



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

29 June 2016
Trial Day 427

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

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
Victor KOPPE
SON Arun
Anta GUISSSE
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
CHEA Sivhoang
Maddalena GHEZZI

Lawyers for the Civil Parties:
Marie GUIRAUD
HONG Kimsuon
LOR Chunthy
PICH Ang
SIN Soworn
TY Srinna
VEN Pov

For the Office of the Co-Prosecutors:
Vincent DE WILDE D'ESTMAEL
William SMITH
SREA Rattanak

For Court Management Section:
UCH Arun

I N D E X

Mr. CHHUN Samorn (2-TCCP-236)

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List of Speakers:

Language used unless specified otherwise in the transcript

| Speaker | Language |
|-------------------------------|----------|
| Mr. CHHUN Samorn (2-TCCP-236) | Khmer |
| Mr. DE WILDE D'ESTMAEL | French |
| The GREFFIER | Khmer |
| Ms. GUISSÉ | French |
| Mr. KONG Sam Onn | Khmer |
| Mr. KOPPE | English |
| Judge LAVERGNE | French |
| Mr. LOR Chhunthy | Khmer |
| Mr. MEAS Soeurn (2-TCW-917) | Khmer |
| The President (NIL Nonn) | Khmer |
| Mr. PICH Ang | Khmer |
| Mr. SMITH | English |

1

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 continues to hear the remaining testimony of

6 <the civil party> Chhun Samorn, and begins hearing <the>

7 testimony of a witness 2-TCW-917.

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

9 and other individuals to today's proceedings.

10 [09.02.22]

11 THE GREFFIER:

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

13 are present.

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

15 waived his rights to be present in the courtroom. The waiver has

16 been delivered to the greffier.

17 The civil party who is to conclude his testimony today -- that

18 is, Chhun Samorn, is present in the courtroom. The upcoming

19 witness -- that is, 2-TCW-917, confirms that, to his best

20 knowledge, he has no relationship, by blood or by law, to any of

21 the two accused -- that is, Nuon Chea and Khieu Samphan, or to

22 any of the civil parties admitted in this case.

23 The witness took an oath before the Iron Club Statue yesterday

24 and he has Sok Socheata as his duty counsel. They are in the

25 waiting room.

1 Thank you.

2 [09.03.34]

3 MR. PRESIDENT:

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

6 The Chamber has received a waiver from Nuon Chea, dated 29 June
7 2016, which states that due to his health -- that is, headache,
8 back pain, he cannot sit or concentrate for long. And in order to
9 effectively participate in future hearings, he requests to waive
10 his right to be present at the 29 June 2016 hearing.

11 Having seen the medical report of Nuon Chea by the duty doctor
12 for the Accused at ECCC, dated 29 June 2016, which notes that
13 Nuon Chea has back pain and feels dizzy when he sits for long and
14 he has a bit of <the> flu and recommends that the Chamber shall
15 grant him his request so that he can follow the proceedings
16 remotely from the holding cell downstairs.

17 [09.04.35]

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

22 The Chamber instructs the AV Unit personnel to link the
23 proceedings to the room downstairs so that Nuon Chea can follow.

24 That applies for the whole day.

25 And the Chamber will issue an oral decision regarding the

1 submission by Khieu Samphan's defence on the scope of the
2 internal purges.

3 In relation to the hearing of the upcoming witness 2-TCW-917, the
4 Chamber received an urgent request submitted on 24 June 2016 by
5 the defence team for Khieu Samphan to ask the Chamber to clarify
6 the scope of internal purges in Case 002/02 -- that is, document
7 E420.

8 [09.05.47]

9 On 22 June 2016, Khieu Samphan's defence team provided a courtesy
10 copy to the parties and on 23 June 2016, the Chamber <notified>
11 the parties that the Chamber will hear oral responses from the
12 parties on 27 June 2016.

13 After having heard the submissions from the parties, the Chamber:

14 1) Finds that the proposed testimony of witness 2-TCW-917
15 scheduled to testify today falls within the scope of internal
16 purges in Case 002/02 as defined in the Closing Order, as he
17 possesses relevant information regarding the occurrences of
18 purges in the East Zone.

19 2) Proceeds to hear witness 2-TCW-917 as scheduled.

20 3) A reasoned decision will follow in due course.

21 And the Chamber hands the floor now to the defence team for Khieu
22 Samphan to put further questions to the civil party.

23 [09.07.17]

24 QUESTIONING BY MS. GUISSÉ RESUMES:

25 Thank you, Mr. President. Good morning, everyone. Good morning,

1 Mr. Chhun Samorn.

2 Q. I would like to continue putting the remainder of the
3 questions I still have to put to you. I would like to follow up
4 on what you said yesterday; that was yesterday at about 14 hours,
5 19 minutes and 20 seconds, if I'm looking at the English draft
6 transcript. You stated that you were based on the frontline and
7 that you did not know what was happening in the rear. My question
8 to you is as follows:

9 Were you placed at the frontline during the entire period from
10 1975 to 1978 and can you say <exactly> from when in 1975?

11 <MR. CHHUN SAMORN:>

12 <A. I did not hear it>.

13 MR. PICH ANG:

14 Mr. President, it seems that the headphones of the Civil Party
15 <are> not working and I suggest that the defence counsel put her
16 question again.

17 MR PRESIDENT:

18 Counsel Anta Guisse, please repeat your question again since the
19 civil party is having a problem with the headset.

20 [09.09.08)

21 MS. GUISSSE:

22 No problem, Mr. President.

23 MR. PRESIDENT:

24 Please hold on, Counsel.

25 Civil Party, do you hear me now?

1 MR. CHHUN SAMORN:

2 A. No.

3 (Short pause)

4 [09.09.49]

5 MR. PRESIDENT:

6 Mr. Chhun Samorn, can you hear me? It seems that he can and,
7 Counsel, you may proceed.

8 BY MS. GUISSÉ:

9 Thank you, Mr. President.

10 Q. So the question I put to you was as follows:

11 Yesterday, you stated that you were based on the frontline, and I
12 would like you to tell the Chamber whether you were, indeed, on
13 the frontline from 1975 up to 1978. In August 1978, that is when
14 you fled to Vietnam.

15 Can you state as from when, in 1975, you were assigned to the
16 frontline?

17 MR. CHHUN SAMORN:

18 A. When I joined in 1975, I was at the border. <But in> 1976 <>
19 when <there was> fighting <between Vietnam and Cambodia, I was>
20 at the <frontline battlefield along the border>.

21 [09.11.14]

22 Q. So you say up to 1976; as a matter of fact, you remained on
23 the border from 1975 to 1978, that is, the time when you fled to
24 Vietnam. Do I properly understand your testimony?

25 A. I was at the front battlefield during 1976 and '77. And later

1 on, there were problems and I fled to Vietnam.

2 Q. So during the period from 1975 to August 1978, that is when
3 you fled to Vietnam. How regularly did you go back to the rear,
4 if you did go back to the rear?

5 A. I never reached the real rear battlefield, <but> I could
6 sometimes retreat a little bit from the front battlefield <to the
7 unit's location at the border>. But I was never completely
8 detached from the front battlefield <because from '76 to '77,
9 there were> intense situations <happening> at the border between
10 Vietnam and Cambodia.

11 Q. Yesterday, you referred to the <exchange> programme between
12 Vietnam and Cambodia as regards the nationals of both countries,
13 and that was in answer to a question put to you by Judge
14 Lavergne.

15 I would like to know when you heard about that exchange
16 <programme> for the first time.

17 A. Regarding the exchange programme between <the> Khmer and
18 <Vietnamese>, it <began> in 1975 -- that is, after the liberation
19 <day>. We exchanged for the first time at <Bin Hip (phonetic)
20 border gate - that is,> the Kampong Rou district in Svay Rieng
21 province.

22 [09.13.47]

23 Q. My question was somewhat different. I wanted to know when you
24 heard about the exchange programme for the first time.

25 A. It was in 1975. That is the year the country was liberated or

1 you could say after 17 April 1975.

2 Q. And when you heard about it for the first time, were you
3 already on the frontline?

4 MR. PRESIDENT:

5 Civil Party, please observe the microphone.

6 MR. CHHUN SAMORN:

7 A. No, at that time I <had not gone> to the front battlefield
8 yet.

9 [09.14.56]

10 BY MS. GUISSÉ:

11 Q. Would it assist you to situate the month when you heard about
12 it for the first time?

13 MR. CHHUN SAMORN:

14 A. No, I do not recall the <exact day and> month, but I knew that
15 it happened not long after the liberation day.

16 Q. When you say that it happened shortly before <(sic)> the
17 liberation day, do you mean it was before <(sic)> the 17th of
18 April 1975?

19 MR. PRESIDENT:

20 Civil Party, please hold on. International Deputy Co-Prosecutor,
21 you have the floor.

22 MR. SMITH:

23 Thank you, Your Honour.

24 This is not an objection, but I think there must be a translation
25 issue because the witness just said it was after -- not long

1 after the 17th of April 1975. And the question put was when you
2 said that the exchanges occurred before April 1975, and that's
3 certainly not what the witness said. He said it occurred
4 afterwards.

5 It may have been a French translation issue.

6 [09.16.28]

7 BY MS. GUISSÉ:

8 Indeed, I note that there was a problem in the French because I
9 heard "before". So we need to clarify that.

10 Q. Is it clear that the exchange programme started shortly after
11 the 17th of April 1975?

12 MR. CHHUN SAMORN:

13 A. Yes, that is correct.

14 Q. Were you aware of the manner in which that programme was
15 negotiated and between which parties those negotiations were
16 held? Did you know anything about that?

17 A. No, I did not know the details. <> I <only> knew that the
18 exchange program existed, but I did not know about the process of
19 negotiations or whether it occurred at a district or provincial
20 level, since I did not participate in such a process. I <just>
21 knew there was an exchange programme that happened in 1975 <after
22 the liberation day>.

23 [09.17.49]

24 Q. And do you know whether representatives of the Vietnamese
25 authorities came to your area at any point in time as part of

1 that exchange <programme>?

2 A. Of course, there had to be authorities from both sides
3 involved in the exchange programme, although I did not know the
4 details.

5 MR. PRESIDENT:

6 Civil Party, please respond to the limit of your knowledge and if
7 you do not know, please state so and don't try to guess it. And
8 as a Civil Party, you must respond to your knowledge, that is in
9 relation to your knowledge concerning the question put to you and
10 don't try to guess it.

11 [09.19.13]

12 BY MS. GUISSÉ:

13 Q. So my question was a bit more specific. My question was
14 whether you personally recall or <were> present when
15 <representatives> <of> the Vietnamese authorities came to your
16 area. Did you hear about it or did you witness it?

17 MR. CHHUN SAMORN:

18 A. No, I did not see or know about it. I only heard the people
19 talking about it. I only heard the people speaking about the
20 exchange.

21 Q. Thank you. I'm going to another line of questioning.

22 You've referred to your intelligence gathering activities on the
23 frontline explaining that your role was to locate and
24 <potentially> see the weak points of the enemy troops on the
25 border. My question is as follows: When you drafted reports

10

1 regarding such intelligence, how did you draft them? Were they
2 written or oral reports? <How did it happen, exactly>?

3 A. I made an oral report to my commander.

4 [09.21.04]

5 Q. Were the reports always oral? And did you have in your team a
6 radio operator who <gave reports remotely,> or it was always in a
7 face-to-face exchange with your chief?

8 A. Mostly I made oral reports because <at> nighttime we went on a
9 recon mission and by dawn then I was in a position to provide my
10 oral report. Usually, we left for the recon mission at night and
11 by early morning, <I> returned <and I made oral reports to my
12 commander.>

13 Q. And was there a radio operator in your team who could transmit
14 information<, or was that never the case>?

15 A. Yes, there was. We had a radio that we could call in artillery
16 to shell certain <enemies'> locations after we obtained <clear>
17 intelligence <at the front battlefield>, and the radio was used
18 for that purpose. So we would call the artillery unit to shell a
19 particular location and that was communicated via radio.

20 [09.23.04]

21 Q. And apart from the artillery unit, did you have radio
22 communications with other persons and other troops?

23 A. Only if there was an attack or we encountered the other side,
24 then we used a radio to communicate as well. However, most of the
25 time, we used the radio to provide information to the artillery

11

1 unit to shell the particular locations. For example, we would say
2 the shell did not hit a proper place, so that it could rise up
3 about 20 or 30 meters more.

4 Q. My question was somewhat different. I wanted to know whether
5 as part of your radio communications you could give information
6 to other persons <besides> either your chief or the artillery
7 unit. Were there other persons with whom you were communicating,
8 I mean other groups?

9 A. The radio was mainly used to call in the support shelling from
10 the artillery unit.

11 Q. So should I understand from your testimony that it was solely
12 with the artillery unit that you communicated; is that the case?

