we <> take an oath, it is against the
24 religion -- our religion.

25 In fact, we have -- we must take an oath when we want to declare

15

1 about the property that we own, for example, land property.

2 (Judges deliberate)

3 [09.36.31]

4 MR. PRESIDENT:

5 The witness confirmed already about the reason. We deliberated
6 among the trial Judges yesterday to deal with the issue. That is
7 why the Chamber decided to adhere to the second possibility, and
8 it is according with the criteria set out in the Internal Rule
9 about the confirmation of truth that the witness is telling.

10 This is the criteria set out in Internal Rule 24.1. And the
11 concerned counsel, please refer to that specific Internal Rule.

12 You can now proceed, Co-Prosecutor.

13 MR. KOPPE:

14 With -- my apologies, Mr. President, but the proceedings is as
15 follows: If you are a witness, you give an oath to tell the
16 truth, the whole truth and nothing but the truth. If you're not
17 religious, you affirm solemnly that you do not -- that you will
18 speak the truth, the whole truth, and nothing but the truth.

19 So apparently, the witness is religious so he should take an oath
20 on the Koran, as many other Islamic witnesses have done.

21 [09.37.55]

22 So this third option which now seems to be applying to this
23 witness is, I think, contrary to Rule -- Internal Rule 24. He's
24 not a civil party. He's not a family member of any of the
25 Accused. He doesn't fit any of the Rule 24 categories, so either

16

1 an oath or a solemn declaration in Court in front of all the
2 parties that he will tell the truth, the whole truth, and nothing
3 but the truth.

4 [09.38.25]

5 BY MR. KOUMJIAN:

6 Your Honour, counsel is mis-stating. The Rule says the witness
7 shall take an oath or affirmation in accordance with their
8 beliefs and the witness has chosen to take an affirmation. He --
9 many religions do not allow an oath. I don't know. I'm not an
10 expert on Islam, and neither is counsel. I believe the witness
11 has clearly affirmed that he understands he is going to tell the
12 truth.

13 Q. Sir, you're also -- I should tell you that, according to the
14 Penal Code, you're under oath, and any intentional mis-statement
15 could be punished as a crime. So you do agree, sir -- do you
16 promise that you will be telling the truth to the best of your
17 recollection of what you remember about what you saw and heard?
18 Do you affirm that?

19 MR. SOS KAMRI:

20 A. You are right. I am telling the truth.

21 MR. PRESIDENT:

22 Co-Prosecutor can resume your questioning.

23 [09.39.48]

24 BY MR. KOUMJIAN:

25 Q. Sir, the children that you taught, how many hours a day were

1 they allowed to study?

2 MR. SOS KAMRI:

3 A. There were no specific hours to be taught to those children.

4 Q. Did the children work also?

5 A. Everyone had to work when -- if they could do the work. It was
6 the obligation that they had to work.

7 Q. Approximately what ages were the children that you were giving
8 this instruction to?

9 A. They were below 15 years old.

10 Q. Down to what age? What age was the youngest, approximately?

11 A. The youngest was seven years old.

12 [09.41.12]

13 Q. Did life change for children during the DK regime and their
14 relationship with their parents?

15 A. It depended on sectors, on -- and on location. Some older
16 children went to stay in the school buildings. And as for younger
17 children, they had to stay in the centres where there were people
18 looking after them.

19 Q. When the Khmer Rouge arrived in Spueu, approximately how many
20 Cham families were living in the village?

21 A. I can recall that. There were <a little bit> more than 1,250
22 families living in that area.

23 Q. Sir, when you talk about families, I believe you used

24 "krousa", the word "family" in Khmer.

25 What does that include? Does that include just parents and

18

1 children; does it include grandparents or great-grandparents?

2 Can you explain when you talk about how many families there were,
3 who's included in a family?

4 A. It did not specify clearly about the definition or meaning of
5 "families". Some families were living together. However, there
6 were some families where husband and wife are living together
7 with the children, so it depends. It depends on the tradition of
8 the families.

9 [09.43.25]

10 Q. Can you give us any estimate of the average number of people
11 in a family so that we have some idea of the total population?

12 You said there were about 1,250 families, approximately. On
13 average, how many people did one family have?

14 A. On average -- there were <mostly> around five <members. Some
15 families had up to> six <or seven members>. Some families had
16 only <> two <or three> members. <So, we can say on average, there
17 were five members in one family.>

18 Q. Thank you.

19 Now, did all of these families continue to live in Spueu
20 throughout the Democratic Kampuchea regime?

21 [09.44.19]

22 MR. KOPPE:

23 I object to this question, Mr. President. He's not an expert. He
24 didn't do any -- any survey on how many families were living in
25 the village in '75. He was 25 years old. He was living his life.

19

1 There's no distinction whatsoever being made by the Prosecution
2 as to what he knows as a witness or what he may have heard later
3 as a -- in his position as a dignitary.

4 The questioning goes all directions, even if we are hearing an
5 unsworn witness.

6 BY MR. KOUMJIAN:

7 Your Honour, the counsel's listening. This witness was living in
8 the village. He experienced it. He was there. And it's not a huge
9 place.

10 He talked about 1,250 families, and the question's not all over
11 the place. It's very simple.

12 Q. How many of those families did they all continue to live in
13 Spueu during the DK regime? What did you observe, sir?

14 [09.45.27]

15 MR. KOPPE:

16 I would like to have a ruling on this. I don't even know how many
17 families live in my street right now. I mean, how would he know?

18 MR. PRESIDENT:

19 The Chamber decides. The objection of -- the objections of the
20 counsel Koppe is overruled and the intention is to try to
21 interfere with the times used by the Co-Prosecutor.

22 Co-Prosecutor, please reformulate your last question. Perhaps the
23 witness may have forgotten that question.

24 [09.46.10]

25 BY MR. KOUMJIAN:

20

1 Q. Sir, did all of the families remain in Spueu during the DK
2 regime, or did something happen to cause some of them to leave?

3 MR. SOS KAMRI:

4 A. Regarding the villagers, I cannot tell you the exact number,
5 <there were about> 20 per cent of them <left>, what I can say <is
6 that there were about> 20 to 25 per cent <of them left>.

7 Q. Sir, I'm not sure I understand what you're saying.

8 Twenty to 25 per cent what? I don't -- stayed in the village or
9 left? Can you explain what you mean?

10 A. What I mean is that 20 to 25 per cent survived the regime, and
11 the rest, they may have been killed.

12 Q. At any time, were families moved out of the village by the
13 Khmer Rouge?

14 A. After the arrival of Khmer Rouge, some of them had been
15 evacuated out of the village, and perhaps <more than> 50 families
16 were allowed to live in that village.

17 [09.47.55]

18 Q. So were -- the families that were evacuated -- not the 50
19 families that remained -- do you know where they were sent to? Do
20 you have any information about that?

21 A. Some of them were evacuated to some other neighbouring
22 communes in Chamkar Leu district.

23 Q. What about your own parents?

24 A. They were evacuated.

25 Q. Now, were the people given a choice about whether they wanted

21

1 to stay in their village or move, or not?

2 A. They had no choice.

3 Q. Sir, were you aware of any killings during the DK regime?

4 A. What I know is that they were killed, but I, myself, did not
5 witness the real incidents.

6 [09.49.40]

7 Q. Did you ever see any dead bodies?

8 A. All of us, including I, myself, used to see the dead body
9 because the killings were widespread.

10 Q. Where did you see dead bodies?

11 A. At the killing sites, in particular after those dead bodies --
12 after those people were buried and they were not completely
13 buried.

14 Q. Where were some of these sites; do you recall? Were they in
15 the village or outside? Do you recall where they were?

16 A. I cannot tell you all the sites. Usually, people were buried
17 at the places where they were killed.

18 Q. Did you ever see any of your neighbours arrested?

19 A. Yes, I used to see them arrested. They were called out of the
20 village and they were not tied up.

21 Q. Were they walking, were they transported in something?

22 A. It depend -- it depended; some people were taken away at the
23 worksites; some other were taken out of their houses.

24 [09.52.05]

25 Q. Did you ever follow any of the people arrested to see what

1 happened to them?

2 A. Yes, I used to observe and monitor. And I noticed that they
3 were killed and then buried.

4 Q. Sir, you mentioned that the practice of Islam was prohibited.
5 Do you know of anyone who disobeyed that order and continued to
6 practise their religion and the Khmer Rouge knew about it?

7 A. There were some people who secretly practised the religion at
8 a quiet place at nighttime. However, they were being monitored.

9 <>

10 Q. Do you know and recall -- if you don't, just tell us -- what
11 happened to these people who were monitored?

12 If you don't know of a specific case, that's fine.

13 A. We could not closely monitor since we were scared. And we were
14 trying to work, so we do not know for sure.

15 [09.54.27]

16 Q. What about the religious leaders in Spueu? Can you tell us,
17 were there people who were the leaders of the religion in the
18 village, and what happened to them during the DK regime?

19 A. During the regime, there were no religious leaders since
20 religious <practices> were banned <>.

21 Q. What happened to those who had been the religious leaders
22 before the regime?

23 A. I think the evacuation and killings did not discriminate
24 <whether we were religious leaders or civilians>. <If they had to
25 kill someone, that person had to be killed.>

23

1 Q. Sir, when -- after 1979, after the fall of the regime, how
2 many Cham families returned to live in Spueu?

3 MR. PRESIDENT:

4 Please observe the microphone.

5 MR. SOS KAMRI:

6 A. As I told you already, 20 to 25 per cent of Cham people
7 survived. Later on, some other villagers came to reside in that
8 village together with that 20 to 25 per cent.

9 [09.56.42]

10 BY MR. KOUMJIAN:

11 Q. Sir, what happened to you? Did you remain in Spueu throughout
12 the DK regime until 1979, or what occurred to you?

13 MR. SOS KAMRI:

14 A. I remained living in that village until the liberation day.
15 More than one month later <after the liberation day>, I evacuate
16 my -- I evacuated myself to live in Ponhea Kraek (phonetic).

17 Q. You said that there were 50 or so families that remained after
18 some had been moved out of the village. At some point -- and you
19 were -- I presume you were one of the 50 families that remained.
20 Is that correct?

21 [09.57.54]

22 A. Nowadays, there are many of them. After the liberation day,
23 there were around more than 100 families or not more than 200
24 families surviving.

25 Q. Sorry. My question was not clear.

1 At some point, did you leave Spueu and go to live in another
2 village?

3 (Short pause)

4 [09.59.01]

5 MR. PRESIDENT:

6 Please answer the question, Mr. Witness.

7 Do you understand the question? If not, you can ask the
8 questioner to put the question again.

9 International Co-Prosecutor, please reformulate your question.

10 BY MR. KOUMJIAN:

11 Q. Sir, at some point, did you go to Cheyyou village?

12 MR. SOS KAMRI:

13 A. I used to live in that village.

14 [09.59.48]

15 Q. When did you live in that village, and why did you move there?

16 A. I lived in Cheyyou for one year. Perhaps it was in early 1977.

17 And I returned to my previous village in 1978 -- early 1978.

18 Q. Why did you go to Cheyyou village?

19 A. It was my observation that I would not survive living in

20 Spueu. That is why I asked a permission to go and live in

21 Cheyyou.

22 Q. Why were you afraid you would not survive in Spueu? What had
23 you seen?

24 A. I thought at the time if I was not evacuated, I -- it was not

25 good for me, and killings started to take place. Although I had

25

1 not been evacuated at the time, <to avoid the killing,> I thought
2 I had to ask a permission to go live in another village <to hide
3 my identity>.

4 [10.01.38]

5 Q. Now, in Cheyyou village, what was your position there? Did you
6 teach, or what did you do?

7 A. Yes. At that time, I was allowed to continue my teaching, as I
8 was practising in Spueu.

9 Q. Now, at some point, did you change your name?

10 A. No, I did not change my name.

11 Q. What was the name you were born with?

12 A. At that time, I used the same name -- that is, Sos Kamri.

13 Q. And where does the name Kamaruddin bin Yusof come from?

14 A. That was an original -- original name in Islamic language.

15 Q. So where did you get that name? Did your father give it to
16 you, or how did you get the name Kamaruddin bin Yusof?

17 A. In practice, the parents would name their children in full.
18 However, sometimes when an identity card was made, usually the
19 names would be shortened. And during the Khmer Rouge regime, as I
20 did not want to reveal my Cham name, then I -- the name was
21 shortened.

22 [10.03.50]

23 Q. So you shortened the name to Sos Kamri; is that correct?

24 A. The family name was Yusof, and Kamaruddin was shortened to
25 Kamri.

1 Q. Thank you. I understand.

2 Now, did you ever recall attending a meeting during the time that
3 you lived in Cheyyou at another village in Chamkar Leu district
4 called Bos Khnaor?

5 A. Since I was relocated to several locations, I cannot recall
6 that event clearly.

7 Q. Do you recall a -- ever attending any meeting where the Khmer
8 Rouge were talking about their plan and they referred to the
9 Cham? Do you recall that?

10 [10.05.30]

11 MR. KOPPE:

12 I object, Mr. President. He's leading the witness.

13 BY MR. KOUMJIAN:

14 I'm asking the witness if he remembers, and I'm not leading, but
15 I'm certainly entitled to refresh his recollection and first
16 giving him an opportunity to see if he remembers.

17 Q. Sir, do you remember attending any meeting where the --

18 MR. PRESIDENT:

19 The objection by the defence is overruled. This question is
20 permissible, as it is meant to refresh the memory of the witness.

21 MR. SOS KAMRI:

22 A. As I said, I was moved to several locations, and please try to
23 refine your question.

24 [10.06.30]

25 BY MR. KOUMJIAN:

1 Q. My question is about whether you recall attending a meeting in
2 Bos Khnaor village where they had an agenda about -- of the
3 meeting where the Khmer Rouge talked about enemies.

4 MR. SOS KAMRI:

5 A. During every meeting held by the Khmer Rouge, the subject of
6 <enemies> was raised. And the same thing applies to when I was in
7 Bos Khnaor, so be more specific, please.

8 Q. Well, it's -- I'm trying to get you to tell us in your own
9 words.

10 What -- what do you remember when they talked about enemies? Do
11 you remember the Khmer Rouge defining who the enemies were?

12 A. There were many types of the enemies under the Khmer Rouge
13 definitions, namely, the reactionaries, the religious leaders,
14 all those former officials of the previous regimes. And Cham
15 people were also one type of enemies.

16 [10.07.54]

17 Q. Do you specifically recall that they talked about Cham being
18 enemies?

19 A. They did not specifically refer to Cham, but they referred to
20 those <religious> followers.

21 Q. I'd like to read from something and see if it refreshes your
22 recollection, or you tell us whether it does or doesn't and
23 whether it's correct or not. And this is from a book, E3/2653. In
24 Khmer, it's 00904362 and the next page; and in French, 00943975.
25 In English, it appears at page 116.

1 And talking about you, sir, the books says that:

2 "Kamri explained that the Khmer Rouge did not know he was a Cham
3 and so they had appointed him to look after 400 children in
4 Cheyyou village, Chamkar Leu district. One day during 1977, he
5 was called to a meeting in Bos Khnaor village in Chamkar Leu
6 district. The agenda for the meeting was to specify a plan called
7 'The plan to smash the enemy'. Kamri reported that during the
8 meeting, he heard the chairman" --

9 MR. PRESIDENT:

10 Please hold on, International Co-Prosecutor.

11 And Counsel Koppe, you have the floor.

12 [10.09.45]

13 MR. KOPPE:

14 I really cannot believe, Mr. President, that you allow this kind
15 of questioning just by reading that excerpt from his book without
16 -- just for the form, you know, asking one or two questions and
17 then feeding it to him. We're now entering the area where the
18 reason why this particular witness is coming, of course, it's
19 completely unreliable. He doesn't even remember. But now
20 Prosecution is just feeding him his answer.

21 It's completely worthless. But this really is a practice that we
22 shouldn't be having here, Mr. President. I object strongly.

23 [10.10.28]

24 MR. KOUMJIAN:

25 Your Honour, I look forward to counsel changing his practice,

29

1 which is often to read the statements of people not the witness,
2 unrelated to the witness completely. He does it daily, so I'm
3 glad to hear that he's not going to do that anymore.

4 This is a statement of the -- this witness. I've asked him about
5 the meeting. It's clearly according to all the practice and rules
6 that we've had to now ask if this refreshes his recollection. He
7 can tell us whether it does or does not.

8 May I ask the question?

9 [10.11.05]

10 MR. PRESIDENT:

11 First, the objection by the defence team is overruled regarding
12 the strategy of questioning by the International Co-Prosecutor,
13 as it is in line with the practice of the Chamber and it has been
14 a practice used by the parties so far.

15 Secondly, on the issue of reliability is not a matter that we can
16 do it now. The probative value of an evidence is at the sole
17 discretion of the Chamber at a later stage -- that is, before the
18 issuance of the judgment.

19 And International Co-Prosecutor, you may continue.

20 [10.11.58]

21 BY MR. KOUMJIAN:

22 Q. So sir, the book goes on to say that you said that the agenda
23 for the meeting was to specify a plan called "The plan to smash
24 the enemy" and that you reported that, during the meeting, you
25 heard the chairman declare -- quote:

30

1 "The enemies of the revolution are many, but our biggest enemies
2 are the Cham, so the plan calls for the destruction of all the
3 Cham people before 1980."

4 So sir, I realize that 1977 was 39 years ago, but do you recall
5 having heard that? Do you recall anything about this meeting?

6 [10.12.50]

7 MR. SOS KAMRI:

8 A. Yes, I recall that. I think during the first meeting in Bos
9 Khnaor, they only mentioned about the enemies. They did not
10 specify the types of the enemies.

11 However, regarding the Cham people, that was at a later stage of
12 the meeting, and that was the account in that book.

13 Q. Sir, do you remember who it was that made that statement, if
14 it was a man or a woman, their name, if you know?

15 A. No, I cannot recall that. And I did not know that person.

16 Q. Did you know any of the Khmer Rouge leaders at the district or
17 sector level in Chamkar Leu or in the sector?

18 A. It was difficult to get to know those people during the
19 regime. I only know people living in the village.

20 [10.14.15]

21 Q. Did you ever know a man by the name of Ban Seak, also known as
22 -- I believe the pronunciation is Ho -- also known as Ho? Did you
23 ever know him?

24 MR. SENG LEANG:

25 The name is Ban Seak alias Phos, alias Ho.

31

1 MR. SOS KAMRI:

2 A. No.

3 MR. PRESIDENT:

4 Thank you, International Co-Prosecutor. It is convenient for a
5 short break.

6 We'll take a break now and resume at 10.30.

7 Court officer, please assist the witness at the waiting room
8 reserved for witnesses and civil parties during the break time
9 and invite him back into the courtroom at 10.30.

10 The Court is now in recess.

11 (Court recesses from 1015H to 1031H)

12 MR. PRESIDENT:

13 Please be seated.

14 The Court is now back in session and the floor is given to the
15 International Co-Prosecutor to resume the questioning. You have
16 the floor now.

17 BY MR. KOUMJIAN:

18 Thank you.

19 Q. Sir, I had just asked you about someone named Ban Seak, or Ho,
20 and who was the district secretary. Let me read you something he
21 said and see if that refreshes your recollection.

22 Your Honours, this is E3/9517, the statement of Ban Seak to the
23 OCIJ, at answer number 10. He said that: "Sou Soeun was appointed
24 Chamkar Leu district secretary later -- perhaps in late 1977. At
25 that time, Oeun removed me from my position as the Sector 42

1 commerce chairman and appointed me as deputy to Sou Soeun."

2 Sir, do you know who Sou Soeun is?

3 MR. SOS KAMRI:

4 A. I do not know this individual.

5 [10.33.06]

6 Q. Sir, did you know Ke Pauk, the zone secretary?

7 A. I have heard of that individual's name, but I, myself, do not
8 know this person.

9 Q. Did you ever hear his wife's name, or her position?

10 A. No, I do not know her.

11 Q. Thank you.

12 Sir, the other thing that Ban Seak said, and this is at E3/9516
13 (sic.), in Khmer at 00800955; in French, 00841971 to the next
14 page; and at English, 00841966; he said the district security
15 office was situated in Bos Khnaor, the village you just
16 mentioned.

17 Do you know where the district security office was in Bos Khnaor?

18 A. No.

19 [10.34.32]

20 Q. Do you remember anything about where it was that these
21 meetings took place where they talked about smashing enemies that
22 you've just told us about before the break?

23 Was it inside? Was it in a building? Where was it?

24 A. The meeting was held close to a pond in an open field.

25 Q. Thank you.

33

1 Sir, have you ever seen any written documents that talk about any
2 plans the Khmer Rouge had that you recall?

3 A. I can recall one document, one document which states about the
4 situation of enemy, and the enemies included Cham as well.

5 Q. Do you remember where it was you saw this document?

6 A. At the time, I was assigned to measure the land at Ou Nong
7 <commune>.

8 [10.36.11]

9 Q. And where was it -- how was it that you happened to see that
10 document? Can you give us any more details that you recall?

11 MR. PRESIDENT:

12 Please observe the microphone, Mr. Witness.

13 MR. SOS KAMRI:

14 A. Whenever the quarter chief was absent, I asked his or her
15 messenger to find <some books> for me so that I could read <to
16 pass the time>.

17 BY MR. KOUMJIAN:

18 Q. Sir, when you say so you could read, what do you mean? To read
19 that particular document or just to have something to pass the
20 time? Can you explain?

21 MR. SOS KAMRI:

22 A. I did not have the intention to read <them>, and that young
23 child, about 12 years old, brought me books <> to read.

24 [10.37.41]

25 Q. Do you recall, sir, anything else about the book? Any details

34

1 that you can remember now would be helpful about the size of the
2 book, the pages, the title, the colour.

3 Anything you recall?

4 MR. PRESIDENT:

5 Please observe the microphone, Mr. Witness.

6 MR. SOS KAMRI:

7 A. I <could not> read <a lot because I was afraid during that
8 regime. I just remember that the book was> small <> and <> thin
9 <>. And I <do> not recall the colour of that book.

10 MR. KOUMJIAN:

11 Your Honour, I think at this time my colleague will take over the
12 questioning.

13 [10.39.10]

14 QUESTIONING BY MR. SENG LEANG:

15 Thank you, Mr. President, Your Honours, everyone in and around
16 the courtroom. My name is Seng Leang, the National Deputy
17 Co-Prosecutor of the ECCC.

18 Q. Good morning, Mr. Witness. Today, I have several questions to
19 put to you so that I could have your clarification.

20 This morning, you mentioned a lot about the treatment on Cham.

21 Now I have a question to seek your clarification.

22 During Khmer Rouge time, were female Cham allowed to have their
23 hair long?

24 MR. SOS KAMRI:

25 A. Hair was to cut short. I mean females had to cut their hair

1 short.

2 [10.40.13]

3 Q. When was that, and what did Khmer Rouge do to female Cham to
4 cut their hair short?

5 A. Clothing tradition had to be abolished, so there was change in
6 our tradition.

7 Q. Was there a mosque in your village during Khmer Rouge time?

8 A. There was a mosque. The walls had been dismantled and only
9 roof remained with -- supported by the frame.

10 Q. What was that mosque used for in Khmer Rouge time?

11 A. They used that mosque to whatever they think they should. For
12 example, they used that mosque to hold stuff and to be the dining
13 hall.

14 Q. What happened to Koran, the holy book?

15 A. The holy book, there were no longer holy book or religious
16 books. And stuff -- I mean holy books had been destroyed, and
17 those who had the holy books with them, they did not dare to use
18 those holy books. And some people, Cham people, destroyed and
19 burned down their holy books.

20 [10.42.10]

21 Q. I would like to backtrack a little bit.

22 During the time that Khmer Rouge came to your village, were there
23 hakim and imam in your village?

24 A. Before 1975, there were religious leaders in every village.

25 Q. What about during the reign of Khmer Rouge? What happened to

1 those villagers' leaders?

2 A. I do not know what happened in other villages. In my village,
3 they had to comply with the instructions. They had to go to other
4 places with other villagers.

5 Q. Now, because of the time, I would like to move to another
6 topic, the detention and the arrest of Cham.

7 At around 9.52 minutes, you state -- you told the International
8 Co-Prosecutor that you used to see the arrest of people and you
9 used to see the bodies, the dead bodies, which were freshly
10 buried. Is that correct, what I summarized?

11 [10.43.40]

12 MR. PRESIDENT:

13 Please observe the microphone, Mr. Witness, before you speak.

14 MR. SOS KAMRI:

15 A. Yes, I saw the pits where dead bodies were buried.

16 BY MR. SENG LEANG:

17 Q. Now I'm speaking -- I'm asking you about the arrests.

18 Did you happen to see with your own eyes the arrests of <Cham>
19 people from your village?

20 MR. SOS KAMRI:

21 A. I did not witness villagers <being> tied up and arrested, but
22 I saw that they were called out and then disappeared.

23 [10.44.26]

24 Q. When did they happen, I mean the arrests and detention of
25 people?

1 A. Sometime they happened at nighttime and sometime during the
2 daytime while they were working.

3 Q. Perhaps my question is not clear to you. I want to ask you
4 about when the arrest and detention became intensified.

5 A. I cannot recall it well, but during 1977, arrests and
6 detention happened very -- in a larger -- in a massive scale,
7 rather.

8 Q. You stated that you saw the dead bodies were buried. Where did
9 you see those pits or dead bodies?

10 A. The pits were close to a village.

11 Q. Was the pits that you saw in the forest or in an open field or
12 in a plantation or in a farm?

13 A. It, in fact, was a well at the outskirts of the village.

14 [10.46.15]

15 Q. Beside the pit that you saw, did you happen to know a location
16 named Chamkar Ta Paen (phonetic)?

17 A. I have never seen that location. I heard of its name, and the
18 name was not Ta Paen (phonetic), but Ta Pom (phonetic).

19 Q. You are right. Its name was Ta Pom (phonetic), not Ta Paen
20 (phonetic). I pronounced it wrong.

21 Where was that?

22 A. It was located to the southeast of <Chamkar Andoung, it was
23 along> the national road.

24 Q. What did you hear about that Ta Pom (phonetic) plantation
25 farm?

1 A. They said people were taken to that location and killed.

2 Q. Now I'm asking about your work.

3 You stated that you were assigned to be a teacher. When did --
4 when were you stopped from being a teacher?

5 A. It was in early 1978 that I was no longer allowed to teach.

6 [10.48.15]

7 Q. Do you recall that there was one time you were assigned to go
8 and collect firewood?

9 A. That is true. I was, at one time, assigned to go and collect
10 firewood.

11 Q. Where did you go to find firewood?

12 A. I went <into> the <forest> where I could find the firewood.

13 Q. When you went into the forest to find and collect wood, did
14 you notice any strange thing happening in the forest?

15 A. I encountered the pits where the dead bodies were buried in
16 some locations.

17 Q. Did you happen to see people were being killed in the forest
18 where you went to collect firewood?

19 A. No, I did not witness the killings, the actual killings.

20 Q. You stated that you used to see pits where dead body were
21 buried. Where were those pits located, exactly, and how many pits
22 did you see?

23 A. In the forest where I went to collect firewood, there were
24 many pits, so I could not tell you the exact location of those
25 pits.