13 A. Yes.

14 [09.25.30]

15 MS. GUISSÉ:

16 Mr. President, I have no further questions for the civil party.

17 MR. PRESIDENT:

18 Thank you, Counsel.

19 Mr. Chhun Samorn, as a civil party, you may make a victim impact
20 statement, if any, concerning the crimes which are alleged
21 against the two accused, Nuon Chea and Khieu Samphan, and harm
22 inflicted upon you during Democratic Kampuchea from 17 April 1975
23 to 6 January 1979, resulting in your civil party application to
24 claim collective and moral reparations for physical, material or
25 mental injuries as direct consequences of those crimes.

1 You may proceed if you wish to do so -- that is, in relation to
2 harms inflicted upon you.

3 [09.26.58]

4 MR. CHHUN SAMORN:

5 Mr. President, Your Honours, my memory does not serve me well and
6 I would like to read my statement.

7 First, my response to you, Mr. President and Your Honours. I
8 joined the Revolutionary Army of Kampuchea in May '75. I had
9 complete confidence in the upper Angkar to lift the country <up>.
10 I sacrificed myself for my nation, my country and for Cambodian
11 people.

12 I respected the plans of the Party and I implemented and adhered
13 to all disciplines. I, myself, was engaged in the fighting
14 against the enemy <day and night>. Sometimes I went without food
15 for two to three days and sometimes there was no water to drink.
16 The situation was so miserable.

17 However, as a result, myself and many East Zone soldiers were
18 accused by Angkar of betraying the Party. We were arrested and
19 sent for execution. I was in great shock at the time, and I could
20 not believe the <actions> of the regime.

21 [09.28.44]

22 <When> I was <about to be> arrested, I stood up and made my
23 protest that I was simply a combatant, I did not know about any
24 betrayal. If that was the case, then only commanders were
25 involved and I wanted the Party to find me justice.

1 One of those soldiers beat me with a <the butt of a gun> and
2 accused us of betraying the Party, of having "Yuon" heads on
3 Khmer bodies. Then the commander ordered them to strip us of our
4 clothes and we only had shorts on our bodies.

5 My right arm was beaten and it became paralyzed <and remains
6 paralyzed to this day>. When it became dark, they used a string
7 to lead us under our arms and walked us <in two lines> to the
8 execution site -- that is, on the road toward Sambuor pagoda.

9 At the execution site, we were ordered to sit down. There were
10 seven or eight of them who were armed with AK rifles and they
11 pointed the guns behind our backs. Then, they untied the four
12 people at the front and took them to be executed. We could hear
13 each of <them being> hit with <> clubs for two times, and those
14 who were not yet beaten screamed and then they were beaten to
15 death. We were all in great shock.

16 [09.30.38]

17 I attempted to flee and while we were fleeing, they fired at us
18 and those whose hands were still tied up, they were killed. Three
19 of us could escape and they chased after us, firing at us from
20 behind and one of us was injured.

21 We jumped into the water at a creek and they were standing at the
22 bank and fired into the water at us. I tried to swim and tried to
23 escape and I survived as a result.

24 These were vicious acts inflicted upon me, and it was so <much
25 more> miserable than the time that I was at the front

14

1 battlefield.

2 Another misery was the loss of my relatives, including my elder
3 brother-in-law, who was <categorized as New People> and <he> was
4 called by Angkar to transport fish sauce to the cooperative in
5 1976. He was arrested and disappeared. And as a result, his wife
6 became a widow with three children and they are the burdens that
7 I have to take care of them.

8 [09.32.13]

9 My elder brother who had complete trust in Angkar and the
10 revolution and who joined the army <in> 1970 -- that is, Chhun
11 Davy (phonetic) alias Sok Chantha (phonetic). He joined the DK
12 army in 1970, and he worked at the <general> staff office at the
13 zone. And in 1977, Angkar called him to a training session and
14 disappeared since.

15 During the period of Democratic Kampuchea, my property was
16 confiscated and put for common use in the cooperative. As a
17 result, I lost all those properties.

18 And finally, I would appeal to the Chamber to find justice for my
19 family. Thank you.

20 MR. PRESIDENT:

21 Thank you. And do you have anything else?

22 MR. CHHUN SAMORN:

23 No. Mr. President, I thank you very much.

24 [09.33.33]

25 MR. PICH ANG:

15

1 I believe the civil party may have forgotten his questions. May I
2 take the floor for civil party to put questions, Mr. President?

3 MR. CHHUN SAMORN:

4 I have two questions to ask Uncle Khieu Samphan and Uncle Nuon
5 Chea. I am not a well-educated person. I understand that they are
6 Khmer as well. Why <did> they divide people into two categories:
7 New People and <Old> People?

8 And another question is about the arrest of East Zone soldiers.
9 Why were many East Zone soldiers <> arrested <and killed> without
10 justice? And that included me as well at the time.

11 [09.34.32]

12 MR. PRESIDENT:

13 The Chamber wishes to inform Mr. Chhun Samorn that on <8>
14 January, <2015> after hearing the respondent Accused that they
15 reserve the right to remain silent, they would like to remain
16 silent to the questions put to them.

17 The Chamber advised the Accused to inform the Chamber if they
18 wish to -- if they wish to respond to the question. The Chamber
19 has informed the counsel to work with the Accused whether or not
20 the Accused would like to respond to the questions put by civil
21 parties or witnesses.

22 As of today, the Chamber is not informed that the Co-Accused have
23 changed their positions and <> agreed to provide their responses
24 to questions.

25 [09.35.47]

16

1 Pursuant to international and domestic regulations, the Chamber
2 cannot compel the Accused to respond to the questions as long as
3 they reserve their rights to remain silent.

4 I thank you very much, Mr. Chhun Samorn. The hearing of the
5 suffering as a civil party and, as you stated you went through in
6 the regime, has now come to an end. Your testimony will
7 contribute to the ascertainment of the truth.

8 You may now be excused. You may return to your residence or to
9 any place you wish to go. I wish you all the best.

10 Court officers, please work with the WESU unit to send Mr. Chhun
11 Samorn to his residence or to anywhere he wishes to go.

12 You may be excused.

13 And next, the Chamber will proceed to hear 2-TCW-917. The
14 upcoming witness is assisted by duty counsel Sok Socheata.

15 Court officer, please invite the witness together with the duty
16 counsel into the courtroom.

17 (Short pause)

18 [09.37.24]

19 MR. PRESIDENT:

20 You may proceed now, International Deputy Co-Prosecutor.

21 MR. DE WILDE D'ESTMAEL:

22 Thank you, and good morning, Mr. President, and good morning,
23 Your Honours. Good morning to all parties.

24 Before the witness appears in the courtroom, I would like to
25 submit a <motion> to the Chamber regarding this specific witness.

17

1 In fact, when I was preparing my examination for this witness who
2 is the only witness with a civil party who has just testified, he
3 is the only witness who is going to be testifying on the purges
4 in the East Zone. And I noted when I was preparing that it will
5 be very difficult to finish my examination in two sessions,
6 especially since we have to share time with the civil parties.
7 Given that there are quite a few topics to cover and, as I said,
8 this is an important witness, he is the son of an important cadre
9 from the East Zone.

10 [09.38.27]

11 So I don't know if the Chamber and the parties share my opinion
12 in that regard but here, in the Prosecution, we believe that one
13 extra session would allow us to cover all of the topics that we
14 have to cover and if this is granted, the same amount of time
15 will naturally be given to the Defence too.

16 So I don't know if you need more details regarding the topics
17 that I will cover. I can provide you with these, but on an
18 exceptional basis I am making this request before the witness
19 even appears in this courtroom because it's obvious that we will
20 need more time.

21 Thank you in advance.

22 (Judges deliberate)

23 [09.39.28]

24 MR. PRESIDENT:

25 The Chamber will take the request into consideration when it

18

1 comes to the examination of the witness. In case of necessity,
2 the Chamber will consider the <additional> time, the appropriate
3 time for parties at the end of the <line of questioning by the
4 Co-Prosecutors and the Lead Co-Lawyers for civil parties>.

5 Court officer, please invite duty counsel together with the
6 witness into the courtroom.

7 (Witness enters courtroom)

8 [09.40.50]

9 QUESTIONING BY THE PRESIDENT:

10 Good morning, Mr. Witness. What is your name?

11 MR. MEAS SOEURN:

12 A. My name is Meas Soeurn.

13 Q. Thank you, Mr. Meas Soeurn.

14 Do you recall when you were born, Mr. Meas Soeurn?

15 Please pause a little bit, Mr. Meas Soeurn. When you give a
16 little bit pause that can allow you to listen carefully to the
17 question and to think of the appropriate answer and it will also
18 assist the technician in operating the equipment as well as it
19 will assist the interpreters to interpret you into other
20 languages, for example; namely French and English. They are the
21 official languages in this courtroom.

22 Again, do you recall when you were born, Mr. Witness?

23 [09.42.02]

24 A. I was born on 11 of June 1952.

25 Q. What is your birth place?

1 A. I was born in Phnov village, Rumchek sub-district, Memot
2 district, previously Kampong Cham <province, but> now it is
3 Tboung Khmum province.

4 Q. Thank you. And what is your current address?

5 A. I am living in Thmei village,<> Ta Khmau commune, Takhmau
6 district, Kandal province.

7 Q. What is your current occupation?

8 A. I am a member of Kandal Provincial Committee.

9 [09.43.14]

10 Q. What are your parents' names?

11 A. My father's name is Meas Senghong alias Chan and my mother's
12 name is Phao Vanthen alias Khonh.

13 Q. Thank you. And what about your wife? What is her name and how
14 many children do you have?

15 A. Her name is Kaet Savan. I have five children and one adopted
16 child.

17 Q. Thank you, Mr. Meas Soeurn.

18 Based on the report of the greffier, you have no relationship --
19 by blood or by law -- to any of the two accused, Nuon Chea and
20 Khieu Samphan or to any of the civil parties admitted in this
21 case. Is the report correct?

22 A. That is correct.

23 Q. And I was also informed that you have already taken an oath
24 yesterday before your appearance in this courtroom. Is that
25 report also correct?

1 A. That is correct.

2 [09.44.56]

3 Q. I am now informing you of your right and obligation as a
4 witness before this Chamber.

5 Mr. Meas Soeurn, as a witness in the proceedings before the
6 Chamber, you may refuse to respond to any question or to make any
7 comment which may incriminate you; your right against
8 self-incrimination.

9 Your obligations: As a witness, you must - you, as a witness,
10 must respond to any questions by the Bench or relevant parties
11 except where your response or comments to those questions may
12 incriminate you as the Chamber has just informed you of your
13 rights as a witness.

14 As a witness, you must tell the truth that you have known, heard,
15 seen, remembered, experienced or observed directly about any
16 event or occurrence of relevance to the questions that the Bench
17 or parties pose to you.

18 Mr. Meas Soeurn, have you ever been interviewed by the
19 investigators of the OCIJ? If so, how many times did they take
20 place and where?

21 [09.46.44]

22 A. Yes, I was interviewed once in Takhmau, Kandal province.

23 Q. Thank you.

24 Before your appearance, have you read or reviewed the written
25 record of the interview you gave to investigator to refresh your

1 memory?

2 A. Yes, I read it, Mr. President.

3 Q. To the best of your recollection and knowledge, does the
4 record of the interview you read and reviewed correspond to the
5 interview you gave to the investigator at Takhmau back in the
6 past?

7 A. It is consistent, Mr. President.

8 Q. In accordance with Internal Rule 91bis of the ECCC, the
9 Chamber gives first, the floor, to the Co-Prosecutors to put
10 questions before other parties. The combined time for the
11 Co-Prosecutors and Lead Co-Lawyers for civil parties is two
12 sessions.

13 You may proceed.

14 [09.48.06]

15 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

16 Thank you, Mr. President.

17 Q. Good morning, Witness. My name is Vincent De Wilde and I am
18 going to put questions to you on behalf of the Co-Prosecutors
19 this morning.

20 I am going to ask you to listen to the questions carefully. I
21 know that the events date back a long way but I am going to ask
22 you to make an effort to remember and also to be as precise as
23 well as concise as possible in your answers.

24 I am going to start by putting questions to you on your
25 revolutionary history and my first question is during which

1 period did you join the revolution? And who introduced you to the
2 revolution?

3 [09.49.06]

4 MR. MEAS SOEURN:

5 A. I ran into the forest in 1968. The soldiers back in that
6 period made <people in my village> run into the forest and all
7 villagers, including me, ran into the forest <because we were
8 afraid of those soldiers who were accused to be Khmer Rouge
9 soldiers>. We did not know at the time that we, in fact, had
10 joined the revolution. We ran into the forest out of fear.

11 Q. When you went underground, did you follow your father? Did you
12 find him again and can you tell us if you worked with him?

13 A. No, I did not see him and I did not work with him.

14 Q. Can you tell us briefly, between 1968 when you went
15 underground and 17 April 1975, what were the different positions
16 you held in the revolution?

17 A. After I went underground up until 17 of April -- rather, 18
18 March 1970, I remained in the forest and I kept fleeing to avoid
19 being arrested.

20 Q. And between the coup d'état of 18 March 1970 and Sihanouk's
21 appeal and the capture of Phnom Penh, what did you do in the
22 revolution? Did you have any specific <post>, duties in the
23 revolution?