1 [10.50.10]

2 Q. Did you happen to know a pagoda known as Po Pring (phonetic)
3 pagoda? Do you know that pagoda?

4 A. Yes, I do.

5 Q. Where was its location? Can you describe it to the Court, and
6 what did you know about that pagoda during the reign of Khmer
7 Rouge?

8 A. I used to go to find firewood close to that location where I
9 encountered a security or detention centre, and that location or
10 <the> detention centre was <abandoned>.

11 Q. You stated that you saw a detention centre. How did you know
12 that that location was a detention centre?

13 A. I saw shackles and I could draw a conclusion that that
14 location was a detention centre.

15 Q. I am now asking about the pits.

16 What did you see in those pits?

17 A. I did not pay close attention. I was so scared at the time
18 after I saw those pits, I walk away -- I walked away.

19 [10.52.08]

20 Q. A while ago, you talked to the Co-Prosecutor about a book that
21 you used to see.

22 What was <the title of> that book? What was the content of that
23 book about?

24 MR. PRESIDENT:

25 Please observe the microphone, Mr. Witness.

1 MR. SOS KAMRI:

2 A. It happened long time ago. I cannot recall the content of the
3 book. What I can say is that the book was thin and I do not
4 recall the headings or the title of that book.

5 [10.52.48]

6 BY MR. SENG LEANG:

7 Q. I am now turning to a set of question -- another set of
8 <questions> in relation to <the> evacuation of people.
9 You stated that people were evacuated in 1974. Is that correct,
10 what I summarized?

11 MR. SOS KAMRI:

12 A. It is true.

13 Q. Do you know the reason behind the evacuation?

14 A. My apology. I do not recall the exact year of the evacuation.
15 It may have happened in late 1974 or early 1975.

16 Q. Very well, Mr. Witness. But I want to know about the reason
17 behind the evacuation, if you know.

18 A. I do not know the reason behind the evacuation.

19 [10.54.10]

20 Q. You stated that 50 families, including your family, were
21 allowed to remain in the village, so what was the reason that
22 these 50 families were allowed to stay in the village -- in your
23 village?

24 A. I do not know the exact reason why the -- those 50 families
25 were allowed to stay in the village.

41

1 MR. SENG LEANG:

2 Mr. President, because of the time, I am now handing over the
3 floor to the Lead Co-Lawyers to put their <questions>. Thank you,
4 Mr. President.

5 MR. PRESIDENT:

6 Now the floor is passing to the Lead Co-Lawyers for civil parties
7 to put questions to this witness.

8 You have the floor now.

9 [10.55.22]

10 QUESTIONING BY MR. PICH ANG:

11 Good morning, Mr. President, Your Honours. Good morning, civil
12 parties and the public.

13 Q. Good morning, Mr. Witness. My name is Pich Ang. Marie Guiraud
14 and I are Lead Co-Lawyers for collective civil parties. I have
15 several questions to put to you, Mr. Witness, and I need your
16 clarification for the Chamber.

17 My first set of questions that I want to ask you, as you are an
18 Islamic follower and a leader of Cham community, what is the
19 importance of this religion to its followers?

20 MR. SOS KAMRI:

21 A. Every follower of <any> religion has -- have their own
22 disciplines, and <for me, as a Muslim, I believe in my religion
23 and> I need to adhere to the disciplines of the religion so that
24 I can lead the followers.

25 [10.57.02]

1 Q. Thank you.

2 You answered some questions put by the Co-Prosecutors, and I want
3 to ask you about the practice of Islamic religion between 1975
4 and 1979.

5 Was Islamic religion banned from practising?

6 A. There was a ban, and close observation or surveillance was
7 implemented at the time to prevent us from practising <our
8 religions>.

9 Q. You stated that there was a ban. How was the ban implemented?

10 Were meetings held to declare the ban on your religion?

11 A. There were meetings held to explain us about the <abandonment>
12 of religion. We were told not to practise our religions and try
13 to work for the regime's interests.

14 [10.58.33]

15 Q. Can you tell the Chamber about the specific meetings where you
16 attended and during which you heard about the ban on <Islamic>
17 religion?

18 A. In relation to the meetings <concerning religions and other
19 issues>, <they> happened very -- quite often in villages and in
20 other <locations> where we were informed of the ban on religion.

21 Q. Thank you for answering my questions.

22 I am now asking about the period before the Khmer Rouge came to
23 take control in 1975.

24 <> Was <there a> structure of Islamic religion in the country?

25 [10.59.42]

1 MR. PRESIDENT:

2 Please hold on, Mr. Witness.

3 You have the floor now, Koppe.

4 MR. KOPPE:

5 Thank you, Mr. President.

6 The question suggests that the Khmer Rouge came to power in '75.

7 The witness has testified that it was 1970 or 1971, so I don't

8 think the question is appropriate or accurate.

9 BY MR. PICH ANG:

10 I will ask in detail about this issue, and I believe that counsel

11 for the Accused can ask questions for clarification on this point

12 during the time of your questioning.

13 Q. Mr. Witness, before 1975, was there a structure in religious

14 leadership? <Or maybe there was, but it changed through time?>

15 A. Before 1975, we had freedom to practise our religion, so there

16 was structure -- clear structure of religious leadership in the

17 -- each and every village.

18 [11.01.05]

19 Q. Can you tell us the structure of the religious leadership from

20 the national level down to the village level?

21 A. During that period <, just like today>, the religious leader

22 in the village is <the> hakim and above that, <at the highest

23 level,> there was <the> mufti or <chang vang (phonetic)>.

24 Q. As for <the> mufti or a <chang vang (phonetic)> in Khmer, the

25 okhna, raja thipadei, who is the supreme leader of the Islamic

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1 religion, can you tell us <whether the> mufti, who was in that
2 position during the Sihanouk regime, survived the Khmer Rouge
3 regime or not or what happened to him?

4 MR. PRESIDENT:

5 Witness, please observe the microphone.

6 MR. SOS KAMRI:

7 A. The last mufti <was> Res Lah, from my recollection, I was so
8 far from him and I could not know <about> the well-being of this
9 mufti. I only saw his photo in the museum. And I only knew that
10 he was in that mufti position, but I did not know about his fate
11 <later on>.

12 [11.03.01]

13 BY MR. PICH ANG:

14 Q. During the control of the Khmer Rouge -- and you already
15 responded to parts of the questions by the International
16 Co-Prosecutor that there was no religious leadership <structure
17 for> the Islamic religion -- and what happened after 1979; was
18 there an attempt to <rebuild> the religious leadership of the
19 Islamic religion, and if so, when did it happen?

20 MR. SOS KAMRI:

21 A. After the liberation day of 1979, people tried to return to
22 their native villages and it was those villagers who actually
23 <setting up> a mosque and leadership within the village level and
24 at that time, <the structure at> the national level was not yet
25 established.

1 [11.04.15]

2 Q. And I believe there is a national-level leadership and you are
3 at that leadership level currently; can you tell the Chamber how
4 difficult was it to rebuild such a religious leadership structure
5 after the collapse of the Khmer Rouge regime?

6 A. After the liberation day, there was no clear communication
7 between each leader, so such a structure was established
8 autonomously at various villages and only at -- only in 1993, a
9 religious leader was <elected> at the level of the office of the
10 cult and later on, <in 2000,> I was appointed to be <an official>
11 religious leader and the difficult -- the difficulty was that how
12 and where to build <the> mosques; that is, a sacred place for us
13 to pray since about 80 to 90 per cent of mosques were completely
14 ruined and needed to be rebuilt.

15 Q. You said those mosques were ruined; can you tell when <and
16 why> those mosques were destroyed? And here, are you referring to
17 the Islamic mosques<>?

18 A. Most of the mosques were dismantled and <the> wood <was> used
19 for other purposes and if the mosques were built from cement or
20 concrete, they would be knocked down and destroyed; then there
21 was no sacred place for us to pray.

22 [11.06.30]

23 Q. And when did these activities take place?

24 A. I did not conduct <any> nationwide research on this matter; I
25 only <stayed in a village. I could not go anywhere. In my

1 village,> the mosques were abandoned after 1975.

2 Q. Can I then conclude that the destruction or the dismantling of
3 the mosques took place between 1975 to 1979?

4 A. Yes, that is correct.

5 Q. I'd like to put <a> question to you in relation to those who
6 were knowledgeable in <Islamic> religious knowledge and religion
7 or <Islamic> religious <teachers>; what happened to them during
8 the Khmer Rouge regime?

9 A. The religious teachers and leaders were not distinguished;
10 they were -- they were treated <like other> people and sometime,
11 in some locations <where they could hide their identities>, they
12 survived a bit longer. So, again, I conclude that their status
13 <of life-and-death> was <like> the ordinary people.

14 [11.08.05]

15 Q. I'd like to ask you about the living condition of the Cham
16 people as well as that of your villagers and of your family
17 members. You already replied to the Co-Prosecutor's request
18 regarding the living conditions of the Cham people, but my
19 question focused mainly on the food regime. What was the food
20 regime given to the Cham people; were Cham people or Islamic
21 religions satisfied with the food regime provided by the Khmer
22 Rouge?

23 A. Food regime was the second discipline -- that is, <according
24 to> the <Islamic> religion <>, we had to be very strict with our
25 food regime. However, during the Khmer Rouge regime, we had to

1 eat what was given in order to survive.

2 Q. And was pork given to the <> people to eat at the time?

3 A. I believe no one could avoid that including myself.

4 [11.09.53]

5 Q. You actually testified about the ban of Islamic religious
6 practice and in the name of an Islamic follower, when such a ban
7 was put in place, what was an impact upon you, upon your emotion,
8 or upon your family members when such a ban was put in place?

9 A. Of course it had an impact; however, we tried whatever we
10 could in order to pray, to practice our religion. We could -- we
11 had to find our way to pray, although it might not conform with
12 the standard practice of praying.

13 Q. My question is that when the religious practice was banned so
14 that you could not practise it, what was <the> impact upon you
15 <or your family> that you -- you supposed to have done something
16 in order to be compliant with the religious practice; what kind
17 of an emotional impact upon you as a religious follower and a
18 practiser?

19 A. As I have stated, there was an impact on <the> religious. We
20 were offended by the ban, but we had to find our own means to
21 express our <prayers> and practice of the religion.

22 [11.11.45]

23 Q. I now move to another topic. You stated that you continued to
24 provide your teaching to children during the regime and you also
25 said that you also taught children in 1978; can you tell the

1 Chamber, at that particular point in time, what kinds of subjects
2 you taught the children?

3 A. I only taught children how to read letters and when it was
4 working time, I would lead the children to work.

5 Q. Besides teaching the alphabets, did you teach anything else to
6 those children; for example, the main content of the teaching,
7 what was it?

8 A. There was not much content of what I taught besides teaching
9 alphabets and, in addition, I would lead those children to work.

10 Q. I'd like to refer to your statement with Ysa Osman. Actually,
11 at that time, he worked for DC-Cam. It's at 00230610 in Khmer;
12 and in English, it's at <01222008>; and in French, <01222019>.

13 [11.13.53]

14 MR. PRESIDENT:

15 Please hold on and Counsel Anta Guisse, you have the floor.

16 MS. GUISSSE:

17 Yes, thank you, Mr. President. It's a little problem of
18 procedure. Regarding a previous statement, I believe there's no
19 problem for any of the parties<.> I don't <think> the Chamber has
20 admitted this new document <to> the case file, so maybe an 87.4
21 request should be made and I think nobody will object to that. So
22 <as an issue> of procedure, I believe that this should be noted
23 <now>.

24 MR. KOUMJIAN:

25 That's correct and we would make the 87.4.

1 Thank you, Counsel.

2 JUDGE FENZ:

3 And to be complete, I take it nobody objects to that, for the
4 record? To state for the record, nobody objects -- none of the
5 parties object.

6 [11.15.08]

7 MR. PICH ANG:

8 Thank you, Mr. President. The document that I refer to is an
9 interview by Ysa Osman with the witness and I'd like to make the
10 following quote: "So for the teaching, it was dependent on the
11 available time."

12 MR. PRESIDENT:

13 Lead Co-Lawyer, please hold on.

14 (Short pause)

15 [11.17.11]

16 JUDGE FENZ:

17 Counsel, could you repeat the reference number of the document
18 which is requested to be admitted?

19 MR. KOUMJIAN:

20 Your Honours, it is D175/3.43. It is the DC-Cam interview that
21 was mislabelled previously.

22 MR. PRESIDENT:

23 Since there is no objection by parties to this document, the
24 Chamber admits this document as evidence and reasons will be
25 provided in due course.

1 And Lead Co-Lawyer for civil parties, you may use that document
2 as a reference when you question the witness. You may continue.

3 [11.18.12]

4 BY MR. PICH ANG:

5 Thank you, Mr. President, and Your Honours. Allow me to quote the
6 relevant part again.

7 "So <> teaching <> students <and their passing to the next> class
8 <depended> on the <time> available and, in particular, there was
9 very limited time for teaching and those children were educated
10 to be the strongest, <so they understood> the activities of the
11 revolution at the time." End of quote.

12 Q. And Mr. Witness, regarding the activities of the revolution in
13 the quote that I read, did you teach such activities of the
14 revolution to the children?

15 MR. SOS KAMRI:

16 A. I cannot recall that clearly. What I gather is that what I
17 taught the children -- those young children <--> was rather
18 informal<,> and <for higher level of studies,> there were other
19 teachers who engaged in other topics.

20 Q. Thank you and I move on to another subject. During the Khmer
21 Rouge regime, did you know anything about marriage?

22 A. Personally, I got married before 1975 according to the
23 tradition and religion; however, later on, I once in a while saw
24 a marriage ceremony taking place and the future wives and
25 husbands were expected to make a commitment.

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1 [11.21.04]

2 Q. Regarding the commitment being made by those spouses and that
3 you witnessed, did you know whether they volunteered -- that is,
4 on both sides, to get married?

5 A. I was not sure about that. I could not say about those who
6 involved or -- who involved in the marriage.

7 Q. That is all right. And can you tell us about the commitment
8 that those couples had to make?

9 A. I cannot recall the details of the commitment; however, in
10 brief, that they had to love one another and that they had to
11 follow the path of the revolution.

12 Q. You said that you were married; can you tell the Chamber,
13 during the regime -- that is, the Khmer Rouge regime, were you
14 allowed to live under one roof with your wife?

15 A. I continued living with my wife and children; however, my wife
16 was assigned to work as ordinary villager. <It was only me who
17 left of the village.>

18 [11.22.55]

19 Q. I'd like to go back, a little bit, to the topic I previously
20 asked you regarding the children you taught. Who were those
21 children that you taught; were they Khmer children or were there
22 other ethnic children; namely, Cham children?

23 A. While I was in the village, all the children <I taught> were
24 Cham; however, when I left my village, <they> were all Khmer.

25 Q. You said when you left the village, when was that; so when was

1 the time that you taught only Khmer children?

2 A. I left my village in early '77 and I returned in early '78.

3 Q. The students -- that is, those children were all Khmer; what

4 about the Cham <children> that you taught in the past, what

5 happened to them or were there other teachers who provided

6 teaching to those Cham children?

7 A. Yes, there were teachers from somewhere else who taught those

8 children, although I cannot recall the details.

9 [11.25.05]

10 Q. Maybe I don't fully get your response; regarding those Cham

11 children, did they continue receiving education or could they

12 attend the class that you taught?

13 A. After I left the village, there was a replacement teacher who

14 taught those Cham children.

15 Q. When you left your native village in around '77 or '78, did

16 you continue living with your wife and your children, if you had

17 any by that time?

18 A. As I stated, I left the village by myself, alone, and my wife

19 continued working in the village with other people.

20 Q. This may be my last question to you. Regarding your relatives

21 who were Cham, did you lose any of them during the Khmer Rouge

22 regime and if so, for what reasons?

23 A. From the outset, I stated that Cham people in my village were

24 evacuated to the surrounding areas in Chamkar Leu district except

25 about 50 families who were allowed to remain. So amongst those

1 more than 1,000 <>, there were only <> 15 to 20 per cent who
2 survived.

3 [11.27.21]

4 Q. My question is related to your relatives or family members;
5 did you lose any of your family members or relatives during the
6 regime?

7 A. On my side, about 30 per cent of my relatives disappeared;
8 however, on my wife's side, there were <80 per cent> of those who
9 disappeared.

10 Q. And can you recall the names of your family members who
11 disappeared during the regime and this is my last question to
12 you?

13 A. I cannot recall the named on my wife's side since we got -- we
14 had just got married and on my side, there was my younger sibling
15 and my various nephews -- rather cousins who I can't recall their
16 names.

17 Q. Your younger sibling?

18 A. Yes, and the name is Fatima (phonetic).

19 [11.28.42]

20 MR. PICH ANG:

21 Thank you, Mr. Witness, for answering my question. And Mr.

22 President, I conclude my session.

23 MR. PRESIDENT:

24 Thank you. It is now appropriate for our lunch break. We take a
25 break now and resume at 1.30 this afternoon.

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1 Court officer, please assist the witness during the break time at
2 the waiting room reserved for witnesses and civil parties and
3 invite him back into the courtroom this afternoon at 1.30.

4 Security personnel, you are instructed to take Khieu Samphan to
5 the waiting room downstairs and have him returned to attend the
6 proceedings this afternoon before 1.30.

7 The Court is now in recess.

8 (Short pause)

9 [11.29.48]

10 MR. SOS KAMRI:

11 <After the break, please make it short because my health is
12 poor.>

13 MR. PRESIDENT:

14 <In principle -->

15 JUDGE FENZ:

16 Can you -- can we restart the translation?

17 MR. PRESIDENT:

18 Witness, please repeat what you have just stated.

19 MR. SOS KAMRI:

20 As a witness, I am having a poor health. I feel dizzy and I'd
21 like to have a shorter session for the afternoon when we resume
22 at 1.30.

23 [11.30.51]

24 MR. PRESIDENT:

25 In principle, the Chamber cannot grant that. If you have health

1 issue, you will be examined by the duty doctor at ECCC and in
2 principle, the allotted time for the prosecutors and for the
3 Defence is equal -- that is, the morning session will be used by
4 the Prosecution and the afternoon sessions will be used by the
5 Defence.

6 And if you have any health issue or problems, please inform the
7 Court officer who will inform the Chamber or you may inform WESU
8 representative so that a doctor can examine your health and if
9 the session is not concluded for some reasons, you will have to
10 return at another time to continue your testimony and you cannot
11 do according to what you want as the equality of arms is
12 preserved in this Chamber.

13 And for the afternoon sessions, how long it lasts dependent on
14 the questions by the Defence. If there is no foreseeable obstacle
15 or interventions, then the afternoon sessions will be used by the
16 Defence to put questions to you and if there is some other
17 matters or interventions, maybe you have to appear again tomorrow
18 morning.

19 [11.32.35]

20 And, again, if you have health issue, please inform WESU staff or
21 Court officers so that you will be examined by the duty doctor
22 and a report will be made to the Chamber and the Chamber will
23 rule on that if that is the case. And I hope that you understand
24 the points that I've raised and if there is anything, then a
25 report will be made to the Chamber by the duty doctor concerning

1 your health.

2 The hearing is now in recess.

3 (Court recesses from 1133H to 1331H)

4 MR. PRESIDENT:

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

6 Before the Chamber passes the floor to the defence team for the
7 Accused to put question to this witness, the Chamber would like
8 to remind the witness, Sos Kamri, that the Chamber has received
9 the notification or information about your health issue and if
10 you have any issue with your health, you can -- you can inform
11 the Chamber and ask the Chamber to have a short break or the
12 adjourn the hearing in case that your health issue is serious.
13 And if you are in good health, the hearing of your testimony will
14 be, perhaps, concluded by 4 p.m.; do you understand that, Mr.
15 Witness?

16 MR. SOS KAMRI:

17 Yes, I do.

18 MR. PRESIDENT:

19 Thank you very much.

20 And the floor is now given to the defence team for the Accused
21 starting first from Nuon Chea defence team to put question to
22 witness Sos Kamri. You may proceed now.

23 [13.33.05]

24 QUESTIONING BY MR. KOPPE:

25 Thank you, Mr. President. Good afternoon, Mr. Witness. I'll be

1 asking you some questions this afternoon on behalf of our client,
2 Nuon Chea.

3 Q. In your statement to the investigators of the Investigating
4 Judge, you said that you were the chairman or you are the
5 chairman of the Highest Council for Islamic Religious Affairs <in
6 Cambodia>; is that correct and if yes, are you still in that
7 position today?

8 MR. SOS KAMRI:

9 A. Yes, I am still in this position now, today.

10 Q. And would you be able to briefly explain to the Chamber what
11 the function is of this Highest Council for Cambodian and Islamic
12 Religious Affairs; what -- what is its tasks and what are you
13 doing?

14 A. The function of the Highest Council for <Islamic> Religious
15 Affairs <in Cambodia>, the chairman <is> appointed by the Royal
16 Decree by the King and I was -- I am assigned to coordinate and
17 in charge of the disciplines of Islamic religion in Cambodia and
18 I also -- I am also in charge of <appointing leaders at> the
19 <provincial level,> district level and <village> level in
20 relation to <the> Islamic religion.

21 Q. And can you tell us briefly what the main task is of the
22 highest council; what is its purpose; why does it exist?

23 [13.35.33]

24 A. In fact, in all countries, there are religious leaders in the
25 country including <the> Islamic religion -- religious leaders and

1 other religious leaders. And the first -- the main task is to
2 provide and guarantee disciplines to Islamic religion and number
3 two is to work on this religion and solve any issue arising out
4 of Islamic community.

5 And the leaders -- I mean Islamic religious leaders <have>
6 existed <since> the period before 1975 <> in Cambodia.

7 Q. Because of technical problems, I didn't get your answer, but
8 that's -- that's all right; I will -- I will consult with my
9 colleague.

10 Are you one of Cambodia's highest Islamic leaders; is that -- is
11 that a fair summary of -- of your position?

12 [13.37.28]

13 A. Correct, I am one of the leaders and I am the chairman of
14 other Islamic leaders in Cambodia.

15 Q. And I understand that another position of yours is the -- is
16 being a General Director of Cambodia Islamic Centre; correct and
17 if yes, what -- what are exactly the functions of the Cambodia
18 Islamic Centre?

19 A. In the past period, <after the shutdown of Om Al Qura>, the
20 Royal Government of Cambodia has tasked me <with being> in charge
21 of the centre and that centre is to provide religious training.

22 Q. Religious training to -- to whom?

23 A. To Islamic followers in Cambodia.

24 Q. Would it be fair to say if -- if I summarized it, you are one
25 of the highest authorities within Cambodia when it comes to not

1 only religious affairs, but also interpretations of, for
2 instance, provisions in the Koran or any other Islamic writings?
3 A. My role is to disseminate that <Holy Book> within Islamic
4 community and also to protect Koran, the <Holy Book>.

5 [13.39.45]

6 Q. And my last question on -- on your position: Because of your
7 position, are you also able to -- to give testimony or insights
8 as to, for instance, how many Cham villages there are in
9 Cambodia, how many Cham people approximately are now living in
10 Cambodia, such questions?

11 A. We are not sure about the population of Islamic people or Cham
12 people living in Cambodia, but perhaps there are more than
13 500,000 Cham people, so the number can be around <500,000 to
14 600,000> Cham people in Cambodia.

15 Q. Now, Mr. Witness, if you'll allow me to ask you whether you
16 would be able to tell us if it is correct that you initially did
17 not want to testify in this Court -- that you were very reluctant
18 to testify; is that correct.

19 [13.41.17]

20 A. It has something to do with my health issue as far as everyone
21 is concerned.

22 Q. And -- and is the health issue the only reason for not wanting
23 to testify in -- in this court?

24 A. That is correct.

25 Q. Are you aware of communications from the Council for Islamic

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1 Religious Affairs, of which you are the president, to the Court
2 that forcing your appearance would lead to protests and violence
3 within the Cham community?

4 A. That is the correct statement. If it is necessary, there
5 should be a protest.

6 Q. I'm -- I'm basing my -- my question upon documents that we
7 have about the contacts between you and -- and the Court, but why
8 is it that the Council for Islamic Religious Affairs would fear
9 violence if you were forced to testify? You are the president;
10 maybe you can enlighten us a bit on this?

11 A. That is not correct. It -- it is not my understanding. I have
12 repeatedly told the Court that it has something to do with my
13 health issue.

14 Q. Is it -- is it correct that you subsequently refused to
15 undergo a medical assessment in order for the Chamber to be able
16 to assess your medical situation?

17 [13.43.53]

18 A. That is true; however, I have been constantly and -- monitored
19 by the doctor and the doctor examined me many -- on many
20 occasions. <It's already been 10 years,> and I, myself, am -- I
21 am aware of my health issue more than <anyone else> is and I have
22 been <> abroad to have my <health checked> so it is no point to
23 have further examination.

24 Q. Mr. Witness, who is His Excellency Osman Hassan, advisor to
25 Prime Minister Hun Sen; who is he and do you know him?

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1 A. Please put question in relation to what I should provide my
2 answer. Do not ask me about the issue of others.

3 [13.45.05]

4 Q. Let me just then ask the question: Do you know whether Osman
5 Hassan asked, on your behalf, whether you could -- you, as a
6 witness, could be -- could be replaced by someone else to
7 testify?

8 A. Again, it <> concerns <> my health issue. I am really -- I
9 really want to testify what I have known, but if I cannot because
10 of my health issue, <and if I could be represented, I might have
11 someone to represent me>.

12 Q. Now, in that same interview that you gave seven or eight years
13 ago to the investigators, you say, Mr. President, on E3/5216;
14 English ERN, 00225495; Khmer, 00223891; and French, 00234568;
15 you're saying and I -- I quote you literally, "I don't
16 necessarily take an oath before I speak."

17 Let -- let me -- let me be complete. The actual -- the whole
18 sentence says as follows, "Since I am the Chairman of the Highest
19 Council for Islamic Religious Affairs and the General Director of
20 <the> Cambodia Islamic Centre and based on Islam religion, I
21 don't necessarily take an oath before I speak." End of quote.

22 Can you explain to me what it was that you meant with -- with
23 saying that? Why don't you necessarily take an oath before you
24 speak?

25 [13.47.18]

1 A. It appears that I have told the Court already. I told the
2 Court this morning and perhaps you may have got what I said.
3 In -- there is the freedom in Islamic religion. <Taking an oath
4 is not banned.> Actually, there are two possibilities. Sometimes
5 we may overstate or we may not tell everything in detail and I,
6 myself, believe in the religion and that is why I -- I asked not
7 to take an oath and in our religion, it is not absolutely
8 required us to take an oath and this is the role and function of
9 the religious follower.

10 Q. My -- my final question on this issue, Mr. Witness. Do you
11 agree with me that, according to Islamic faith, a witness can
12 only be considered to be under oath if he or she swears to tell
13 the truth, swears in the name of Allah, peace be with him, if
14 only in that situation, he can be considered taking a declaration
15 or -- or making a statement under oath?

16 [13.48.56]

17 A. That is also the freedom of Islamic follower whether or not
18 they want to take an oath. The religion -- Islamic religion does
19 not require an individual in Islamic community <not> to take an
20 oath absolutely; it depends on their will.