24 A. I worked as a driver of a motorbike and a vehicle for my
25 father.

1 [09.52.20]

2 Q. What was your father's position during that period between
3 1970 and 1975? What successive duties did he hold when you would
4 drive him everywhere as his driver?

5 A. After the 1970 coup d'état up to 17 of April 1975, my father
6 <was> a <district> governor and a deputy chief of Sector 21 and
7 then became the chief of Sector 21.

8 And lastly, he was the deputy chief of East Zone -- that is,
9 Sector 203.

10 Q. A little point of clarification: When you told us that he was
11 a provincial governor, does that mean that he was a district
12 chief, <do> I understand <correctly>? Can you tell us in that
13 case which locality he was the chief of at the very beginning
14 before he became the chief of Sector 21?

15 A. He was not the provincial governor. In fact, he was the
16 <Chhloung> district governor of Sector 21.

17 [09.54.20]

18 Q. At answer 5 of your WRI, index E3/5531, you said the
19 following: "I was one of my father's messengers since he was the
20 head of Chhloung district. <It> was after 17 April 1975 that I
21 stopped working with my father." End of quote.

22 So can you confirm that he was the district chief of Chhloung at
23 the beginning?

24 A. Yes. Thank you.

25 Q. Well, I have a question then regarding the period prior to

24

1 1970. Do you know if your father was already a member of the
2 resistance, in particular with the Issarak fighters?

3 A.<Who>? Are you referring to my father?

4 Q. Yes, indeed I am speaking about your father, Meas Senghong
5 alias Chan. Was he among the Khmer Issarak?

6 A. I used to hear from <the> elderly that he used to be part of
7 <Khmer> Issarak movement.

8 [09.56.15]

9 Q. At the end of the 1960s and at the beginning of the 1970s when
10 your father was in Sector 21: did he develop any ties with Pol
11 Pot and Nuon Chea? Did he meet them, for example?

12 A. I do not know about that.

13 Q. In order to be sure that you do not remember anything about
14 this, I am going to read to you what <a researcher and author>,
15 Ben Kiernan, said about your father. This is in his book, "How
16 Pol Pot Came to Power" E3/1815 at English, ERN 00487327; and
17 Khmer, at 00104787 or 88. And this is what Ben Kiernan states,
18 and I will quote in English.

19 "For their part, Pol Pot and Nuon Chea are reported to have
20 developed close ties with the Deputy Party Secretary of the
21 Eastern Zone's Region 21, a former Issarak guerrilla named
22 Senghong alias Chan. According to Ouk Bunchhoeun, the two leaders
23 regularly stayed in Chan's house and gave him political
24 instruction."

25 And then Ben Kiernan quotes Ouk Bunchhoeun saying, "They trusted

25

1 Chan more than So Phim." End of quote.

2 [09.58.30]

3 MR. PRESIDENT:

4 Please hold on, Mr. Witness.

5 You have the floor now, Koppe.

6 MR. KOPPE:

7 Yes, thank you, Mr. President.

8 Good morning, Your Honours.

9 In itself, of course, I do not have a problem if the Prosecution
10 quotes from an academic. However, it is interesting that Kiernan
11 is quoted in this respect because there is another academic who
12 holds an opposing view as to relations between Chan, on the one
13 hand, and Pol Pot and Nuon Chea, on the other hand, and that is
14 academic who has extensively worked for the Prosecution, Steve
15 Heder.

16 So for completeness' sake, Mr. President, I would like to refer
17 to E3/3995; that is an article written by Stephen Heder, and
18 English, ERN 00773726; French, 00802812; and Khmer, 00844574
19 until 5.

20 In this article, Heder, as I said, holds a completely opposing
21 view and calls Chan, very much in accordance with So Phim's
22 policy. So to selectively quote from academic work, I don't think
23 that is correct. So at least it should be known that he is
24 selectively quoting from academic research.

25 [10.00.22]

1 MR. DE WILDE D'ESTMAEL:

2 I think this is another type of objection, Mr. President. Of
3 course I am quoting a passage from a researcher. I am not saying
4 that I share the conclusions of that researcher but I just want
5 to hear the witness' reaction to that.

6 Counsel may quote whatever document he wishes to quote. I am not
7 referring to all the research by all the researchers <on the
8 witness' father at this point>. So may I continue to put my
9 questions to the witness, Mr. President?

10 MR. PRESIDENT:

11 Yes, you may continue.

12 [10.01.05]

13 BY MR. DE WILDE D'ESTMAEL:

14 Q. Witness, in light of the quotation I read out to you, the
15 quotation by researcher Ben Kiernan, he thought that there were
16 strong links and trust between Pol Pot, Nuon Chea and your
17 father. Did you learn anything regarding that, particularly when
18 you were your father's messenger? Did you see him meet Pol Pot
19 and Nuon Chea or did he talk to you about such encounters?

20 MR. MEAS SOEURN:

21 A. I did not know about that nor did I see the two speak to one
22 another. During the regime, I did not know the faces of these two
23 people.

24 Q. For the purpose of completeness on this subject before talking
25 about your personal history, you stated that at a point in time

27

1 your father became the deputy chief of the East Zone.

2 In addition to holding such a position, was he also the secretary
3 of a double <sector> -- that is, <Sectors> 23 and 24? Can you
4 tell us whether that is the case? Was it while he was also deputy
5 chief of the East Zone?

6 A. Yes, he was.

7 [10.02.54]

8 Q. Can you give us some dates regarding, for instance, the time
9 when your father became chief of <Sector> 21 leaving the position
10 of district head of Chhloung? I believe it was before 1975. Can
11 you please give us a more specific date?

12 A. I do not recall the specific date. However, that happened
13 around 1971 or '72.

14 Q. And from when did he become the deputy chief of the East Zone?

15 A. I recall that it was before 17 April 1975. So I could say that
16 it happened in around 1974.

17 Q. Did you ever know who appointed your father deputy chief of
18 the East Zone? Was it a decision by So Phim or a decision by the
19 Party Centre?

20 [10.04.50]

21 MR. PRESIDENT:

22 Witness, please hold on.

23 And Counsel Victor Koppe, you have the floor.

24 MR. KOPPE:

25 I object to this question. In 1974 there certainly is no

28

1 either/or. So Phim was just as part of the Party Centre as other
2 East Zone members. So making the witness answer based on this
3 choice, I don't think is in accordance with historical reality.
4 So Phim, as confirmed by his appointment in 1976, was still very
5 much part of the Centre.

6 BY MR. DE WILDE D'ESTMAEL:

7 I will simply rephrase the question.

8 Q. Do you know whether your father was appointed by So Phim at
9 the time when he became deputy chief or he was appointed by
10 someone at another level?

11 [10.06.07]

12 A. I never saw any written document and I did not know from which
13 level the authority came to appoint my father as district
14 secretary or as deputy secretary of <Sector 21> or chief of
15 <Sector 21>. I never saw any written authorization nor did I know
16 anything about who actually authorized or made that appointment.

17 Q. I would now like to talk about your personal history. Were you
18 a member of the "Party Youth League"? And if yes, from what year?

19 A. I was not a member of the "Youth League".

20 Q. Were you ever a member of the Kampuchea Communist Party?

21 A. Yes, I was a member of the <People's> Party.

22 Q. And from what date did you become a member of the Party?

23 [10.08.00]

24 MR. PRESIDENT:

25 Witness, please hold on.

1 Counsel Kong Sam Onn, you have the floor.

2 MR. KONG SAM ONN:

3 Thank you, Mr. President. I would like the witness to clarify his
4 response.

5 The question was about whether the witness was a member of the
6 CPK but he says that he is a member of the People's Party.

7 MR. PRESIDENT:

8 International Deputy Co-Prosecutor, you should also specify the
9 time period since the witness was not a member of the Youth
10 League. And you should specify as to which period he became a
11 <member> of a certain organization<>.

12 [10.09.10]

13 BY MR. DE WILDE D'ESTMAEL:

14 That was precisely the question I put to the witness, Mr.
15 President.

16 Q. Witness, I am indeed referring to the Kampuchea Communist
17 Party. You have to tell me whether it was before the 17th of
18 April 1975 or thereafter that you became a member of that Party.
19 And could you please specify the date on which you became a
20 member?

21 MR. MEAS SOEURN:

22 A. It was before 17 April 1975 and it was in 1974 when I became a
23 member of the Party.

24 Q. This will be perhaps my last question before the break.

25 You became a member of the Party approximately in 1974. Were you

30

1 already married at the time?

2 A. No, I was not.

3 Q. And when did you get married? Was it during the regime or
4 after 1979?

5 A. I got married during the Khmer Rouge regime and it happened in
6 late 1976.

7 [10.10.57]

8 MR. PRESIDENT:

9 Thank you. It is now convenient for a short break. We will take a
10 break now and resume at 10.30 to continue our proceedings.

11 Court officer, please assist the witness at the waiting room
12 reserved for witnesses and civil parties and invite him as well
13 as his duty counsel back into the courtroom at 10.30.

14 The Court is now in recess.

15 (Court recesses from 1011H to 1030H)

16 MR. PRESIDENT:

17 Please be seated. The Chamber is now back in session, and the
18 floor is given to the International Deputy Co-Prosecutor to put
19 questions to the witness.

20 [10.30.56]

21 BY MR. DE WILDE D'ESTMAEL:

22 Thank you, Mr. President.

23 Q. Witness, I am going to quickly turn to the different duties
24 that were yours after 17 April 1975. Well, can you tell us which
25 position you had in the East Zone and in <Sector> 21, in

1 particular, after 17 April 1975?

2 MR. MEAS SOEURN:

3 A. I was the deputy chief of the <lathe> factory in the East
4 Zone, particularly at <Tuol Chong Angkrang>, Tboung Khmum
5 <district>.

6 Q. And if I understood your WRI properly, this was <a metal
7 lathing factory>; am I correct?

8 A. That is correct.

9 Q. When you were the deputy chief of this factory, were you able
10 to keep tight relations with your father, whether it be through
11 different communication means or would you meet him from time to
12 time?

13 A. I did not have any work <relationship> with him.

14 [10.32.53]

15 Q. But did you still have family ties with him? Could you meet
16 him from time to time as a <son> meets <with> with his father?

17 MR. MEAS SOEURN:

18 A. We did not have time to visit each other as a family.

19 BY MR. DE WILDE D'ESTMAEL:

20 Q. During that period were you trained to perform your duties at
21 the factory?

22 MR. MEAS SOEURN:

23 A. I was technically trained to work in the tasks at the factory.

24 Q. And can you tell us where this training took place and how
25 long it lasted?

1 A. I came to attend the training session at Ruessei Keo
2 <Technical school> after 17 April 1979 (sic). And the training
3 <was> nearly a year.

4 [10.34.44]

5 Q. We heard 17 April 1979 in the interpretation but I imagine it
6 was 17 April 1975, that you, in fact, underwent that training
7 after 17 April 1975. <While> you were in Phnom Penh, you were
8 already a member of the Communist Party of Kampuchea. And did you
9 have the occasion or the obligation to partake in major meetings
10 organized by the Party or to partake in training sessions,
11 whether at the Olympic Stadium or at Borei Keila?

12 A. No. I was at my training school and the meeting took place
13 <every> evening at Ruessei Keo.

14 Q. In parallel to your duties as the deputy chief of the <lathing
15 factory> in the East Zone, did <> you also have a position within
16 the <trade> office of the Eastern Zone?

17 A. As the deputy chief of my unit, after I completed the
18 training, I went back to the <lathe factory in the Zone. Most of
19 the time,> I was tasked with the technical aspects, and I was
20 assigned to transport logistics from Phnom Penh to my unit.

21 [10.36.42]

22 Q. In your WRI, E3/5531, you spoke often about the fact that you
23 would travel to Phnom Penh at the seat of the <trade> office of
24 the East Zone, in particular in answer 40. In answer 37 you said
25 - <"generally I spent my time more> in Phnom Penh than in my

1 unit." End of quote.

2 So did you spend a lot of time at the seat of the <trade> office
3 of the East Zone in Phnom Penh as part of your duties?

4 A. The time that I spent in my unit and in Phnom Penh was a
5 similar amount. <For example, when I went to the Zone's commerce
6 office, I always brought letters to that office, and> I had to
7 wait at the <trade> office to gather the materials so that I
8 could bring them back to my unit.

9 Q. If I understood well, you did not have a very high position
10 within the <trade> office; is that true?

11 A. No. I did not have any major position. I was only waiting to
12 collect materials to be brought to my unit. We had different
13 tasks. I was working in the <lathe workshop> and they were
14 working in the <trade> office.

15 [10.39.00]

16 Q. Did you learn at that <trade> office <with which> leader the
17 <East Zone> <trade> office had ties <in Phnom Penh, with which
18 Party leader,> and particularly <when it came to trade matters>?
19 Did you learn, for example, if the <East Zone> <trade> office was
20 ever in contact with Koy Thuon?

21 MR. PRESIDENT:

22 Please hold on.

23 You have the floor now, Counsel, the International Counsel for
24 Khieu Samphan.

25 [10.39.45]

1 MS. GUISSÉ:

2 Thank you, Mr. President.

3 I object to the way that the Co-Prosecutor is phrasing his
4 questions. The first open question, no problem, but when he
5 starts suggesting names -- whereas for the moment the witness did
6 not even answer the question.