21 Q. Very well, thank you, Mr. Witness. I will move on to the next
22 subject and that is the -- the number of Cham people that live
23 now in Cambodia, but also after '79.

24 At various moments in your testimony, you say that -- according
25 to you, after '79, about 300,000 Cham were still living in

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1 Cambodia; is that correct and if -- if yes, what is the source
2 for this figure; where did you base yourself upon; how did you
3 come to the 300,000?

4 A. That is -- that was the estimate. We did not conduct the
5 actual consensus -- census at the time. That is why I do not want
6 to take an oath.

7 We examined the population in villages and after that, we came to
8 a -- an estimate about that rough number, so no one is known for
9 sure about the exact figure of Cham people living after that
10 period; that is why I asked not to take an oath.

11 [13.51.07]

12 Q. Do you know whether there was a population count or a sort of
13 census in 1982, here in Cambodia and the number of 180,000 Cham
14 -- 182,000 Cham came up; are you aware of that figure?

15 A. I am not aware of that. At that time, I was living in my
16 village and I was not going anywhere to get the information about
17 that.

18 Q. In your statement to Eva (phonetic) -- Ysa Osman, you're
19 saying that, according to those who remember, there were about
20 700,000 Cham in Cambodia before 1975; can you explain to us how
21 exactly those people that you talked to came to that figure? Did
22 they tell you?

23 [13.52.30]

24 A. That was also the estimate from Sangkum Reastr Niyum based on
25 the population in villages. We did not have the exact figure from

1 that period as well.

2 Q. But -- but do you know how these -- how the people that you
3 spoke to came to that estimate; why 700,000? Did they -- did they
4 do some calculation or can you give us some more details as to
5 how this figure of 700,000?

6 A. When we did not have any -- have specific basis to rely on;
7 that is why people came to different estimates. And from my
8 estimate -- to my estimate, the population was from 400,000, so
9 it depended on those who came to their own estimate.

10 Q. Are -- are you aware of the fact that international scholars,
11 American or Australian, are giving numbers of the total Cham
12 population before '75, which are dramatically lower than the
13 700,000 that you mention?

14 A. That is not true.

15 [13.54.33]

16 Q. Let -- let me be more specific. There's an American scholar
17 who says that before 1975, there might have been roughly 190,000
18 Cham and an Australian scholar, Kiernan, saying approximately
19 250,000 Cham in '75.

20 JUDGE FENZ:

21 Counsel, just for completeness, now we need the reference since
22 you are so specific.

23 BY MR. KOPPE:

24 It's the same document that I used when questioning expert Osman;
25 E3/9382 <(sic)>, I believe. It's actually also mentioned in

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1 E3/9701, which is an article by Eva (sic) Osman in the "Phnom
2 Penh Post" in which Osman actually quotes this witness as his
3 main source.

4 So, Mr. Witness, do -- do you have a reason or can you explain to
5 us why there is such a difference between what scholars seem to
6 estimate, based on the various census, and your sources? There
7 seems to be a difference of almost 500,000 people; can you
8 explain that?

9 [13.56.34]

10 A. Now, I asked for -- I ask for your consideration. Currently,
11 in Tboung Khmum Province, one village consists of <almost 2,000>
12 families and <that is just considering the people in> three
13 villages <for instance, in Chumnik>, Trea and <Kratie> village
14 <which is called Teal Phluoh and Pongro. So, in Sangkum Reastr
15 Niyum regime, there were more than 1000 families. And if we
16 multiply the population of the three villages by five,> there are
17 perhaps <100,000 or 200,000> Cham people living in the country.

18 Q. There seems to be also a very big difference in numbers when
19 it comes to possible deaths in relation to the Cham during DK.
20 This American scholar estimates about 11,000 Cham being killed.
21 This Australian scholar talks about 77,000 Cham being killed and
22 you say about 400,000 Cham were killed; can you explain that
23 difference?

24 JUDGE FENZ:

25 Sorry, Counsel, again, which scholar and where?

66

1 [13.58.30]

2 MR. KOPPE:

3 Vickery is talking about 10,710. Kiernan -- Ben Kiernan, 77,000
4 and he, himself, according to Osman, talks about 400,000. So --

5 JUDGE FENZ:

6 And where -- where?

7 BY MR. KOPPE:

8 E3/9701; it's the evidence, actually, of -- of Osman and it's the
9 same document that I referred to earlier. It's the article of
10 Michael Vickery relating the -- the figures and statistics of
11 Kiernan and the "Phnom Penh Post" article of Osman; that's the
12 "Post" article 10 March 2006, E3/9701; English ERN, 01199557 and
13 558; Khmer, 0126400 (sic) and 01.

14 [13.59.41]

15 Q. So, again, we have an American scholar, Michael Vickery; we
16 have an Australian scholar, Ben Kiernan, who give dramatically
17 different figures in terms of casualties than -- than you. So my
18 -- my question is also in relation to the position that you have;
19 can you explain that big difference in numbers?

20 MR. SOS KAMRI:

21 A. I think, after the liberation, I went around and observed
22 villages. Many, many Cham people died and there were small
23 numbers of Cham people survived the regime.

24 Cham people died. They were from different villages, so it
25 depended on the small or big villages, so Cham people -- 50 per

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1 cent of Cham people may have died. This is based on my estimate
2 and also based on my actual observation. I cannot -- we cannot go
3 to one individual to ask specifically about that issue.
4 And the regime lasted for almost four years; three years, eight
5 months and 20 days. The birth rate is also high after that
6 period. It was also high after that period. So the death toll
7 perhaps may have a <high> number and also the birth rate may have
8 a <high> number as well.

9 [14.01.40]

10 Q. Last question that you yourself said after '79, that there
11 were about 300,000 Chams still living. How did you, in light of
12 what you just said, come to that actual number? Did you go to all
13 villages in Cambodia, also other villages? Did you go to Phnom
14 Penh? How was that number reached, the 300,000?

15 A. I went to most of the villages since I was one of the
16 religious teachers and I was invited to attend many meetings to
17 disseminate religious information. So I went to, say, 70 to 80
18 per cent of the Cham villages throughout the country.

19 Q. And that's how you reached the number of 300,000?

20 A. Yes, that is correct.

21 [14.03.05]

22 Q. Let me now move onto your testimony into what was said during
23 a certain meeting and what you subsequently may have read. It is
24 a bit unclear to me when you were asked questions about a meeting
25 during which the fate of Cham was allegedly discussed what year

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1 that was. When exactly was it? Was it in November '78, as you say
2 somewhere? Was it in '77? Was it in early '78? Do you remember?

3 A. As I stated this morning, I attended several meetings at
4 <this> time. I also took children to work and there were meetings
5 <attended by> people from different levels. For that reason, I
6 cannot recall specific details regarding each meeting.

7 Q. I understand. But at one point you are saying November '78,
8 and in another statement you are saying '77 or early '78. Can you
9 tell us what it was, early '78, late '78; late '77? What was it?

10 A. I attended those meetings around 1977, but I cannot recall
11 whether it was in early or late '77, as I went to <Cheyyou> in
12 early '77 and I returned in early '78.

13 Q. Have you ever heard of a person called Mat Ly?

14 A. During the Pol Pot regime, I did not know him. And I heard of
15 his name only after the liberation day.

16 Q. So you never spoke to him after 1979?

17 A. After 1979, I rather frequently met with him.

18 [14.06.03]

19 Q. Okay. Can you tell us something about the nature of your
20 conversations with Mat Ly?

21 A. It was a casual conversation, and at that time I did not speak
22 to him on any specific subject.

23 Q. Did he tell you when he spoke to you what his functions were
24 during the DK regime, what positions he held in the former East
25 Zone?

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1 A. No, I was not aware of that. He never told me about it.

2 Q. Have you heard of a person called Ouk Bunchhoeun who is
3 presently a member of the senate in Cambodia?

4 [14.07.12]

5 A. No, I never heard of that name.

6 Q. So following this, you also do not know what his function was
7 in the East Zone between '75 and '79; correct?

8 A. As I stated earlier, during the regime, it was prohibited to
9 walk freely, and that happened to everybody. So I did not know
10 any specific positions that he held.

11 Q. I'll get back to Mat Ly later, but now let me return to the
12 document you said you saw. This morning you were not able to give
13 details about a document or a small book or booklet that
14 discusses the fate of the Cham. But I am asking you again, what
15 do you remember about having seen a small booklet called "The
16 Plan for Progressive Cooperatives"? What do you remember?

17 A. As I stated this morning, I was assigned to measure land. I
18 did not know whether they wanted to draw a sketch or not. And
19 when I arrived in the area, the chief there was not there and
20 only the messenger was there. So I asked the messenger if he had
21 any book or document so that I could read to pass the time. And I
22 was given that book which discussed about the enemy situation.

23 [14.09.36]

24 Q. In your statement to the investigators of the OCIJ; English
25 ERN, 00225497; Khmer, 223893 (sic); and French, 00234570 and 71;

1 you're saying it was a light yellow book, a book with a light
2 yellow cover that had -- it was small and it had 16 pages. Is
3 that what you said? Is that correct? Is that your recollection?

4 A. I was not 100 per cent sure that it was a light yellow cover.
5 This is not 100 per cent certain, and I believe I recall it that
6 the title for the book was "The Plan for Progressive
7 Cooperatives". I did not read the entire booklet. I only read the
8 section about the enemy situation concerning the Cham people.

9 Q. And how do you remember it was 16 pages?

10 [14.11.05]

11 A. Because it -- the book was rather thin and the size was small.

12 Q. And according to your WRI you remember reading, "Cham is the
13 biggest enemy who must be totally smashed before 1980?" And you
14 say, "I was scared and not dared to read any further so I took it
15 back to its original place". Is that what you said to the
16 investigators and to Ysa Osman?

17 A. I was not sure about the year that you quoted but I'm sure
18 about the plans to kill the Cham people. I can only tell you what
19 I am certain of. I did not know whether the author of that book
20 exaggerated or not, but that was what I recall.

21 Q. And was it a young messenger who gave you that little booklet?

22 A. No, he did not hand me the book. He actually gave me a whole
23 bunch of books <>. I picked one and that was the book that I
24 picked.

25 Q. Did you have the impression when you got this pile of books

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1 that those books were somehow secret? Because apparently he gave
2 you the books just for you to pass some time; correct?

3 A. Yes, that is correct. And of course I did not have any
4 intention to want to know about this matter. However, it happened
5 that I read that book. I <only wanted> to read something to pass
6 the time.

7 Q. And where did this messenger get this pile of books from?
8 Where was this pile of books in the office?

9 [14.13.52]

10 A. The books were from the office of his superior. In fact, I
11 went to the superior's office <where> I was <supposed> to work
12 there.

13 Q. Did you ever speak to Mat Ly about the existence of this
14 little 16-page booklet?

15 A. No, I never spoke to him about that.

16 Q. Did you speak to anyone else except the investigators of the
17 Court and Ysa Osman about the existence of this little book?

18 A. I used to speak occasionally with my friends about the book
19 but not to anybody else.

20 Q. Do you have an explanation, Mr. Witness, as to why you are
21 literally the only person in the case file or at all to speak
22 about this little book and its content in relation to the Cham?
23 In other words, do you have an explanation as to why Mat Ly who
24 had a high function in '77, doesn't know anything about this
25 little book?

1 [14.15.47]

2 MR. KOUMJIAN:

3 I will just note an observation that, in fact, in Kiernan's book
4 he talks about two different sources who saw document 163 which
5 contains a similar plan. And we have had testimony about a plan
6 to kill all the Cham from other witnesses who were present and
7 heard that. We have had several witnesses talk about that.

8 BY MR. KOPPE:

9 That's incorrect, Mr. President. There is no other witness or
10 there is no evidence whatsoever on the case file that speaks
11 about the booklet called "The Plan for Progressive Cooperatives".

12 Q. But let me rephrase, Mr. Witness. Mat Ly had a high-ranking
13 functioning within the East Zone in '78. He left Cambodia in May
14 '78, presumably. Are you in a position to explain as to why the
15 highest-ranking Cham person, Mat Ly, doesn't speak at all about a
16 little booklet containing a plan to smash the Cham of which he
17 was, as I said, the most high-ranking member?

18 [14.17.11]

19 JUDGE FENZ:

20 Counsel, to me this sounds like an invitation to speculate. Tell
21 me why it isn't, why it wouldn't be.

22 BY MR. KOPPE:

23 Q. I will rephrase. Isn't it true, Mr. Witness, that you never
24 saw such a little book and that you never saw a sentence in it
25 saying that the biggest enemy was the Cham and that they had to

1 be smashed totally before 1980?

2 [14.17.39]

3 MR. SOS KAMRI:

4 A. Initially, you wanted me to take an oath and now <> you want
5 me to say something that I <don't know>. I am here to tell <you
6 what I know and what> I saw <>. <How could I tell you what I
7 don't know?> I could not say anything else about <their plans. I
8 was not with them. How could I guess> what they did <?>
9 And at that time I did not know Mat Ly. What else do you want me
10 to say <>?

11 Q. Let me ask it very <concretely> -- and please do not be
12 offended when I ask the question. But the fact that you are not
13 taking an oath, is that because of this particular answer that in
14 fact you didn't see that little booklet but you are afraid to say
15 so under oath?

16 A. Here I don't think we need to use the word afraid because here
17 we are talking about the truth. I only say about what I saw, of
18 what I heard of. Besides that, I do not know what else to tell
19 you in my capacity as a religious follower.

20 Q. Let me turn to the meeting that you said you were present. You
21 said that at a meeting you also heard cadres talk about enemies.
22 Is my understanding correct that at this meeting there was no
23 specific reference to Cham?