7 So I object to this way of proceeding. It's a way of leading the
8 witness. Open question, no problem, but the second part I object
9 to.

10 BY MR. DE WILDE D'ESTMAEL:

11 <To save time,> I am not going to <respond>. I am simply going to
12 rephrase my question.

13 Q. So Witness, do you know with which leaders the <East Zone>
14 <trade> office had ties in the context of its duties?

15 [10.40.39]

16 MR. MEAS SOEURN:

17 A. Thank you. I do not know about that.

18 The only tasks that I performed back then was to bring letters
19 concerning the requests or the requirements of the East Zone and
20 the letters were signed by So Phim. I would send the letters to
21 the <trade> office. And then I did not know where the letters
22 were sent to afterwards.

23 Usually I was waiting in a vehicle or in the convoys that we were
24 assigned to bring materials back to my unit. After they received
25 the letters, they would bring us to the location where we had to

1 upload -- where we have to upload our material onto our vehicle.
2 Q. So if I understood you well, you would receive letters signed
3 by So Phim and you would transport them to the East Zone <trade>
4 office.

5 So does that mean that you had the opportunity of meeting So Phim
6 or did things happen otherwise; you would receive letters that
7 were already signed but you would not meet him before going to
8 Phnom Penh?

9 [10.42.12]

10 A. Most of the time, the letters were delivered to me by the
11 messenger of the <> Zone at Tuol Chong Angkrang. <So Phim's place
12 was at Suong>. <So,> I did not <have any reasons to meet> So
13 Phim. <Only> when So Phim <called> us to <meet him>, that's the
14 time that we could meet So Phim. <Also when we needed to seek
15 advice from him, we had to ask to meet with him through his
16 associate>, and we could only see So Phim when we were <allowed>
17 to see him.

18 Q. Now, regarding these study sessions can you tell us how often
19 So Phim would organize these sessions and what were the topics
20 that were covered during these sessions?

21 A. I never participated <in any meetings or> attended <any> study
22 sessions convened by So Phim.

23 Q. Well, I am wondering if there might not be an interpretation
24 problem because in the previous answer I understood that when So
25 Phim would summon you to a study session, you were given written

1 messages that were signed by So Phim.

2 So this situation should be clarified. Did you participate or not
3 in study sessions that were organized by So Phim?

4 A. No, I never attended the study sessions.

5 [10.44.45]

6 Q. You said that you spent pretty much half of your time in Phnom
7 Penh at the East Zone <trade> office. Did you <sometimes> meet
8 there your father, Meas Senghong alias Chan, or So Phim when they
9 would travel to Phnom Penh?

10 A. No, I never met them. Thank you.

11 Q. Well, we already spoke about your father but now I would like
12 to revisit a few additional clarifications in particular
13 regarding the colleagues with whom he worked.

14 Can you tell us who he <succeeded> as secretary of Sector 21? So
15 who was the first secretary of this sector before your father
16 became the secretary?

17 A. Phuong, the former secretary of Sector 21; Phuong. Thank you.

18 Q. When your father replaced Ta Phuong, what were Ta Phuong's
19 subsequent duties; do you know?

20 A. I do not know. The only thing I knew is that he was promoted.

21 [10.47.00]

22 Q. So he was promoted but did he survive the regime? Do you know
23 if he was arrested later on? Did you learn about that during the
24 regime when you were in Sector 21?

25 A. I do not know about that.

1 Q. Who <succeeded> your father <to> the head of Sector 21 once
2 your father was promoted to become deputy secretary of the East
3 Zone? Who followed your father to head Sector 21?

4 A. Chhean.

5 Q. And did Chhean or Ta Chhean remain secretary of Sector 21
6 until the very end of the regime or was he replaced by someone
7 else?

8 A. He did not remain as the chief of that sector <up to the end
9 of the Khmer Rouge regime>. Later on, Sot replaced Chhean and Sot
10 also did not remain the chief until the end of the regime <in
11 late> 1978. However, later on after Sot, I did not know who came
12 to replace Sot.

13 [10.49.05]

14 Q. Well, before we get back to Sot, let's speak again about
15 Chhean. When he left Sector 21, do you know if he left that <>
16 sector to exercise <his> duties in another sector of the East
17 Zone?

18 A. He was transferred from Sector 21 and then became chief of
19 Sector 22 in the same zone, East Zone.

20 Q. Did you ever learn what Ta Chhean's full name was?

21 A. I do not know his full name and allow me to inform the Chamber
22 that it was rare that cadres used full names. Very few of them
23 used full names and I, myself, did not use my full name. I used
24 only Soeurn back then, <and everyone knew me as Soeurn, not Meas
25 Soeurn>. And everyone knew my father's name as Chan, not the full

1 name. Very few of them knew <his> full name <as Senghong>.

2 Q. Fine. Do you know what happened later on to Ta Chhean <while>
3 he was the secretary of Sector 22?

4 A. I do not know.

5 [10.51.32]

6 MR. DE WILDE D'ESTMAEL:

7 Now, Mr. President, I would like to provide to the witness
8 document E3/2229 to identify this person. This is a list of
9 people who were interrogated at S-21 and the ERNs or, correction,
10 Chhean's name is under the heading, "Sector 22, East Zone" at
11 number 30 in this list. In Khmer, it's on page 3; in French, on
12 page 4; and in English, on page 4 as well. So with your leave,
13 Mr. President, may I provide this document to the witness?

14 MR. PRESIDENT:

15 You may proceed.

16 (Short pause)

17 [10.52.39]

18 MR. PRESIDENT:

19 Please turn on your microphone.

20 BY MR. DE WILDE D'ESTMAEL:

21 Q. So on page 3, Witness, and at number 30 there's a person who
22 is identified in the following way: Meas Chhuon, C-H-U-U --
23 C-H-H-U-O-N, alias <Chhean>, <C-H-H-E-A-N>. That's at number 30.
24 So Meas Chhuon alias Chhean, who was 52 years old and was the
25 secretary of Sector 22 and then there is a date which is probably

39

1 the date he entered S-21; that's 12 June 1978.

2 So <is> this Ta Chhean, who was 52 years old at that time and who
3 was the secretary of Sector 22 the person who <replaced> your
4 father <as the> head <of> Sector <21>?

5 A. Yes, that is Ta Chhean who used to be chief of sector --
6 secretary of Sector 21.

7 Q. Did Ta Chhean have children, in particular, daughters who were
8 already grown up at the time and possibly did you know the names
9 of his daughters or of his wife <at the time>?

10 A. I never conversed with Chhean, let alone his wife and
11 daughters. All I know is that Chhean came to replace my father.

12 [10.55.14]

13 Q. Fine. For the purpose of the records, I would like to signal
14 to the Chamber that on this same document <from> numbers 50 to
15 52, there are three people described as being the wife of the
16 "<Contemptible> Chhean" and the two daughters of the
17 "<Contemptible> Chhean," as well, who entered S-21 on 27 June
18 1978.

19 Now, I would like to return to Ta Sot, the secretary of Sector
20 <21> who <replaced> Ta Chhean.

21 Do you know what happened to him? You said that he did not <last
22 until> the end of the regime and that in 1978, he was no longer
23 the head of Sector 21; was he arrested or not?

24 A. Ta Sot came to replace Ta Chhean; however, I do not recall
25 when -- when he came to replace Ta Chhean. After Ta Chhean was

40

1 transferred and became secretary of Sector 22, Sot came to
2 replace Chhean.

3 Ta Sot may have been arrested in the 1976 (sic) event -- that is,
4 the event of purging all of East Zone cadres.

5 [10.57.00]

6 Q. You just spoke to me about the purges of all of the cadres of
7 the East Zone and you spoke about 1976; are you sure of that
8 date?

9 A. Yes, I am sure. I recall it well and back on the 25th May
10 1978, I was fleeing with others and it happened in the Year of
11 <the> Dragon, at the time, and there was a heavy flood at the
12 time.

13 Q. Fine. Maybe it was again an interpretation issue. I know that
14 you corrected <it> , so you spoke about 25 May 1978, not 1976. So
15 I'd like you to look at that same document again, E3/2229. At
16 number 29--

17 MR. PRESIDENT:

18 Please hold on, Deputy Co-Prosecutor. You have the floor now,
19 Guisse.

20 MS. GUISSSE:

21 Yes, thank you. Now, with regard to the date <in French we had
22 the same interpretation>, I see that the Co-Prosecutor is coming
23 up with his own conclusions. Maybe it would be easier to ask the
24 witness which date he was referring to and have him confirm this
25 rather than coming up with his own conclusions.

1 [10.58.46]

2 BY MR. DE WILDE D'ESTMAEL:

3 Q. Okay, fine. Before we move on to the document, you spoke about
4 25 May 1978; does that mean that the major purges you spoke about
5 took place then or did the purges take place in 1976 because
6 earlier, we heard the date of 1976?

7 MR. MEAS SOEURN:

8 A. I may have answered incorrectly. The exact date was 25th of
9 May 1978. There were purges in the East Zone. All of the cadres
10 were to be purged including So Phim, as well, who had to be
11 purged.

12 [10.59.37]

13 Q. Very well. Let us look at document E3/2229 again and perhaps
14 <the attorney can> find number 29. <It> is directly <above>
15 Chhean and at number 29, <where> we read the following -- and it
16 is under the title "<Sector> 21 East Zone". And it is stated
17 therein that T-A-U-C-H, Tauch (sic), Chem, C-H-E-M, alias Sot,
18 age 38, <male>, secretary of the <sector> -- that is, <Sector>
19 21, and the date is the 5th of June 1978. That is the date of
20 entry into S-21. Is it the same Ta Sot you refer to and who was
21 the head of <Sector> 21?

22 A. Sot became the secretary of Sector 21 after Chhean.

23 Q. On this list, E3/2229 -- I see you have some difficulty
24 perhaps in reading the list. I would like to focus on other
25 numbers of persons -- that is, number 12, first of all. It is a

1 person called Sok, S-O-K; Knol, K-N-O-L, alias Lin, L-I-N, or
2 Peam, P-E-A-M. Take particular note of the alias, Lin -- Lin or
3 Peam, age 46, member of the Zone Committee and chief of the zone
4 office.

5 Together with So Phim and your <father>, was there any person
6 called Lin in the zone office; did you know such a person?

7 A. Yes.

8 [11.02.21]

9 Q. Was that person a victim of the major purges on the 25th of
10 May 1978 or <do> you not know what happened to him?

11 A. It was during the same period since he was also from the East
12 Zone. Even So Phim, he was not spared, so forget about the
13 subordinates.

14 Q. I have a few more examples, numbers 17 and 18 on the list, for
15 two persons called <Ou> Sak, O-U and Sak, S-A-K, and You, Y-O-U,
16 Reab, R-E-A-B, <who> <are> described as being the chief and
17 deputy chief of the <zone> state commerce based in the twin
18 <sectors>, <Sectors> 23 and 24. <You> also worked <in part for>
19 the State Commerce Department. Did you know those persons at the
20 time?

21 A. No, I did not know <those people>.

22 Q. Lastly, number 25 on the list refers to an individual called
23 Sun, S-U-N. His full name is Chea Sin alias Sun, secretary of
24 <Sector> 20 entered S-21 on the 5th of June 1978.

25 Did you know that person called Sun, secretary of <Sector> 20 at

1 the time?

2 A. Yes, I knew him. He was secretary of Sector 20.

3 [11.04.50]

4 Q. Was he also a victim of the major purges of the 25th of May
5 1978?

6 A. Yes, he was.

7 Q. Do you know what the persons who were the victims of those
8 major purges accused of? You <referred> to all the cadres of the
9 East Zone; what were they blamed for, or what were they accused
10 of, if you do know?

11 A. Mostly, they were accused of betraying the Party and that they
12 were also accused of colluding with the "Yuon".

13 Q. Another person of interest to me is your father's predecessor
14 and the head of <Sectors> 23 and 24. Can you tell us who were the
15 heads of <Sectors> 23 and 24 before your father was appointed
16 chief above them?

17 [11.06.24]

18 A. I only knew Chhouk, secretary of Sector 24, and I did not know
19 who was the secretary for Sector 23.

20 Q. And what became of Ta Chhouk, secretary of <Sector> 24,
21 <during the regime>?

22 A. I do not know about that.

23 Q. To refresh your memory, I'll read out to you what you said in
24 answer to question 67 in your WRI E3/5531. This is what you
25 stated: "My father was chief of the double <sector> -- that is,

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1 <Sectors> 23 and 24, after the arrest of Ta Chhouk. Before his
2 arrest, Chhouk had been the head of <Sector> 24." End of quote.

3 Do you confirm that <Ta> Chhouk, himself, was arrested as was the
4 case with a large number of cadres from the East Zone?

5 [11.07.50]

6 A. Yes, for those people who worked with Ta Chhouk were all gone;
7 no one was left. So this means that when the chief was arrested
8 -- that is, Chhouk, then his subordinates were also gone.