24 [14.19.48]

25 A. It's true that during the regime, at a meeting, we <would>

1 discuss the issue of the enemy. And it was a normal topic of the
2 meetings.

3 In addition, I made my personal conclusions in relation to the
4 killing of the Cham people and the Khmer people. And my
5 conclusion was that more Cham people had been killed amongst the
6 Cham community. And I could say that 70 to 80 per cent of Cham
7 people had been evacuated from their native villages.

8 Q. When you were at this meeting that you said people spoke about
9 enemies and when you read that little booklet containing that
10 particular phrase, were you still teaching? Were you still a
11 teacher?

12 [14.21.12]

13 A. After I heard what <was> said at the meeting, I was reassigned
14 to return to my village. As for the book, I believe I read it in
15 about October of 1978, so here we <are referring> to a different
16 time period.

17 Q. Just to be sure are you now -- maybe I am mistaken -- right
18 now changing the event of you seeing that little book to October
19 '78, rather than late '77?

20 A. I do not get your question.

21 Q. Well, you might remember that about 20 minutes ago I asked you
22 when it was that you read this little booklet and when it was
23 that you had this meeting. It was my understanding but, please
24 correct me if I am wrong, that you said you saw that little
25 booklet end of '77, early '78. Is that correct or are you now

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1 saying that you saw that little book in October '78?

2 A. It was in late 1978, when I saw that book. However, I returned
3 from Cheyyou in early 1978.

4 Q. Well, when was it exactly that you stopped being a religious
5 teacher?

6 A. In relation to religious affairs, in fact, I <had> stopped my
7 religious teaching <in early> 1975, when it was prohibited.

8 Q. Well, let me read to you what you said to Ysa Osman, document
9 D175/3.43, English page 5. Let me get the Khmer ERN later for
10 you, Mr. President.

11 You say, and I quote, "I have to add that in 1977 or early '78, I
12 was still teaching even though my mandate had expired."

13 [14.24.24]

14 MR. KOUMJIAN:

15 Counsel is confusing teaching and teaching religion. It's clear.

16 The witness has consistently said all day that he taught.

17 Religion was prohibited after '75, but he continued to teach
18 limited classes to children under the Khmer Rouge regime.

19 BY MR. KOPPE:

20 No problem, Mr. President. Let me clarify.

21 Q. When you said that you were still teaching late '77, early '78
22 was that religious affairs or was it just to children? And if
23 yes, was it still at the same place where you used to be a
24 religious teacher?

25 [14.25.09]

1 MR. SOS KAMRI:

2 A. I stated this morning that I <had> taught Khmer literature and
3 religion <since> 1973. However, in 1975, I could no longer teach
4 religious teaching. I could only teach Khmer literature since the
5 Cham people -- the Cham children or the Khmer children had to
6 study Khmer alphabet.

7 And when I was in Cheyyou, I only taught Khmer lessons to the
8 children since religious teaching was banned <since early> 1975.

9 Q. But were you teaching in the same place, in the same building?
10 What I want to know is how you were able to conceal when you were
11 teaching in '77 or '78, that before you had been teaching
12 religion or religious matters?

13 A. I have already stated I stopped my religious teaching in 1975,
14 and after that I only taught Khmer literature. I went to Cheyyou
15 for a year and I returned from Cheyyou in early 1978.

16 Q. So the moment that you saw this little booklet it was unknown
17 to the commune chief that you had been teaching religious studies
18 before; is that correct?

19 A. After I stopped teaching, and that is in early 1978, I was
20 assigned to transport firewood to the office. Then in late 1978,
21 I was assigned to measure land in other villages. And that was
22 the time that I happened to see that little booklet.

23 [14.27.59]

24 Q. And is the only means that you used to conceal your Cham
25 identity was the changing of your name or were there also other

1 things that you did in order to conceal your Cham identity?

2 A. In fact, after my return to my native village, I was still
3 known as a Cham person. From my recollection in early or
4 mid-1978, the killing was postponed <for about six months> and
5 there was no longer any research into the background of the
6 villagers living there. And that continued until <1979>. During
7 that period, I was assigned to measure land and <> people there
8 <still> recognized me as a Cham person.

9 Q. Let me turn to my last subject, Mr. Witness. In your interview
10 with Osman, Ysa Osman, you speak about the rebellion in Kaoh Phal
11 and Svay Khleang in 1975. What is it that you know about this
12 rebellion in '75?

13 [14.29.35]

14 A. I am not sure about that. I only heard of that matter that
15 they rebelled, but I did not know the details about the rebellion
16 and since I did not know for certain, I do not wish to speak
17 about this.

18 Q. Let me read to you what you said in your interview to Ysa
19 Osman, D175/3.43. It's English page 8. You said that:

20 "The Khmer Rouge retaliated violently against the insurgents. In
21 Kaoh Phal, the Khmer Rouge massacred almost the entire population
22 and brutally dispersed the few survivors to remote villages." End
23 of quote.

24 How did you know this? Who told you this?

25 A. At that time, I did not see Kaoh Phal. I only heard about

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1 people who came across me and spoke about it. Then I referred to
2 the -- referred those people to Kaoh Phal and I told them about
3 what I heard about what happened in Kaoh Phal.

4 Q. Have you also heard anything as to those who might be
5 responsible for the crushing of this rebellion? Which Khmer Rouge
6 cadres were possibly responsible for the crushing of this
7 rebellion and, as you call it, the massacre of the entire
8 population? Have you ever heard that?

9 [14.31.41]

10 A. No.

11 Q. Have you ever heard anything of involvement of people who are
12 presently in the government in relation to the crushing of this
13 rebellion?

14 A. I have never heard of it.

15 MR. KOPPE:

16 Thank you, Mr. Witness. Thank you, Mr. President.

17 My national colleague has a few questions as well.

18 [14.32.20]

19 QUESTIONING BY MR. LIV SOVANNA:

20 Thank you, Mr. President. Thank you, the Bench, Judges on the
21 Bench. And good afternoon, everyone, in and around the courtroom.
22 Good afternoon, Mr. Witness. I am the Co-Lawyer for Nuon Chea. I
23 have several questions to put to you.

24 Q. To your observation of Chamkar Leu district and besides Spueu
25 village, where did Cham people reside?

1 MR. SOS KAMRI:

2 A. There was another small village Ou Krai (phonetic) village. It
3 was to the east and was about 4 kilometres apart.

4 Q. Do you know how many Cham families are living in that small
5 village?

6 A. It is my estimate that not more than 50 families were living
7 in that small village in Sangkum Reastr Niyum regime.

8 Q. This morning you stated that you attended <a> wedding ceremony
9 during the Khmer Rouge time one or two times. To your
10 observation, did Cham people get married in Democratic Kampuchea?

11 [14.34.13]

12 A. I can recall that after I was there, Cham people were asked to
13 marry one another based on the instruction of Angkar and I was
14 the last one -- the last couple who got married based on the
15 ritual ceremonies.

16 Q. Was there a ban that Cham people were not allowed to get
17 married to one another <or to other ethnic groups>?

18 A. There was no such a ban. Cham people could marry one another.
19 I refer to Cham people who were living in villages, but I do not
20 know whether that was applicable as well in offices.

21 [14.35.20]

22 Q. Thank you. You were a teacher in the Democratic Kampuchea.
23 Before you were moved to Cheyyou, you were teaching children of
24 Cham people in Spueu. Besides your teaching duties, was there any
25 discrimination, I mean in the training or the classes that you

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1 provided to Cham people and Khmer people?

2 A. In fact, the children that I taught received the same
3 education and the children of Khmer people in Cheyyou loved me
4 more than the children of Cham people <in my village>.

5 Q. This morning you stated that you moved to Cheyyou alone. What
6 about your wife and children? Did they remain living in Spueu
7 after you moved to Cheyyou or did they move to any other place?

8 A. At the time, I had two daughters, so I could visit my house
9 once in a fortnight and once in 10 days. So my wife and my two
10 daughters remained living in Spueu.

11 Q. The 50 families, Cham families in Spueu, you stated that some
12 of them, Cham families, had been evacuated and only 50 families
13 remained living in Spueu. Did they remain living in Spueu until
14 the end of the regime or did they move to some other places?

15 A. After the evacuation of some Cham families, more than 50 Cham
16 families remained living in that village. People from Phnom Penh
17 had been evacuated as well to that village -- to live in that
18 village. The evacuation of Cham people had been transferred
19 before 1975 and 20 -- between 20 to 30 families from Phnom Penh
20 were sent to live in that village. And later on some <of the Base
21 People there -- the 53 in the village -- and the New People> had
22 been killed.

23 [14.38.31]

24 Q. What was the reason that those Cham, <the 53> Cham families,
25 were killed?

1 A. No one knows the reason for the killings, <including the New
2 and the Old People>. Because of that, everyone was afraid to be
3 killed.

4 So those people were waiting <to be called, they were hoping>
5 that their lives would be spared. We lived very fearfully.

6 Q. In DK, Democratic Kampuchea, what was the nationality or
7 ethnicity of the chief of Spueu village?

8 [14.39.41]

9 A. After the evacuation, the leaders mostly were Cham and later
10 on, most of them met very unfortunate fates and <all of> them
11 were <> killed.

12 Q. After they were killed, who became the leader of Spueu
13 village?

14 A. After the killings, new faces had been replaced.

15 Q. Were they Cham or were they Khmer from other areas?

16 A. These new people were Cham. However, there were two others who
17 came to monitor the new leader. Later on, the two observers were
18 also killed.

19 Q. So <> there were purges in your village or there weren't,
20 that's why Cham people could live and survive the regime?

21 [14.41.19]

22 A. First, evacuation took place <on> a large scale before the
23 fall of Phnom Penh. Killings happened at the places where people
24 were being evacuated. Killings at Spueu happened at a later
25 stage.

1 So I do not know about the plan to purge the entire village of
2 Cham people or not. Later on in <mid-1978,> the killings <had>
3 stopped and <> five or six months later, the liberation occurred.

4 MR. PRESIDENT:

5 Thank you very much.

6 Now, it is a break time. The Chamber will take the break from now
7 until 3 p.m.

8 Court officer, please assist this witness in the waiting room
9 during the break time and please invite him back into the
10 courtroom at 3 p.m.

11 (Court recesses from 1442H to 1501H)

12 MR. PRESIDENT:

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

14 And again, I would like to hand the floor to the National Counsel
15 for Nuon Chea to continue putting questions to the witness if you
16 have more questions.

17 [15.02.25]

18 BY MR. LIV SOVANNA:

19 Thank you, Mr. President. And again, good afternoon, Oknha.

20 Q. Before the break, we spoke about the appointment of a village
21 chief of Spueu. Based on your recollection, who actually
22 appointed the village chief of Spueu?

23 A. I did not know about that.

24 Q. This morning at 10.08, you stated that people who were
25 religious followers were considered enemies although they might

1 not be Cham people. Can you explain to the Court a difference
2 between the religious followers and the Cham people?

3 A. Of course there is a connection between the Cham people and
4 religious followers. If only the Cham people who practice Islamic
5 religion were killed, that was a separate matter. However, <for>
6 Buddhism, <the pagodas, the temples, and the Buddha statues were
7 also destroyed>. <So they were talking about religions.>

8 And so the same thing applied to the Cham people and that is
9 within the context of religion.

10 Q. Does it also mean that Cham people who forfeited their
11 religion were not considered enemies and if they continued to
12 practice Islamic religion, they would be considered enemies; is
13 that correct?

14 [15.04.36]

15 A. No, that is not the case. I think that whether you were Cham
16 or not, you would be subject to be killed. However, there were
17 Cham who practiced Islamic religion. If you speak about religion,
18 other religious followers including Buddhist were also killed.

19 Q. This morning you also stated that you lost a younger sibling.
20 What was the cause of the death?

21 A. <There was no reason at that time.> After we were evacuated to
22 various communes within Chamkar Leu district, my younger sibling
23 was evacuated to an area within Cheyyou commune, that is, in
24 Trapeang Ruessei village and people, most of the people from that
25 village were sent and killed including my sibling. He did not

1 make any mistakes but he was amongst those who were sent and
2 killed.

3 [15.06.16]

4 Q. Does this mean that he actually requested to go with the rest
5 of the people?

6 A. No, that is not the case. Actually, his name was the one who
7 <was> supposed to go along with the group.

8 Q. After 1979, in your village, that is, out of the 53 families,
9 how many families remained?

10 MR. PRESIDENT:

11 Witness, please observe the microphone.

12 MR. SOS KAMRI:

13 This morning I stated that between 20 to 25 <per cent of them>
14 returned to live in the village and I did not refer to <> the 50
15 families <>. I referred to the entire people who used to live
16 there and about only 20 per cent of them returned to live in the
17 village.

18 BY MR. LIV SOVANNA:

19 Q. Now, I would like to refer to Spueu village. How many Cham
20 families survived in that village?

21 MR. SOS KAMRI:

22 A. One day, about 10 years ago, I met with <> elderly <men> who
23 lived in that village and I told <them> that the historical
24 background should be compiled for the younger generation, that
25 <the> head counts of Cham people living in various areas should

1 be compiled and that those< elderly> people might even know about
2 the number of the Cham population lived in the area before 1975.
3 And also they should do the head count of the survivors and the
4 younger generation. And the elderly people counted <1,225>
5 families and there were only 144 families from <Spueu> village.

6 [15.08.43]

7 Q. In your statement before OCIJ, that is, E3/5216, at Khmer ERN,
8 00223894; French, 00234571; and English, 00225498; you stated
9 that amongst the 53 families, 14 families of the Cham people were
10 killed. Can you react to that statement?

11 A. That is about right that I referred to the 50 or so of the
12 Cham families from that village, and that excluded other Cham
13 people from other villages.