9 I knew Ta Chhouk's driver and later on, he was taken away for
10 study sessions. That was the phrase they used. They never said
11 that those people were subject to arrest; they only said that
12 "Comrades, you have to go to attend study sessions."

13 Q. Do you know during what period he was arrested; was it the
14 same period which you referred to before or it was another
15 period?

16 A. I am not sure about the exact period that it happened. <I
17 cannot recall it.>

18 [11.09.12]

19 Q. Let me point out, for the purposes of the record, that the
20 name of Chhouk, secretary of <Sector> 24, is on a list of persons
21 interrogated at S-21 and the reference of the document is E3/1949
22 at number 440.

23 There are also confessions of that person on record and it's
24 document E3/2494 and E3/2990 and the date of arrest indicated is
25 the 31st of August 1976.

1 Witness, as regards to Ta Chhouk, I would like to read an
2 <excerpt> of <the> <Chief of S-21> Kaing Guek Eav alias Duch's
3 testimony before this Tribunal on the 18th of May 2009 and this
4 is what he stated -- and this is document E3/345 <at> 12 hours 04
5 minutes -- I will quote in English and I quote:
6 Duch: "First, the very great time consuming was to compile the
7 confessions in which Suos Neou alias Chhouk was implicated. Suos
8 Neou alias Chhouk was the secretary of Sector 24 of the East
9 Zone. He was implicated in several confessions. When the Standing
10 Committee was about to meet again, my superior ordered S-21 to
11 gather information and extract key points from the document
12 concerning Suos Neou alias Chhouk."
13 And a little bit further, he added: "Finally, the Standing
14 Committee made a decision to arrest Chhouk and send to S-21." End
15 of quote.
16 On the 15th of June 2009, Duch added the following -- and it is
17 document E3/5799. At 10 hours 20 minutes and 50 seconds, this is
18 what Duch said in English: "First, the most important person, for
19 example, Suos Neou alias Chhouk, the secretary of Sector 24. Then
20 the Standing Committee paid good attention until Brother Phim
21 agreed, and there had been a lot of documents and meetings of the
22 Standing Committee before such an arrest was made." End of quote.
23 Witness, how would you react to the fact that Chhouk was
24 transferred to Phnom Penh and Duch states that it was the
25 Standing Committee of the Party that had decided that he be

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1 arrested; were you aware of that at the time?

2 [11.12.58]

3 A. No, I was not aware of that.

4 Q. Duch also suggests that it was the Standing Committee that
5 persuaded So Phim to accept that Chhouk be arrested.

6 MR. PRESIDENT:

7 Counsel Victor Koppe, you have the floor.

8 [11.13.28]

9 MR. KOPPE:

10 Thank you, Mr. President. I object to the formulation of this
11 question. The question would suggest that So Phim, at that
12 particular time, was not part of the Standing Committee. I may
13 refer Prosecution and -- and the Chamber to a document that
14 belongs to the People's Revolutionary Tribunal, E3/7328. These
15 are -- they refer to excerpts from minutes of a April 11 Standing
16 Committee meeting; English ERN, by the way, 01002086, and at that
17 meeting of the Standing Committee were present, Pol Pot, Nuon
18 Chea, So Phim, Ta Mok, Vorn Vet, Ieng Sary, Ros Nhim, Ke Pauk,
19 and Khieu -- and sorry, Son Sen. So making a distinction between
20 So Phim and the Standing Committee in '76 might be erroneous.

21 [11.14.46]

22 BY MR. DE WILDE D'ESTMAEL:

23 Mr. President, all I did was read out <Duch's> statements.

24 <Nowhere does it deny that.> So Phim was <indeed> a member of the
25 Standing Committee <in theory, but I think everyone in this

1 courtroom is aware that he was rarely present. I merely wanted
2 the witness to react to Duch's statements, when he suggested that
3 the Standing Committee persuaded So Phim, whether he was a
4 member, whether he was present at the meetings or if he stayed in
5 the East Zone, they persuaded So Phim> to accept that Chhouk be
6 arrested.

7 Q. My question is as follows: Did you know, Witness, that the
8 <approval> of the zone chief was required <to arrest> cadres
9 within the East Zone at the time <when> Chhouk was arrested?

10 MR. MEAS SOEURN:

11 A. I was not aware of that.

12 [11.16.12]

13 Q. To return to your father's role within the East Zone and
14 within the Kampuchea Communist Party, did you know whether he
15 participated in negotiations with <the> Vietnamese in 1976
16 regarding the demarcation of the borders between Cambodia and
17 Vietnam?

18 A. I did not know what he was doing there; however, I used to
19 accompany him to Tay Ninh province -- that is in Vietnam. I was
20 his driver.

21 Q. And did you hear from your <own> father's mouth or from other
22 sources whether he occasionally attended meetings of the Standing
23 Committee of the Party Central Committee?

24 A. I did not know about that. Most drivers -- like myself -- only
25 drove the leaders and we did not know about their affairs and, of

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1 course, we were not allowed to be close to them.

2 [11.18.14]

3 Q. I understand, but between 1975 and 1979, I believe you were no
4 longer working as a messenger or driver to your father. I was
5 talking of that period.

6 I'll move on to another topic<, and just mention to the Chamber
7 that the file is> in document <E3/221>. It is a report of the
8 Standing Committee, dated the morning of the 14th of May 1976 and
9 it has to do with negotiations with the Vietnamese and it also
10 refers to those who attended it apart from the <Comrade>
11 secretary <and the Comrade deputy secretary, that is> Comrade
12 Van, Comrade Vorn, Comrade Khieu, Comrade Hem, Comrade Ya,
13 Comrade Chan, Comrade Se and Comrade Touch. And we note that
14 Comrade Chan took the floor twice during that meeting.

15 Another question, Witness, is as follows: Do you know whether
16 your father, Ta Chan, whether he was in the absence of So Phim or
17 not, sent written messages, reports, or telegrams to the Party
18 centre in Phnom Penh?

19 A. I was not aware of that.

20 [11.19.58]

21 MR. PRESIDENT:

22 Counsel Victor Koppe, you have the floor.

23 MR. KOPPE:

24 Yes, Mr. President, I was expecting a question on Chan being
25 present at the Standing Committee meetings, but I know that Chan

1 is speaking twice, but I'm not entirely sure whether this Chan
2 is, in fact, the Chan who is the father of the witness. It might
3 be, but it also might not be.

4 MR. DE WILDE D'ESTMAEL:

5 I'd like to proceed, Mr. President.

6 I would like to show you, Witness, with the leave of the
7 President, document E3/1105. That's only a single page in English
8 and it is 00574470; French, 00532712; and in Khmer, there are two
9 pages, 00020899 to 900. It is a handwritten message sent by
10 Comrade Chan on the 21st of December 1977 to "Beloved Comrade
11 Brother".

12 Mr. President, may I show the witness this document?

13 [11.21.34]

14 MR. PRESIDENT:

15 Yes, you may.

16 BY MR. DE WILDE D'ESTMAEL:

17 Q. I now quote part of this document, <from> the beginning,
18 Witness, in the English version.

19 "In the morning of the 21st of December, I received your
20 telegraph through the Zone, and I informed Comrade Lin of the
21 contents for taking photographs/filming for him to report to you.

22 "At 3.30, I met Comrade Seila and I informed Comrade Seila of
23 your requests and content for taking photographs of/filming in
24 Sectors 23 and 24." End of quote.

25 First of all, Witness, do you recognize the signature at the

1 bottom of the document on the second page?

2 [11.22.56]

3 MR. MEAS SOEURN:

4 A. Yes, that is my father's signature; however, I never saw this
5 document. And this is the first time that I see it, but I
6 recognize my father's signature. I also can recognize his
7 handwriting.

8 Q. Yes, we are talking of Comrade Lin in this written document;
9 is that <also> the third member of the Zone Committee with So
10 Phim and your father?

11 A. I did not know the details of the committee members of the
12 zone; I only knew that Lin was chairman of the office since I
13 used to receive letters of authorization from the clerk at Lin's
14 office.

15 Q. Before the break, I would like to go into another line of
16 questioning. It has to do with the <possible> purges of cadres of
17 the East Zone prior to the 25th of May 1978. So in 1976 and 1977,
18 to your knowledge, had there already been waves of arrests within
19 the different <Sectors> 20 and 21, 22, 23, and 24 in the East
20 Zone in rubber plantations or at the level of the Zone? Had there
21 already been arrests, at that time, targeting the cadres of the
22 different entities?

23 [11.25.37]

24 A. Starting from 1975 -- that is, after the liberation day of
25 Phnom Penh on 17 April of that year, I spent a very short time in

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1 the Zone, later on I was sent for study sessions and then I was
2 integrated into a new unit, <the lathe workshop>.

3 As for the <general> affairs in Sector 21 or in the East Zone, I
4 no longer had knowledge of it and I did not dare to ask anyone
5 about that as well.

6 Q. <More concretely>, within your <factory, your lathing
7 workshop>, were there any arrests before the 25th of May 1978?

8 [11.26.50]

9 A. Yes, there was; even within my unit, security <guards> came to
10 arrest some members.

11 Q. Can you provide any details or incidents during which those
12 arrests occurred and persons disappeared and can you, <in>
13 particular, give us the names of those who carried out the
14 arrests and the names of the victims of such arrests?

15 A. I do not recall the names of people who were arrested;
16 however, the person who was in charge of the group who came to
17 arrest us -- that is, arrest the workers, <was> named Yin Sophy,
18 who was in charge of security. That's all I know.

19 [11.28.10]

20 MR. DE WILDE D'ESTMAEL:

21 Mr. President, I see we are running out of time. I <should still>
22 have 40-45 minutes. <I'll take this opportunity before the
23 break>, to reiterate my request for more time. I don't know
24 whether the parties want to make submissions on that, as well,
25 but it would be interesting to know before the break whether --

1 <so we can prepare the next questions -- I have> only the 45
2 minutes <left,> or more than that. Thank you.

3 MS. GUISSÉ:

4 Perhaps, this is a request for clarification regarding the points
5 the prosecutor <plans to bring up because that does affect the
6 amount of time granted.> I understand from his <last line of>
7 questions that the prosecutor is referring <to facts> that are
8 not related to the purge in 1978 in the East Zone<, but which
9 took place earlier>; in which case, I will remind the Chamber
10 that the position of Khieu Samphan is that, if at all there were
11 purges<-- and once again, this is the> terminology used, because
12 we're talking about> arrests which <were> not necessarily
13 purges<, but in any case, we believe that this> doesn't fall
14 within the scope of Case 002/02, <and in which case, additional
15 time is not necessary, if> the prosecutor <plans to delve into>
16 that subject.

17 [11.29.59]

18 MR. KOPPE:

19 Yes, Mr. President, if I may say something about the underlying
20 reasons the Prosecution has forwarded to have extra time. It is,
21 as I understood, because this is the only witness that the
22 Chamber has called that is potentially able to shed light on
23 events in the East Zone.

24 I may remind the Chamber that we have requested many members from
25 the East Zone to be heard as witnesses and no decision on these

1 requests have been made, so it is maybe because of the Chamber's
2 position in this that this is the only East Zone witness that has
3 -- that has been coming so far.

4 [11.31.01]

5 MR. DE WILDE D'ESTMAEL:

6 Well, if I may, Mr. President, respond to my colleague, Anta
7 Guisse; the last line of questioning focuses on the events that
8 precede 25 May 1978. I did not specify the year; however, but in
9 any case, there are people who were arrested in the East Zone
10 before that date<, going back years,> and who ended up at S-21.
11 So all of the questions related to that -- that is to say, what
12 was the path of the people who were arrested <before arriving at>
13 S-21 -- are relevant.

14 And furthermore, regarding, the East Zone, the Defence often
15 spoke about So Phim as well as Ros Nhim in the Northwest Zone so
16 it might be worthwhile to deepen other topics; in particular, the
17 <power> relations between So Phim and the Centre.

18 And the last topic I'd like to talk about is <the> Cham because
19 the witness spoke about <them> before the Co-Investigate Judge;
20 beyond, of course, the purges that occurred after the 25th of May
21 1978 <themselves> and what the witness knew about these and saw.
22 This is why I'm requesting extra time because there are many more
23 topics to cover. Thank you, Mr. President.

24 [11.32.24]

25 MR. PRESIDENT:

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1 The Chamber will grant additional 40 minutes; however, it is now
2 time for our lunch break. And the Chamber would like to inform
3 the public that the Chamber will hold a swear-in proceedings of
4 two new investigators from the Office of the Co-Investigating
5 Judges and this information is for the relevant parties as well
6 as the two new investigators to participate in the proceedings
7 and it will commence after the adjournment of this proceeding at
8 11.30 <am> and it may last until 12.00 <pm>.

9 And greffiers, please facilitate the proceedings for the
10 swearing-in of the new investigators.

11 It is now appropriate time for our lunch adjournment and we will
12 take a break now and resume at 1.30 <pm> to continue hearing the
13 testimony of witness Meas Soeurn.

14 [11.33.48]

15 And Mr. Meas Soeurn, it is now time for an adjournment and Court
16 officer, please assist the witness at the waiting room reserved
17 for witnesses and civil parties and invite him as well as his
18 duty counsel back into the courtroom at 1.30 <pm> this afternoon.