14 Q. Can you tell the Court whether those 14 Cham families were
15 taken and killed at the same time or only a family was taken at a
16 time?

17 [15.09.56]

18 A. I can recall that some Cham people from the village were taken
19 while others were taken from a plantation. So Cham people from
20 the village, some of them were sent to the plantation, together
21 with those at the plantation, <> they were taken away.

22 Q. Did they disappear at the same time?

23 A. They disappeared at a different timeline and that happened in
24 1977 and early 1978.

25 Q. In the interests of time, I have one last question to put to

1 you. Since you are the president of the council -- the Higher
2 Council for the Cham people -- for the Islamic religion, besides
3 the Cham people living in Kampong Cham province, <compared to the
4 Cham people> in Krouch Chhmar district, can you tell the Chamber
5 whether the rate of the disappearance of Cham people elsewhere is
6 similar or higher than that of the <Krouch Chhmar> district?

7 A. From the query I made regarding the disappearance when I was
8 in my religious leadership role, it happened in Peam Chi Kang,
9 that is in the lower part <of Kampong Cham>, and that happened
10 more than those at the upper part. A similar rate occurred for
11 <Krouch Chhmar>. People who lived along the river banks usually
12 lived on the land, not in the river.

13 In some villages, people completely disappeared while <in other
14 villages,> there were <less than half of the villagers> remained.
15 <There were many villages like that.>

16 [15.12.11]

17 Q. Does it mean that in other areas besides those villages along
18 the river bank, the disappearance rate was less than those who
19 lived along the river bank?

20 A. Yes, that is correct. Also, the rate of disappearance was less
21 than 50 per cent along the border while the disappearance rate
22 along the river bank was higher than 50 per cent. <And the
23 disappearance was about 40 to 50 per cent on land.>

24 MR. LIV SOVANNA:

25 Thank you, Oknha. And thank you, Mr. President.

1 MR. PRESIDENT:

2 Thank you. And I would like to hand the floor to the defence team
3 for Khieu Samphan to put the questions to this witness. You may
4 proceed.

5 [15.13.07]

6 QUESTIONING BY MS. GUISSÉ:

7 Thank you, Mr. President. Good afternoon to all of you. Good
8 afternoon, witness. My name is Anta Guisse and I am the
9 Co-International Counsel for Khieu Samphan and it is in this
10 capacity that I am going to put to you a few extra questions.

11 Q. A first point, to make sure that I understood your testimony
12 properly, I understood that when the Khmer Rouge arrived in your
13 village you continued working as a teacher and at one point in
14 time, however, you went to Cheyyou village. So did I understand
15 your testimony properly?

16 MR. SOS KAMRI:

17 A. Yes, that is correct.

18 Q. I also understood this morning that you made a request to
19 leave your village in Spueu. So to whom did you make this
20 request?

21 A. At that time, there was also a "neayuok" or director in <the>
22 commune and that director <of Cheyyou village> was <also> from
23 <Spueu commune. So I asked the director in the commune to go
24 there.>

25 [15.14.31]

1 Q. I have the impression that I missed some of your answer. So
2 let me put the question to you again. So to whom did you make the
3 request to leave Spueu village?

4 A. As I stated, in the commune, there was a commune director who
5 was the head of teaching and I requested permission from that
6 director to move to another village within the same commune.

7 Q. Do you remember the name of this commune director and had he
8 been there for a long time when you made that request?

9 A. I cannot recall the name of the director as it happened many,
10 many years ago.

11 [15.15.42]

12 Q. And had he been in that function for a long time<? Did you
13 know this director from before> <> or did he come from elsewhere?

14 A. As I stated, nobody was in a position for a fixed period of
15 time. Usually, they would be replaced by somebody else. For that
16 reason, I cannot recall the exact duration of his position.

17 Q. But we agree that it is you who made that request; correct?

18 A. Please repeat your question.

19 Q. So you are the one who requested to be assigned somewhere
20 else; correct?

21 MR. SOS KAMRI:

22 <Yes, I made the request myself.>

23 [15.16.49]

24 THE INTERPRETER:

25 Interpreter does not hear his response.

1 BY MS. GUISSÉ:

2 Q. I apologize but the interpreters did not hear your answer<>.

3 So could you please repeat your answer?

4 [15.17.05]

5 MR. SOS KAMRI:

6 A. Yes, that is correct. I was the one who made the request.

7 Q. And were you the one who asked it to be appointed to Cheyyou,
8 or was it the director who chose that assignment for you?

9 A. I stated repeatedly because I was fearful of death, I was the
10 one who made that request.

11 Q. My question was, are you the one who chose Cheyyou or is it
12 the commune director who chose that assignment for you?

13 A. I made my request to go there.

14 Q. And how far was Cheyyou from Spueu?

15 A. From the location I lived to that <school,> it was about four
16 to five kilometres.

17 Q. I am putting these questions of clarification to you, Witness,
18 because we have the copy here of an interview that you gave to
19 Ysa Osman, document D175/3.43, and this is what is written in
20 this document regarding your departure from Spueu.

21 So first of all, do we agree that during the entire DK period
22 either you lived in Spueu or you lived in Cheyyou? Aside from
23 your job measuring lands, you didn't live anywhere else; is that
24 correct?

25 A. I have stated that I was stopped doing the work in <early>

1 1978, and I was reassigned to measure land in late 1978. So
2 please make it clear that I <already> stopped teaching <>, and
3 later on I was <homesick so I made a request to come back>. So I
4 did not live in two places at the same time.

5 Q. When you were in charge of conducting topographic surveys you
6 had already left Cheyyou and you had already gone back to your
7 village in Spueu; is that correct?

8 A. Yes, that is correct.

9 [15.20.37]

10 Q. So, now I would like to revisit your statements as they appear
11 in your interview with Ysa Osman, so D175/3.43, on page 4 in
12 English and Khmer ERN is 00230603. And this is what is written
13 and I have to quote in English, so:

14 "I was expelled from Spueu village and sent to live in another
15 village where Khmer lived and I taught only Khmer children. They
16 did not let me teach Cham children. The village was about 3
17 kilometres from my home village." End of quote.

18 So my question is the following. Did you, yourself, request to
19 leave Spueu or were you expelled? And is Cheyyou Village 45
20 kilometres from Spueu or 3 kilometres away? So can you please
21 tell us what the true <version> is?

22 A. Both statements are correct. If you take a shortcut, it's
23 about 3 kilometres. If you take the <regular> route <you could
24 ride a bicycle>, it's about 4 to 5 kilometres.

25 [15.22.28]

1 Q. Four to five <kilometers>, but I heard 45 <kilometers in the
2 French translation>. So, therefore <the> following question.
3 Were you expelled from Spueu or you decided to <ask> to be
4 <transferred> elsewhere?

5 A. I repeatedly made the statement that I was the one who made
6 the request because I was afraid that if I lived in Spueu, I
7 would be dead. So I requested to go to a Khmer village in order
8 to refashion myself so that I could be alive.

9 Q. So what I just read out to you, that is to say, the <>
10 interview you had with Ysa Osman, which <is the information> we
11 have here, well, this is wrong. It's not correct. You were not
12 expelled from Spueu?

13 A. That is correct because I might use an ordinary spoken word.
14 Of course, it refers to the same situation. I made a request and
15 when it's approved, it means I was expelled from the village. <If
16 I did not make a request, they would expel me too. They used the
17 same word.>

18 Q. Well, there's a real problem here of terminology because
19 "expelled" is something against your will. When you <ask> to be
20 <transferred and your request is granted>, that is not being
21 expelled, but, okay, but I <understand> your explanation and I
22 will keep on going <for time reasons>.

23 Now, I would like to get back to the moment when you changed
24 names or, in any case, when you shortened your name. I didn't
25 quite understand <when this happened>. Can you please be specific

1 about that?

2 [15.24.45]

3 A. I stated this morning the names that the parents gave to their
4 children are in full and the same applies to Khmer people.

5 However, usually those children would be known by aliases and
6 later on when they grow up, usually for their identity card, they
7 would use the names that they are known by their peers, that is
8 their aliases. <That's what often happens with the Cham people.>

9 Q. Well, this doesn't quite answer my question which was, when
10 did you start using your shortened name, the name Sos Kamri?

11 [15.25.42]

12 A. While I was a student, my father made a birth certificate that
13 my name was Math Mari (phonetic) not Sos Kamri; however, after I
14 started teaching, I changed my name to Sos Kamri. Sos refers to
15 my father <and Kamri is my name>.

16 So that happened since after I started teaching and the villagers
17 referred to me by that name.

18 MR. SENG LEANG:

19 Mr. President, I'd like to make an observation. The "ERN" in the
20 Khmer language 00230603, that is, <D175/3.3.43>, the Khmer
21 language does not include the word "expelled", but in English at
22 <00222004>, the word "expelled" was used in the <phrase:> "I was
23 expelled from Spueu." But in the Khmer language it means -- it
24 reads that he was evacuated from Spueu Village.

25 This is my observation only.

1 BY MS. GUISSÉ:

2 Q. Well, my question therefore remains the same, witness.

3 If I understood your last answer well, it is when you began
4 teaching that you started using the name Sos Kamri. Am I correct?

5 [15.27.27]

6 MR. SOS KAMRI:

7 A. Yes, that is correct.

8 Q. And I understood that you started teaching before 1975. So was
9 this before the arrival of the Khmer Rouge?

10 A. I started teaching in 1973.

11 Q. Well, I'm putting this question to you because in document
12 E3/5216, at French ERN, <00234569>; English, 00225496; and Khmer,
13 00223892; you explain the following regarding arrests that
14 occurred and you explained this is why you left Spueu and you
15 said that:

16 "Terrified by the fact of these arrests, I fled to Cheyyou
17 village where I changed names and changed my <first> name to Sos
18 Kamri <in order to> disguise<> my Muslim identity."

19 So in your statements before the Investigating Judges, we see
20 that you started using this name as of the moment when you were
21 in Cheyyou Village. So is this an error or not?

22 [15.29.06]

23 A. I -- initially when I was told to tell the truth, I do not
24 know whether the person who took my statement made a mistake or
25 not. Maybe he's confused when I relocated myself but I, myself,

1 do not make a mistake. <I have always used this name.>

2 While I was living in the Cham village, of course, I was scared
3 because I saw people being taken away and killed. And for that
4 reason, I needed to find somewhere else to live.

5 Q. So if I understand you correctly, you stand by the fact that
6 you did not change your name when you went to Cheyyou, but you
7 had shortened your name well before that. Is that what I should
8 take from your testimony?

9 A. Yes, I have stated that I -- in fact, <> I <did not> change my
10 name but <that's what I was called and> I actually use that alias
11 since I started teaching.

12 Q. Another point that needs clarification is the following. You
13 stated that when you <left Spueu> to <go to> Cheyyou, you left
14 alone and your wife and children had remained behind at Spueu. Is
15 that correct?

16 [15.30.45]

17 A. Yes, that is correct.

18 Q. And when you returned to Spueu, if I understood you correctly
19 -- please correct me if I'm wrong -- that was in late 1977, early
20 1978, you came to <live> with your family. Is that correct?

21 A. I returned in early 1978.

22 Q. And you came back to <live> with your wife. Is that correct?

23 A. That is correct. I came to live together with my wife and
24 daughters.

25 Q. And you would agree with me that during that period at Spueu

1 where you <were born>, everyone was aware of the fact that you
2 were Cham. Is that correct?

3 A. Yes, the villagers knew that I was Cham.

4 [15.32.05]

5 Q. And apart from your family, that is, apart from your wife and
6 children<>, there were other families in Spueu, that is Cham
7 families at Spueu and they still lived there. Is that correct?

8 <Did I properly understand your testimony?>

9 A. Correct.

10 Q. I would like us to talk about the meeting which you said you
11 attended, that is in Bos Khnaor. Can you please clarify one
12 point? When you attended that meeting at Bos Khnaor, was that the
13 period during which you were transferred to Cheyyou?

14 A. Perhaps it was in 1977.

15 Q. So that was the time when you were at Cheyyou; right?

16 A. On this particular issue, I was assigned to <lead the children
17 to> go and collect <worms> at Ta Ong for a period of two, three
18 or four months since I was already there.

19 Q. Pardon me, I didn't quite grasp the place where you were
20 transferred. <The two or three months you spent, I heard Ta Ong;>
21 I'm not sure I heard the correct pronunciation. Where was it
22 exactly ,<and what were you doing> during that period?

23 [15.34.11]

24 A. Bos Khnaor and Ta Ong were the villages adjacent to one
25 another. <Bos Khnaor was a name of a district and Ta Ong had a

1 village that at the time, <> 120 hectares <of the land was> used
2 to grow cotton plants. And at that time, there were worms, so I
3 was assigned to go and get the children to collect the worms out
4 of the cotton plants. <Because I was already there, I was called
5 to the meetings near the area.>

6 Q. So in answer to my question, do you mean that at the time when
7 you attended the meeting at Bos Khnaor you had already been
8 assigned to work at the adjacent village <for these three
9 months>? Do I understand you correctly?

10 A. Correct.

11 Q. Which means that that period was in 1977; is that correct?

12 A. There were many meetings and that meeting perhaps was held in
13 late 1977.

14 [15.35.56]

15 Q. In Ysa Osman's book "The Cham Rebellion", an extract of which
16 was read out to you <> this morning by the Co-Prosecutor on
17 <this> document E3/7690; and the ERN in French is, 00485382; ERN
18 in English is, 00223899; and the ERN in Khmer, 00223896. In the
19 paragraph, corresponding to the statements you made, according to
20 Ysa Osman, you state that that meeting was held <on> a day in
21 1977, and this is what is stated in this famous document you
22 <spoke about again today with> my colleague of the Nuon Chea
23 team<. This> is what is stated therein:

24 "The next day" --that is the day after the meeting if I
25 understand correctly -- "the next day Kamri said that he read an

1 official document that had been circulated by the Khmer Rouge
2 under the title, 'The Plan for Progressive Cooperatives'."<>
3 To the extent that, in answer to <my colleague>, you stated that
4 you thought you had seen that document in October 1978. In Ysa
5 Osman's book, we see that it was the next day sometime in 1977.
6 Can you please tell us which is the correct version?