19 Security personnel, you're instructed to take Khieu Samphan to
20 the waiting room downstairs and have him returned to attend the
21 proceedings this afternoon before 1.30 <pm>.

22 The Court is now in recess.

23 (Court recesses from 1134H to 1329H)

24 MR. PRESIDENT:

25 Please be seated.

1 The Court is now in session and the floor is given to the Deputy
2 Co-Prosecutor to resume the questioning to the witness. You may
3 proceed.

4 BY MR. DE WILDE D'ESTMAEL:

5 Thank you very much, Mr. President. Let's be clear about how
6 we're going to divide time. I think I will be working until the
7 2.45 <pm> break and then for the 15 remaining minutes, the
8 lawyers <for the civil> parties will put their questions to the
9 witness.

10 Q. So witness, before the break, you were telling us about Yin
11 Sophy who was the person in charge of arrests <within> Sector 21
12 in the East Zone. Do you know if the people who were arrested by
13 Yin Sophy were sometimes transferred to Phnom Penh?

14 MR. MEAS SOEURN:

15 A. I do not know about that. I do not know where people were sent
16 to.

17 [13.31.26]

18 Q. When your father was the secretary of Sector 21, who was his
19 deputy then?

20 A. Pho - Pho.

21 Q. Can you tell us if this is May Pho?

22 A. May Pho.

23 Q. Do you know which duties May Pho performed after having left
24 Sector 21 and, in particular, if he worked in rubber plantations
25 in the East Zone?

1 A. He went to the rubber plantation.

2 [13.32.55]

3 Q. Well, on the case file, there is a document, E3/1563; these
4 are the S-21 confessions of Pech -- Pech, P-E-C-H, Phorn,
5 P-H-O-R-N alias May Pho who was the head of the communication
6 <channels> in the rubber plantations of the East Zone and the
7 first page of the document bears the title -- in Khmer, 00175121
8 is the ERN; French, 00962767--

9 MR. PRESIDENT:

10 You were speaking very fast when reading ERN number, so please
11 repeat ERN numbers once again.

12 BY MR. DE WILDE D'ESTMAEL:

13 Of course, Mr. President: Khmer, 00175121; French, 00962767;
14 English, 00827894.

15 So the document, in itself, dates back to 27 July 1977; that is
16 to say way before 28 May 1978.

17 Q. Do you remember if this person was arrested and when
18 approximately, when was he arrested?

19 [13.34.50]

20 MR. PRESIDENT:

21 Please hold on, Mr. Witness. You may proceed now, Anta Guisse.

22 MS. GUISSSE:

23 Yes, thank you, Mr. President. I simply would like to object
24 <generally> regarding the way the questions are being put. Up
25 until now, the Co-Prosecutor has been focusing essentially on

1 <giving> dates which are already part of a list and then he's
2 asking the witness to comment, so I wouldn't object if the
3 question was phrased in a different way; that is to say questions
4 on the date and to check if the witness remembers <something> and
5 then we can <confront him with> the documents, but here the --
6 the opposite method <is of absolutely no interest in the
7 framework of an examination.>

8 [13.35.39]

9 BY MR. DE WILDE D'ESTMAEL:

10 Q. Indeed, I should have <asked one> question before I -- which I
11 forgot to put, so -- notwithstanding the document I mentioned, do
12 you know if May Pho, once he was working <on> the rubber
13 plantations, was arrested and if that is the case, when,
14 approximately?

15 MR. MEAS SOEURN:

16 A. I do not know about that. Thank you.

17 Q. Well, to add to the confession document I spoke about, for the
18 record, this document is E3/2285 which is a list from S-21 titled
19 "Names of the prisoners who were smashed on 9 December 1977." And
20 at number 207, in this list, the Khmer page 00009299; English,
21 00873624; we find the name Pech Phoan alias Mai Chou; <that's for
22 sure an error, that should be> May Pho, from the East Zone who
23 was a head of telecommunications <for> the rubber plantations,
24 entered S-21 on 1 June 1977.

25 I have one or two questions now regarding some of your father's

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1 colleagues - or, rather, cadres from Sector 21. So who were the
2 different district chiefs in Sector 21 in 1977; that is to say,
3 way before 25 May 1978; do you remember the names of the
4 different district chiefs?

5 A. I cannot recall all the names.

6 [13.38.15]

7 Q. Maybe your recollections were fresher in 2009 when you were
8 interviewed, but let me read out what you said at answer 47 of
9 WRI E3/5531. You said the following: "I remember that before 25
10 May 1978, the chief of Krouch Chhmar district was <named> Pha,
11 P-H-A; and <the chief> of the Chhloung district was called Chhoam
12 Savat; Chhoam, C-H-H-O-A-M; and <the chief> of district -- of the
13 Dambae district, Hor, H-O-R; and <the chief> of Tboung Khmum
14 district was <named> Sa Bun, S-A and Bun, B-U-N. The chief of
15 <the> Memot district was Kongkea and the former chief of Tuek
16 Chrov district was Ta Lak and later, Ta Chhun, C-H-H-U-N. The
17 chief of Tramung district was Sreng, S-R-E-N-G; and <the chief>
18 of Peam Chileang district was Bau, B-A-U."

19 So Witness, among these different district chiefs of Sector 21,
20 do you know if some of them were arrested before the major purges
21 of 25 May 1978?

22 A. I cannot recall when they were arrested, but there were the
23 names you mentioned. Thank you.

24 [13.40.28]

25 Q. Earlier, you told us that during the major purges, people were

1 arrested because they were suspected of colluding with the
2 Vietnamese. Now, among these district chiefs, do you know which
3 ones were arrested; whether it <was> before <or during> the major
4 purges, and for which reasons were they arrested?

5 A. What I know is that following the 25th of May 1978, the people
6 who had been working with the previous <Sector and Zone> chiefs
7 could not escape the situation; only those who fled into the
8 forest could escape the situation that occurred at the time.

9 [13.41.59]

10 MR. DE WILDE D'ESTMAEL:

11 Fine, now, I would like to look at two people, in particular,
12 among these district chiefs -- that is, in Chhloung district. The
13 chief's name was Chhoam Savat<, or Sarat,> and the chief of Peam
14 Chileang district<, who> was <called> Bau. And for this, I would
15 like to provide to the witness document E3/2096, which is titled
16 "List of the groups of traitors in the East", dated 24 June 1977.
17 Mr. President, with your leave, I would like to provide this
18 document to the witness.

19 MR. PRESIDENT:

20 Yes, please.

21 BY MR. DE WILDE D'ESTMAEL:

22 Q. Witness, on the page that I have -- well, I opened the
23 document and I stopped at the page titled "Sector 21". In Khmer,
24 the reference is 00006753 -- 6753; English on page 5, 00182908.
25 At number 1, at the top, we see Chhoam Savat's name, who was the

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1 secretary of Chhloung district and it is mentioned that he was
2 arrested.

3 [13.43.48]

4 On another page in this same document, Khmer page 00006750; I
5 think it's the second page, in fact, in this document, English
6 01190874, we see here a list of people who were arrested and at
7 number 5 in this list, we see Pen Chhae listed -- C-H-A-Y --
8 alias Chhaom Sarat who was the secretary of Chhloung district.
9 Witness, does this jog your memory, in particular, with regard to
10 the period when this district chief was arrested? This document
11 is dated June 1977.

12 MR. MEAS SOEURN:

13 A. Thank you. I have just heard the name Pen Chhae now, but
14 Chhoam Savat, yes, I heard of his name; he was the district chief
15 of Chhloung and -- but I do not know when he was arrested. Thank
16 you.

17 [13.45.43]

18 Q. In the same document on the same pages, we also see the name
19 of the chief of Peam Chileang district, Bau and his full name is
20 Chien <(sic)>; C-H-I-E-N, Ban alias Bau and he is listed as
21 number 7 of the Khmer page <00006750>, English 01190874.

22 Do you <also not> remember this period in 1977 during which Bau
23 was arrested, according to this document?

24 A. I know the individual by the name <of> Bau; however, I do not
25 know the month and the year when he was arrested. I cannot

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1 remember now. And I am not sure whether all of those people had
2 been arrested back then. I do not remember it.

3 MR. PRESIDENT:

4 You may proceed now, Counsel.

5 [13.47.28]

6 MS. GUISSÉ:

7 Thank you, Mr. President, one point of clarification in relation
8 to the use of this document by the Co-Prosecutor. I believe that
9 in the English <-- the> French version, there is a page missing
10 and on the first page, we understand that there's a list of
11 people who are arrested and then a list of people who were not
12 arrested and in the French version as well as in the English
13 version, if I'm correct, we do not see the page <that is in the
14 Khmer version> regarding the people who were arrested. So could
15 this be clarified because I <am having> a hard time here
16 following the document that the Co-Prosecutor is using?

17 [13.48.15]

18 MR. DE WILDE D'ESTMAEL:

19 I'm going to clarify this. Well, this document <E3/2097 - there
20 is also another version, that is 2096, that is> E3/2096 and 97,
21 in Khmer, indeed, there is a second page after the cover page
22 which lists the people who were arrested. There are 14 names on
23 this page. <Right away, we see>, the French and English
24 translations did not cover this page, but this page was
25 translated later, so in English, there is a kind of addendum now

1 where this page was translated and we can find this <translation>
2 at 01190874 to <75>.

3 And furthermore, it's not quite so that there is a list of people
4 who were arrested and a list of people who were not arrested
5 because in <the list, notably on> the other pages listing the
6 people in the zones and in the different sectors, there are
7 sometimes <annotations indicating> that <a> person was arrested.
8 For example, in Sector 21, the two first names <on> English page
9 00182908, there's an extra annotation which states that Chhoam
10 Savat and Bau were arrested. So there is an independent list, on
11 the one hand, of people who <were> arrested and sometimes, in the
12 normal list, there is <an annotation> that these people were
13 arrested.

14 [13.50.10]

15 MS. GUISSÉ:

16 Well, in order for things to be clear, we <do> see a mention on
17 the Khmer version -- I'm not saying this; it's the Khmer
18 <speakers on my team> who are saying this<, that the handwriting
19 is different, so does that mean the annotation was made at the
20 same time as the date, or was it> added later? So in the way the
21 Co-Prosecutor is putting questions to the witness, maybe this
22 element should be taken into account.

23 [13.50.39]

24 MR. DE WILDE D'ESTMAEL:

25 To put an end to this discussion, <in any case, in the original

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1 Khmer version on page 2,> there is an independent list of people
2 who <were> arrested, and that covers the names that I just
3 brought up with the witness.

4 And now, I would like to move on to another topic. Among the
5 deputy <secretary> --

6 MR. PRESIDENT:

7 Please hold -- please hold on. Judge Lavergne, you have the floor
8 now.

9 [13.51.06]

10 JUDGE LAVERGNE:

11 I apologize, but if -- if I understand, there was an addendum in
12 the English version to add the translation of page 2 and this
13 addendum does not exist in the French version; am I correct? If
14 that is the case, could you then please inform ITU and request an
15 extra translation so that we may have three versions that are
16 perfectly aligned?

17 MR. DE WILDE D'ESTMAEL:

18 Well, I didn't check as regards to the French version, but I will
19 do so and if, indeed, it is necessary, we will make the request
20 to have that page translated.

21 Witness-

22 [13.51.49]

23 MR. PRESIDENT:

24 Please hold on. You have the floor now, Counsel Kong Sam Onn.

25 MR. KONG SAM ONN:

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1 Thank you, Mr. President. After my examination of the document in
2 Khmer, there were two points in the document: one is <indicating>
3 people who had already been arrested and <the other one is
4 indicating people> who had not yet been arrested. <Actually,
5 there was only one> list. <But for some names>, they made
6 annotation that those people were arrested, <but generally people
7 in this list might not have been arrested yet, and only those who
8 had been arrested were noted as "arrested". So there might not be
9 two> lists here. <There was only one list, but it was> used for
10 two different purposes.

11 [13.52.41]

12 BY MR. DE WILDE D'ESTMAEL:

13 Well, this is what I explained, so may I now turn to another
14 topic?

15 Q. You said right now, Witness, that you do not remember if a
16 certain number of cadres were arrested or in any case, you do not
17 remember the period when they were arrested. So now, I would like
18 to base myself on a statement you made before the OCIJ regarding
19 people whom you were sure were arrested. This is at answer 48 of
20 your WRI E3/5531 and you said the following: "Before 25 May 1978,
21 the head of Krouch Chhmar district named Pha; P-H-A, was arrested
22 as well as the deputy chief of Memot district named Sam Oeun, and
23 the deputy chief of Tramung district named <Chhum; C-H-H-U-M>,
24 that is."

25 So I will get back to Pha later or rather right now. You also

1 said at answer 56 regarding Pha that this happened at the end of
2 1976 that the head of Krouch Chhmar district named Ta Pha was
3 arrested.

4 So my first question regarding Ta Pha: How did you know that he
5 was arrested at the end of 1976?

6 [13.54.50]

7 MR. MEAS SOEURN:

8 A. Back then, those who were messengers of Krouch Chhmar district
9 were no longer seen; they usually took their chiefs to the
10 meetings, but later on, they were not seen any longer. Those who
11 disappeared were thought <to have> been already arrested and we
12 did not go to ask questions about their whereabouts, although we
13 knew their family members, for example, wife or children. We were
14 scared after knowing that they disappeared.

15 Q. Did you know back then in 1976 who, within the East Zone,
16 would order this kind of arrest; was this <the kind of>
17 information that you were apprised of back then?

18 A. I have no knowledge of the orders or who ordered the arrest
19 and I, myself, have not seen the arrests.

20 [13.56.40]

21 Q. And now, regarding other people who you said were arrested
22 before 25 May 1978, you mentioned Sam Oeun, the deputy chief of
23 Memot district, as well as Chhum, the deputy chief of Tramung
24 district; do you know when these people were arrested? Was it in
25 the months that preceded 25 May 1978 or was it even earlier in

1 '76 or in 1977?

2 A. I know these two people, but I do not know the date of their
3 arrests. In relation to Sam Oeun, Sam Oeun had been arrested
4 before the 25th of May 1978. It was because he used to come and
5 fix the motorbike at Chong Angkrang when I was working there.

6 Q. Well, just to make sure that things are perfectly clear, as
7 well as for the record, these two names: Sam Oeun and Chhum,
8 appear on the document that I just used; E3/2096, but it is not
9 stated that they were arrested back then. They are at numbers 11
10 and 12 on the list from Sector 21 at English page 00182908 and
11 Khmer 00006753.

12 Witness, now I would like to turn to another sector which is a
13 bit further removed; it's Sector 23. And when you were working in
14 the East Zone in Sector 21, did you ever hear about the fact that
15 a great number of people from <Sector> 23 were arrested in the
16 weeks and months that preceded 25 May 1978? Did you hear about
17 that?

18 A. I have never heard of it. Thank you.

19 [13.59.45]

20 Q. Did you know the names of the secretary, the deputy secretary,
21 or the members of the committee of <Sector> 23 at the time?

22 A. Thank you. I do not know about that.

23 Q. I would like to come back, for a moment, to the <lathing>
24 factory. Did you know Nguon, N-G-U-O-N; Tra Moeun; T-R-A
25 M-O-E-U-N?

1 A. No, the name Nguon Tror Moeun (phonetic) does not ring a bell,
2 <but> there was a <person by the name Nguon> Tra Moeun; I know
3 that person.

4 [14.01.12]

5 Q. I will try to refresh your memory by reading response 32, <of
6 your WRI,> E3/5531. The question that was asked is as follows -
7 <Witness,> so the question that was asked of you at the time was
8 to know if there were Cham or Vietnamese people in your unit and
9 you responded: "There were no Cham people, but there was a
10 Vietnamese man named Nguon, N-G-U-O-N, Tra Moeun, the head of the
11 lathing section. After 1975, he came to work for the lathing
12 unit. Later on, he was arrested <alongside> <someone named>
13 Chrauch, C-H-R-A-U-C-H. Yin Sophy, the security chairman of
14 Sector 21 came to arrest him in person."

15 And in answer 35, you added: "Before the arrest of Tra Moeun and
16 Chrauch, Yin Sophy came to inform <Sor, S-O-R> that the arrest
17 order came from the upper level and that there should not be
18 chaos in the unit. <Nguon, Tra> Moeun, and Chrauch were accused
19 of being <Vietnamese> KGB agents; Vietnamese head, Cambodian
20 body." End quote.

21 And finally, in response 37 you spoke of the suicide of Tra Moeun
22 by stabbing himself.

23 Does this refresh your memory on what happened to Tra Moeun in
24 your factory?

25 A. Yes, I recall that.

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1 [14.03.40]

2 Q. There is a point that I would like to clarify in this regard.
3 This is to know if Tra Moeun was Vietnamese as you said, which
4 means to me that he was of a Vietnamese nationality or was he
5 simply being accused of having a Vietnamese head and a Cambodian
6 body? Could you please clarify this point?

7 A. He was Vietnamese. I referred to Nguon Tra Moeun.

8 Q. And aside from this case of this Vietnamese man, did you learn
9 at the time -- was there a policy at the time which targeted
10 arresting Vietnamese that could be found in the East Zone? Is
11 this something that you heard about or not?

12 A. In general, starting from the time that the conflict started
13 with the Vietnamese side, everyone knew that Democratic Kampuchea
14 had conflicts with Vietnam.

15 [14.05.30]

16 Q. All right. But in 1977 and 1978, were there <still> inmates
17 who were Vietnamese or of Vietnamese nationality who had not gone
18 to Vietnam but were still living in Cambodia? And I am thinking
19 of perhaps those who were married to Cambodian people?

20 Had you heard that there were Vietnamese who had remained there
21 and given the conflict what happened to them at that time?

22 A. I did not know which areas they lived. However, in my unit
23 there was a person who used to work in the <lathe> workshop. He
24 was sent actually from a military unit to a civilian unit to work
25 in that workshop. <He was a lathe technician.>

1 Q. So is it indeed Tra Moeun that you were talking about, the one
2 who was arrested later?

3 A. Indeed. I <was referring> to Tra Moeun who was transferred
4 from a military unit to my civilian unit. He was transferred to a
5 <lathe> workshop in my civilian unit.

6 [14.07.20]

7 Q. So before getting to 25 May 1978, I have two or three other
8 questions concerning your father and So Phim.

9 Between April 1975 and then 25 May 1978, had you ever heard your
10 father strongly criticize the policies<, the diktats issued> by
11 the Centre of the Party?

12 A. No, I did not hear him criticize the policy of the Party.
13 However, he used to tell me that these were his work colleagues
14 in Sector 21 whom he used to train. And after the wave of
15 arrests, no one ever sought opinions from him <or informed him
16 <of> anything> anymore.

17 Q. Before the 25 of May 1978 when your father received orders or
18 instructions from the Centre of the Party, did he make an effort
19 to respect these instructions and to implement them in the East
20 Zone?

21 A. I did not understand about that and I did not know which
22 instructions he received and <what> he implemented. As <>
23 subordinates, <our duties were> to protect <and transport the
24 leaders> to go wherever <they instructed us to>.

25 [14.09.38]

1 Q. According to your <observations> when you met with your father
2 or <perhaps> So Phim <as well>, were these <two leaders> loyal to
3 the Party?

4 A. I think he was loyal. Even <though> I was his son and his
5 bodyguard, I had to be loyal to the Party as well.

6 Q. Earlier you said that you had sometimes received letters from
7 So Phim signed by him so that you <knew> which merchandise you
8 should be sending to Phnom Penh.

9 MR. DE WILDE D'ESTMAEL:

10 I would like to submit a manuscript document, a handwritten
11 document, Mr. President, signed by Peam, E3/1205. So this is a
12 <handwritten message from Comrade Peam> to Office 70 <(sic)> in
13 1977 with your permission, Mr. President. This is the <4th>
14 September 1977.

15 MR. PRESIDENT:

16 Yes, you may proceed.

17 [14.11.30]

18 BY MR. DE WILDE D'ESTMAEL:

19 Q. I won't even be going really into the substance but can you
20 look at the signature on this document? At the very bottom of the
21 second page, I believe? And can you tell us if you recognize the
22 signature?

23 MR. MEAS SOEURN:

24 A. This is the signature of the zone office chief named Peam, and
25 it is not Phim's signature.

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1 Q. Therefore, if I have understood correctly, the signature of
2 Peam, P-E-A-M and not that of P-H-I-M. I am trying to translate
3 <into> Khmer. It's not easy.

4 A. Yes, the signature belongs to Comrade Peam as it is stated on
5 this document.

6 MR. DE WILDE D'ESTMAEL:

7 Very well. I also have another document which I would like to
8 submit to the witness, E3/1036. This is a telegram addressed on
9 15 September 1975. In English there is an error that says it was
10 the 15th of August but it is the 15th of September in Khmer, so
11 document E3/1036, Mr. President.

12 Can I submit this document to the witness?

13 [14.13.47]

14 MR. PRESIDENT:

15 Yes, you may.

16 BY MR. DE WILDE D'ESTMAEL:

17 So I would like to note that in the French and Khmer versions at
18 the very bottom of the page <below> the 15 of September there is
19 a name, Comrade Phoem, P-H-O-E-M.

20 Q. Witness, this Phoem here, is <he> the chief of the East Zone
21 of the Eastern sector, So Phim, or is this also Peam, P-E-A-M,
22 the man you just spoke of?

23 A. <Phim> was chief of the East Zone. As for Peam, Peam was only
24 the zone office chief and Phim was the senior leader in the East
25 Zone. However, during the regime they never used <their> full

1 names. They only used their first names; for example, Phim or
2 Peam. They never used full names such as So Phim.

3 [14.15.30]

4 Q. All right. There are two paragraphs I would like to read to
5 you from this document and I would like to ask you several
6 questions about them.

7 The first paragraph, to begin with, I will read it in English.

8 Witness, are you listening to me?

9 So I quote the first paragraph of that document: "We have
10 received a telegram dated 15 September 1977 on Comrade Chea
11 Sdaeng S-D-A-E-N-G who had requested to meet Comrade Chan to
12 discuss the cooperation on the issue of the border protection. We
13 have already notified Comrade Chan at 24. Office 870, please
14 notify Comrade Chea Sdaeng about that matter." End of quote.

15 <Without talking about your father, from Sector 24, so> Comrade
16 Chan -- did you know this other <person named> Chea Sdaeng who is
17 mentioned in this telegram?

18 A. No, I did not know this person <nor did I see his face, and>
19 the name<> does not ring a bell to me.

20 [14.17.25]

21 Q. Another paragraph that I would like to read is paragraph 4.

22 And I quote in English --

23 MR. PRESIDENT:

24 Witness, please listen to the question attentively. You may need
25 to consult with your duty counsel only when you believe that your

1 response may incriminate you. <>

2 And also, duty counsel, your job here is to assist the witness if
3 he cannot find the relevant excerpt from the documents <that the
4 parties want the witness to refer to in order to respond to the
5 questions>. And besides that, you should not discuss on any other
6 matters with your client.

7 You may proceed, Deputy Co-Prosecutor.

8 [14.18.36]

9 BY MR. DE WILDE D'ESTMAEL:

10 Q. So I will now quote paragraph 4, Witness, in English: "When I
11 went to the Northwest, Comrade Nhim, N-H-I-M, requested a number
12 of cadres. For the first batch, I have selected 10 cadres from
13 the pillar full-rights members, the Youth League and one person
14 from the masses.

15 "If Comrade Nhim requires more cadres at a later stage, we will
16 provide more.

17 "Regarding this matter, we would like to seek additional opinion
18 of Angkar." End of quote.

19 We see here that concerning cooperation with the Northwest, and
20 particularly with Comrade Nhim, So Phim is asking for the
21 additional opinion of Office 870. <When it came to topics such as
22 cooperation with other zones, was it common> for So Phim or for
23 your father <to have> to ask for the agreement or the opinion of
24 the Centre of the Party?

25 A. I did not know for sure about that. I also never saw such a

1 letter.

2 [14.20.30]

3 Q. I will come back to a subject which affects you more, the
4 events of 25 May 1978. Can you tell us what you saw or heard of
5 the events of 25 May 1978 in the East Zone? What happened in
6 particular on that day?

7 A. On 25th May 1978, I experienced an event where workers in my
8 unit in Chong Angkrang took a vehicle out to actually transport
9 workers to <do farming at Bos Chek mountain> along Road 73 --
10 that is, <from> the <junction with National Road Number 7> near
11 Preah Theat <village>, and from Preah Theat <village> to Tuol Bos
12 Chek. <That> was <where> the worksite that we planted vegetables
13 <was>.

14 <On that day> when they reached the junction <with>National Road
15 <Number 7> near Chong Angkrang, there was a group of soldiers
16 from the Centre. They stopped the vehicle and instructed the
17 vehicle to return to the unit. That was the initial event.

18 [14.22.32]

19 After that, I discussed the matter with Sor, the chief of the
20 unit, and we said that if we were not allowed to work in our
21 plantation, how could we feed ourselves <within the unit>?

22 Then the chief could not communicate with other units and finally
23 he assigned me to go to Suong market where the East Zone office
24 was located. That is where Ta Peam worked.

25 So I took a shortcut -- that is, <I traveled> behind the village.

1 And I did not take the main road so that I could make my journey
2 to Suong, in order to ask people at the zone office. Then the
3 people at the zone office said Peam was not there, as he had been
4 called to a meeting <the previous> afternoon and <had> not
5 <returned> yet.

6 Second, I could not go anywhere else. Even pregnant women who had
7 to be sent to hospital to deliver their babies, they were not
8 allowed to do so.

9 As for other people who travelled along National Road Number 7,
10 <they> were stopped by soldiers from the Centre who stationed
11 themselves along the road, and there <were two or three> barracks
12 near Suong. And also, they were present at Chong Angkrang village
13 <and> in Preah Theat village. Generally they were stationed at
14 various villages along National Road Number 7. They also dug
15 trenches and, as I said, they <were> were there in order to
16 counter the "Yuons'" advancement.