7 A. Regarding the meeting where a document was circulated to me,
8 actually, there was no such a meeting. And as for the document
9 you mention, that was a different time when I was assigned to go
10 and measure the land and during which I was provided with the --
11 with that document to read to pass the time. So it was one year
12 apart.

13 [15.38.37]

14 Q. So you would agree with me that there is an error in Ysa
15 Osman's book in which he says that <> you saw that document in
16 1977?

17 A. He may have -- he may want to -- wanted to say that it was
18 referring to the meeting that I attended, but the book or the
19 document I saw and read to pass the time was in <late> 1978.
20 <Maybe he did not hear, did not recall, or did not note it.> That
21 is my recollection.

22 I attended that meeting while I was a teacher and the book that I
23 saw was at a point in time where I stopped being a teacher <for
24 almost a year>. So it may have been in <August,> September or
25 October of 1978, when I saw that book, the time when I was

1 assigned to go and measure the land.

2 Q. So your short answer to my question is that, yes, there's an
3 error in the passage from Ysa Osman's book that I've read out to
4 you? Yes, indeed, there's an error, isn't it?

5 [15.40.15]

6 A. You're right. He mentioned the exact -- the same year, <> but
7 in fact one event happened in late 1977, and another event took
8 place in late 1978, so it was not in the same year.

9 Q. And if I properly understood your testimony this morning, I
10 <am not sure> it was very clear in all the languages, when you
11 attended <the> meeting in 1977, what you heard were general
12 statements <> on the enemy in general terms. Did I properly
13 understand your testimony?

14 A. You are right. They <talked> about the different types of
15 enemy including the <reactionaries> and Cham people and those who
16 were Islamic <> followers. So they were <talking> about different
17 types of enemies.

18 Q. I would like us to <get back> specifically <to> the time you
19 said you saw that document in the office of the commune chief.
20 Can you confirm that it was, indeed, in the Ranou (phonetic)
21 commune office that a messenger gave you a batch of documents
22 which included that document on cooperatives? Was it indeed in
23 the Ranou (phonetic) commune office<>?

24 [15.42.17]

25 A. It was in the commune office of Ou Nong commune, Ou Phneit

1 (phonetic) village. Nowadays it is in Spueu commune.

2 Q. And do you know the name of the commune chief at the time?

3 A. I do not remember the name. That was the only time that I met
4 him and the <only> time that I saw him. I do not know his name.

5 Q. And were you indeed accompanied by colleagues on that day?

6 A. My three colleagues, but I do not know where they are now
7 today. One of my colleagues is already deceased and Krou Ath, I
8 refer -- I am referring to Krou Ath, my colleague, at the time,
9 he is now deceased.

10 [15.43.40]

11 Q. And do you know or remember whether they, themselves, saw the
12 document you said you saw on that day? Did they also see it?

13 A. They may not have seen that document. We were in different
14 locations. Actually, that location was not completely a house,
15 <it was> a small hut, and they were outside so perhaps I guess
16 they may not have seen that document.

17 Q. And were you the only person who went into the office since
18 you say that the others were outside? <So were you the only
19 person inside?>

20 A. We went into the office altogether and, later on, I did not --
21 I do not remember who was in with me and who was out.

22 Q. I understood that you are the person who asked for that
23 document to be read out to you by the messenger. When you
24 arrived, was it only the messenger <> at the commune office?

25 A. When I asked for the documents, we were all together in that

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1 office. And I did not notice at the time whether some of my
2 colleagues went out and some <others> took other documents to
3 read to pass the time, and it was a very short time that we read
4 the books.

5 [15.45.59]

6 Q. When I asked you whether the messenger was alone, <what I
7 wanted to know was whether> there were no other persons working
8 in the commune office present apart from the messenger.<>

9 A. In the office, there was a messenger, the only messenger, and
10 after he handed over those parts of books to me and to others, he
11 went out to find oranges for us to eat. And a while later, that
12 guy, the messenger, the young messenger, came back with oranges.

13 Q. So he left you <and your colleagues> alone in his boss's
14 office when he went to look for oranges. Is that correct?

15 A. I was with my other <three> colleagues, but I cannot recall
16 well whether my other colleagues <> were sitting on the chairs or
17 whether they were outside of the office. I cannot recall it well.

18 [15.47.36]

19 Q. A while ago, in answer to a question put to you by counsel for
20 Nuon Chea, you stated that you were able to talk about that
21 document to close friends of yours in passing, if I understood
22 you correctly.

23 When did you talk to your friends about that document which
24 stated that the Cham had to be eliminated before 1980? At what
25 time did you talk about that document to other persons<, and to

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1 whom>?<>

2 A. I do not recall and I -- I do not recall it well in my mind.

3 Actually, I had different conversations and dialogues with

4 friends. It happened more than 30 years ago. And as for names, I

5 cannot recall as well since it happened long time ago, more than

6 30 years.

7 Q. But you did talk about it when you returned to Spueu? That is

8 a few days after late-1978<, since> you said it was in October

9 1978. Was it a few days after you saw the document <that you

10 spoke about it> or was that another time?

11 A. I did not dare to mention anything. Several years later, I had

12 the chit-chats or dialogues with my <friends and my> students. I

13 do not remember who I was talking to at the time.

14 [15.49.49]

15 Q. So if I understand your testimony correctly, you are saying

16 that you saw a document <in> which it was stated that the Cham

17 had to be exterminated <soon> and when you returned to Spueu to

18 be with your family, <which> was a place where there were other

19 Cham, you did not warn them about what you had seen in that

20 document<>?

21 A. I told you already <it was> several years later. After the

22 liberation, I lived in Spueu village for 20 days and then I moved

23 to the location -- to a location near the border, <in Ponhea

24 Kraek district, currently in Tboung Khmum province>. <I lived

25 there until 2000 and then I went to Phnom Penh.>

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1 So, I cannot tell you where exactly I had discussed this issue.
2 Perhaps I may have discussed this issue <in Spueu, in> Kraek and
3 <also in Phnom Penh> which I cannot recall them all.

4 [15.51.08]

5 MS. GUISSÉ:

6 Mr. President, I will give the floor to my colleague, Kong Sam
7 Onn, to continue examining the witness.

8 QUESTIONING BY MR. KONG SAM ONN:

9 Thank you. Good afternoon Mr. President, Your Honours, and good
10 afternoon, Mr. Witness.

11 I have very -- it's very short question and I have several short
12 questions since you used to live in Chamkar Leu district.

13 Q. How many Cham villages were there in Chamkar Leu district?

14 MR. SOS KAMRI:

15 A. <> There <have always been> two villages <>. One is -- one was
16 Spueu <that is now called Akmok, it is next> to <Spueu A.

17 Particularly,> there <is> a Cham village <to the south of Spueu,
18 which is called> Cheyyou <village>. Cheyyou was a bigger village

19 compared to the other villages. <That's why the commune is named
20 Cheyyou.> In fact, there <is another village> near Stueng Trang.

21 There is a village <four kilometers to the east of Spueu called

22 Ou Kray (phonetic), but Khmer people call it> Ou Pes, and for me,
23 I usually refer to Ou Pes as <Ou Kray (phonetic)>.

24 And currently there are <more than> 100 Cham families in Ou Pes,

25 but <before> the Khmer Rouge <era>, there were only 50 Cham

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1 families in Ou Pes. <So I know that there are two villages and
2 they both are in Cheyyou commune.>

3 [15.53.04]

4 Q. Thank you. In document D175/3.43, you also stated in the
5 morning; in Khmer ERN, <00230612>; English, <01222009>; French,
6 <01222021>; you stated that there were around 220 Cham villages
7 in the entire Kampuchea or Cambodia. Could you tell the Court the
8 source of that information?

9 A. After the liberation of 1979, I went around almost in <all of>
10 Cambodia. Sixty per cent of my visits <were> to be a speaker <on
11 religions>.

12 And I observed and counted the small and big villages and, after
13 that, I came to a conclusion that there were around -- or there
14 are around 250 Cham villages, not <more> than that.

15 I moved and lived in different places. I used to live in Spueu,
16 Trapeang Chhuk <village>, Kampong Thom province, and I used to
17 live in Kampong Chhnang as well and also in Battambang.

18 [15.55.05]

19 So I lived in different locations and I had -- and I have had
20 many friends. My uncle was also a religious <teacher> so he also
21 has many friends.

22 I went around in the country and I have the intention <of
23 compiling> the document about Cham villages, so overall, I can
24 say there are more than <200> Cham villages, <less than 250>.

25 In 1993, when the Ministry of Religion selected religious

1 leaders, the ministry invited hakim and religious leaders in
2 villages to vote, and the villages' leaders from 210 villages,
3 Cham villages, came to attend that vote. And other 30 or 40 Cham
4 villages' leaders did not come to attend the voting, so I could
5 say that there are <a bit> more than <that, but today, there are
6 up to 530 villages in total.>

7 Q. Thank you. You stated that in some Cham villages, there were
8 around 1,000 or 2,000 Cham families living in those villages.
9 I want you to tell the Court which Cham village consisted of
10 small number of Cham people, and I'm asking you about the period
11 before 1975 and also about the current time.

12 A. Before 1975, there were no Cham villages in Koh Kong <nor were
13 there in Stung Treng>. <> There were no villages, Cham villages,
14 in Dambae <district> of Kampong Cham. In Kratie, there were not
15 so many Cham villages, particularly in Kampot Province.

16 [15.57.41]

17 After the liberation, because many of Cham people were farmers,
18 they <gave up> the occupation of fishermen. They went to
19 different places to clear the forest and then do the farming. So,
20 Cham villages increased from that time onward. And for the
21 province which has large number of Cham people before it was
22 Kampong Cham, <but since Kampong Cham has been divided into two
23 parts, there are 130 Cham villages in Tboung Khmum, and there are
24 only 30 Cham villages in Kampong Cham. So in total, there are 160
25 Cham villages in Kampong Cham. And mostly, villages in Kampong

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1 Cham are big villages. The biggest ones are Trea, Chumnik,>
2 Pongro, <Chheu Teal Phluoh> villages, <and> Kratie.
3 <> Right now, I can say that there are <almost> 2,000 families of
4 Cham people in <each of these four> villages. <Before Sangkum
5 Reastr Niyum regime, there were maybe a little more than 1,000
6 families in these four villages.> So when we add up the number of
7 Cham people together <in these four villages>, we can say that
8 there are many Cham people living in the country.

9 [15.59.14]

10 And I want to tell you that there are around 530 Cham villages in
11 the country, and most of Cham people are now living in Kampong
12 Cham and <> the second largest community of Cham people <is in
13 Kampong Chhnang, and there are more than 3,000, close to 4,000,
14 Cham families in Phnom Penh>.

15 Q. So I want you to tell the Court about the population of Cham
16 people and you stated that before 1975, there were around 220
17 Cham villages. So can you specify how many Cham people in --
18 living in one village?

19 A. If we mention about the population of Cham people in one
20 village, there may have had <700 to 705> families -- Cham
21 families, <if we talked about Trea village, there were up to 800
22 Cham families,> but there were other villages where many Cham
23 families resided in <there, particularly in Tboung Khmum>.

24 Q. Thank you. You told the Court at the beginning that in Chamkar
25 Leu, there were two Cham villages, and one village consisted of

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1 50 Cham families, and I want you to tell <us> the average Cham
2 population.

3 So before 1975, how many Cham families in one village, on
4 average, before 1975? And did you study the number of Cham
5 families in each village before 1975? I hope you can recall my
6 question.

7 [16.01.35]

8 A. Actually, we did not have the clear statistics at the time and
9 I did not work on the statistics at the time before 1975, it was
10 only my observation about Cham population and families <in the
11 villages that I had been to>.

12 Q. Thank you. My last question to put to you, Mr. Witness.
13 Before 1975, how many villages were there in the country, in
14 Cambodia, including the Khmer villages as well?

15 A. I do not know, I'm sorry. In Chamkar Leu and Spueu and also
16 Cheyyou, I <also> did not know how many villages were there.

17 Q. Thank you. And, currently, do you know how many villages
18 <><there are> within Cambodia?

19 [16.02.45]

20 A. I do not know, but I know the villages where Cham people are
21 living.

22 MR. KONG SAM ONN:

23 Thank you, Mr. Witness.

24 Mr. President, I am done with my questioning.

25 MR. PRESIDENT:

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1 Thank you. Thank you, Mr. Sos Kamri. The hearing of your
2 testimony as a witness has come to an end now. Your testimony will
3 therefore -- will contribute to the truth. You may return to
4 anywhere you wish to go. I wish you good luck, good health and
5 prosperity.

6 Court Officer, please work with the WESU to send Mr. Sos Kamri
7 back to his residence or to any places he wishes to go.

8 It is now time for the adjournment. The hearing will resume
9 tomorrow, on Thursday 7 April 2016, at 9 a.m.

10 [16.03.45]

11 Tomorrow, the Chamber will start to hear 2-TCW-1011, in relation
12 to Phnom Kraol Security Centre via video-link. Please be informed
13 and please be on time.

14 Security personnel are instructed to bring the two Accused, Nuon
15 Chea and Khieu Samphan, back to the ECCC's detention facility and
16 have them returned into the courtroom tomorrow before 9 a.m.

17 The Court is now adjourned.

18 (Court adjourns at 1604H)

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