17 [14.25.12]

18 And by <the> next morning <on 25th of May>, they arrested all
19 people who were <> travelling along National Road Number 7,
20 regardless of which units they worked <in>. And only the trucks
21 carrying rubber were allowed to pass through.

22 They also confiscated weapons and stored them in <Tuntim
23 (phonetic)> pagoda <in Tboung Khmum district>.

24 And this is all I know about the events that took place on that
25 day.

1 Q. I have very little time left so I am going to ask you specific
2 questions in order to cover the subject in the time <remaining>.
3 The 25 May 1978, you said before the <Co-Investigating Judges>
4 that you received a document from So Phim in the afternoon and
5 what did this letter say?

6 A. No, I did not receive it, but the chief named Sor told me <>
7 in the late afternoon of 25th May that Ta Phim wrote a letter to
8 us to be vigilant and not to allow anyone to come to arrest us or
9 to remove <our> weapons from us.

10 And So Phim's letter also stated that it was a coup d'état to
11 overthrow the comrade secretary and the comrade deputy secretary
12 by armed forces led by Son Sen.

13 This is what my chief told me.

14 [14.27.35]

15 Q. So the message said that you need to organize yourselves, to
16 defend yourselves. Did you have the means at the factory to
17 organize and defend yourselves? Were you armed?

18 A. Our unit <was> composed of youths <>, we had weapons, but the
19 weapons were stocked in the warehouse and we were not armed. <And
20 we would only be armed when given instructions.>

21 Q. So you said that So Phim's letter indicated that it was Son
22 Sen who was attempting to <stage> a coup d'état to overthrow the
23 secretary and deputy secretary of the Party. Did you or your unit
24 or your chief of unit receive a letter from Phim in the hours or
25 days that followed giving you additional instructions?

1 [14.29.12]

2 A. In So Phim's letter, based on Sor, my unit chief, <what he>
3 told me was to gather forces to counter the forces from the
4 Centre army and that we should stay ground, and if we lacked any
5 materials or ammunition or weapons, we had to contact <Cheng> and
6 Tem. That was the content of that letter.

7 Q. If I understood well, in the second letter -- well, did I
8 understand well? Was there one letter or two? Could you please
9 clarify this?

10 A. From what my chief told me, there were two letters but I,
11 myself, was sure of only one letter. There was a second letter
12 <from So Phim> to the chief of the unit -- that is, to Sor, that
13 "We should stop fighting. However, we <have> to hold ground and
14 we should resist arrest by the Centre soldiers."

15 Comrade Sor told me that So Phim did not want us to fight back
16 because he heard the broadcast on the Democratic Kampuchea radio
17 that Pol Pot and Nuon Chea were still alive and that they had to
18 go to Pochentong Airport to receive a delegation from Burma.

19 And upon hearing that, So Phim didn't want us to continue
20 fighting but we had to retain our forces and that he would go to
21 Phnom Penh to solve the problems. That was the content of the
22 second letter that my unit chief told me about.

23 [14.31.56]

24 Q. And in the end, did So Phim manage to travel to Phnom Penh and
25 contact Pol Pot and Nuon Chea? If he didn't manage to get to

1 Phnom Penh, what prevented him? What prevented him from coming to
2 Phnom Penh?

3 A. Whether So Phim arrived in Phnom Penh or arrived at other
4 location, <I did not learn> that information. I <also> do not
5 know whether he encountered any obstacles on the way.

6 Q. Did you learn if So Phim was later on accused of being a
7 traitor?

8 A. Yes. There were helicopters and aeroplanes dropped leaflets in
9 the East Zone and in the leaflets it said that So Phim was a
10 traitor selling his head to the Vietnamese. It was said in the
11 leaflets that So Phim <had> betrayed the country.

12 [14.33.50]

13 Q. So your father was So Phim's deputy. Was he himself accused of
14 being a traitor or, on the contrary, was he used by the Centre
15 during these events?

16 A. There was no <mention> of my father in the leaflets. <Not
17 only was there no mention of my father's name, but it should have
18 mentioned> my father<'s name as the> deputy chief of the zone,
19 and Vorn Vet <as> the chief of the zone <in the leaflets>.

20 Q. Is your father the only one -- because earlier you said that
21 all of the cadres of the East Zone had been arrested during the
22 occasion on the 25th of May 1978. But, therefore, was your father
23 the only one who remained in his job after 25 May 1978?

24 A. He remained to <and became> the deputy chief of the <East>
25 Zone.

1 Q. Did he tell you why<, did you learn why> he was able to keep
2 his job as the deputy chief of the zone?

3 A. Thank you. He never told me about that and I never met him as
4 well.

5 [14.36.25]

6 Q. Witness, could you quickly repeat your answer? Because we
7 haven't heard the French translation. Thank you.

8 A. Thank you. He never told me about the reason you asked me. In
9 the leaflets or pamphlets, there was the name of Vorn Vet, the
10 secretary of the zone and Chan, the deputy secretary of the zone.
11 And the pamphlets were displayed in the kitchen of the
12 cooperative. Thank you.

13 Q. Before the break, one or two questions.

14 When did you see your father for the last time and do you know
15 what happened to him later on?

16 A. Later on I met him. I saw him in <late> 1978 when the water
17 <began to recede>. It was when he got on the ferry and then took
18 the vehicle to Phnom Penh. I saw him and met him at the time. He
19 did not say much but he said that he had to go to Phnom Penh.

20 [14.38.29]

21 Q. Can you tell us, more or less, how many weeks or months this
22 took place before the Vietnamese arrived? So the major <purges>
23 took place on the 25th of May 1978 and you saw him after that.
24 And the last time you saw your father was how much time, more or
25 less, before the Vietnamese arrived in Cambodia?

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1 A. I saw him the last time -- I saw him perhaps three or four
2 months before the 7 January of 1979.

3 Q. After, do you know what happened to him? Did he disappear? Did
4 you hear anything about his fate?

5 A. From that time onward, let alone seeing him or having heard of
6 him, those who had gone with him in the vehicle, including my
7 <younger brother>, I know that there were <five> people in the
8 vehicle at the time: one was my younger <brother, one driver, two
9 bodyguards and my father. Those five individuals have>
10 disappeared ever since.

11 [14.40.48]

12 MR. PRESIDENT:

13 Thank you, Mr. Witness. It is now time for the break. The Chamber
14 will take a short break from now until 3 p.m.

15 Court officer, please assist the witness in the waiting room
16 during the break time and please invite him back into the
17 courtroom together with his duty counsel at 3 p.m.

18 The Court is now in recess.

19 (Court recesses from 1441H to 1459H)

20 MR. PRESIDENT:

21 Please be seated.

22 The Court is now back in session. Again, the floor is given to
23 the Deputy Co-Prosecutor to continue putting further questions to
24 the witness.

25 [15.00.34]

1 BY MR. DE WILDE D'ESTMAEL:

2 Thank you, Mr. President. I think we will finish in 10 minutes
3 and of course there will also be some other questions on the
4 other side.

5 I will still spend several minutes on the fate of your father to
6 determine what happened to him and I would like to read in this
7 regard the statements of persons who spoke about your father.
8 <The first document is> E3/89, <an> interview <given to> Steve
9 Heder <17 December> 1996 <by> Ieng Sary, <former Minister of
10 Foreign Affairs.> <In Khmer it> is on page <00062502 to 504; in
11 English, page> 00417638 to 39; and in the French, 00332719 to 20.
12 Once again I will read in English because it seems to be a better
13 version than the French.

14 [15.01.55]

15 Here is what Ieng Sary says: "So then it was then that Ke Pauk
16 was rising. Ke Pauk and Son Sen were sent to fight in the East.
17 Then Ke Pauk had a conflict with So Phim. Son Sen wanted to seize
18 power from So Phim. So Phim, as I see it, in the end did not join
19 the 'Yuon'. Originally, he has that idea. He spoke Vietnamese
20 during the five-year war, but during those three years, he seemed
21 to be clear-minded that it was imperative to defend territorial
22 integrity."

23 And then a little further down it says something about Seng Hong
24 alias Chan. Ieng Sary says: "He was a good man. They had him shot
25 dead. I was very angry."

1 Question: "Where did he die?"

2 Answer by Ieng Sary: "In Battambang. He had evacuated and had
3 reached Battambang and they still ordered him shot to death." End
4 of quote.

5 [15.03.22]

6 I'd like to clarify that in this passage, Ieng Sary says that he
7 heard this, but he was not present at the execution of your
8 father.

9 First of all, what is your reaction to the fact that Ieng Sary
10 says that So Phim did not join the "Yuon" but, quite to the
11 contrary, he defended the integrity of the territory throughout
12 the three years of the regime of Democratic Kampuchea?

13 A. I do not have any view about that, however, regarding the
14 events <that> unfolded on 25 May 1978, So Phim was located in
15 Ponhea Kraek district, Tboung Khmum province, <as> it is
16 currently known and it was adjacent to the Cambodia-Vietnam
17 border.

18 I did not understand why So Phim did not flee to Vietnam and why
19 he decided to communicate with Phnom Penh.

20 That is my understanding of the situation.

21 [15.04.59]

22 Q. Still regarding what Ieng Sary says in this section when
23 you're speaking of your father, he thinks that he was killed in
24 Battambang at the time when the Khmer Rouge forces were
25 evacuating the country towards the Northwest.

1 According to your information, what you've been able to gather,
2 is it possible that your father survived until the beginning of
3 1979?

4 A. I did not know about that. Even until today, when I am asked
5 whether about whether my father survived the ordeal and my
6 response is that I still do not know whether he's alive or he
7 deceased.

8 [15.06.02]

9 Q. There's another passage which I would like to read. It's what
10 Steve Heder said about your father. It's contained in document
11 E3/4650. It's an interview of Nuon Saret by Steve Heder of an
12 exchange with Nuon Saret; 00436892 is the page in English; in
13 Khmer, 00392125 to 26; and in French, 00463029 to 30. And I will
14 quote what Steve Heder says:

15 "To my knowledge, Mr. Chan was <also> arrested by Pol Pot. <If
16 it> was not the end of 1978 it would have been the beginning <of>
17 1979. <I can give this information because we have <a lot of>
18 evidence supporting <it>."

19 And at the end, he says: "The name Chan appears in many Tuol
20 Sleng confessions," and he adds this. "On the other hand, during
21 the <1990s> I met with Khieu Samphan once. And during that
22 meeting I asked him, "Where is Ta Chan now?" And based on Khieu
23 Samphan's answer at that time, I understood that Ta Chan was not
24 alive because when he answered me he said, and I quote, 'We lost
25 track of this contemptible Chan'." <End of quote.>

1 [15.08.15]

2 And Steve Heder continues: "For my part, when I heard Khieu
3 Samphan called him 'this contemptible Chan' -- he continually
4 called him "contemptible". If <they called someone "the
5 contemptible", that person was considered as a traitor.

6 "<Third>, <I also went to ask the Khmer Rouge leaders along the
7 border about him. At that time some surviving cadres or soldiers
8 from the East Zone said that they had not seen him. He
9 disappeared since the end of the late 1978." End quote.

10 Witness, do you have a reaction to what Steve Heder said in this
11 passage?

12 And to be complete, I'd like to clarify that Nuon Saret was the
13 interviewee and he said that in 1980 he thought that your father
14 was still alive.

15 Do you have any reaction to what Steve Heder said, that he was
16 certainly dead by late 1978, or the use of the word
17 "contemptible" to describe him?

18 A. I still believe my previous statements that I made. If he
19 died, I did not know where he died, and if he is alive then where
20 he is living? As I said, I do not know whether he's dead or he's
21 alive, and if he is alive, I do not know where he lives and
22 certainly if I <believed he was> still alive, then I would try to
23 find him.

24 [15.10.38]

25 Q. Some questions to conclude on the Cham. You spoke <about them>

1 before the <Co-Investigating> Judges. In the East Zone and in
2 particular along the Mekong River and in Sector 21 where you
3 worked, how were the Chams treated from 1975 on?

4 A. I am not sure about the period, however, at Svay Khleang
5 commune in Krouch Chhmar district and Kaoh Phal village in Krouch
6 Chhmar district, which was located on an island <in the middle of
7 the Mekong River>, there were many <Muslim> people living there.
8 They usually lived along the riverbank.

9 There was an event where many workers in Sector 21 knew that
10 there was a rebellion by the <Muslim> people to oppose the Khmer
11 Rouge government at the time. I heard about that rebellion
12 spearheaded by the <Muslim> people to oppose the local authority
13 in Krouch Chhmar district.

14 [15.12.33]

15 Q. And what happened to these Cham, in particular those who
16 rebelled at Kaoh Phal <and> Svay Khleang did they suffer
17 repression measures?

18 A. I did not know about the suppression, however, <later on>
19 <Muslim> people <were> evacuated <to> many areas within Sector
20 21, so they were relocated to <different> locations within the
21 same sector.

22 Q. Afterwards, did you learn if some of these Muslims were
23 displaced to zones <other> than the East? And I am thinking of
24 the North and the Northwest, in particular.

25 A. I did not grasp the situation at the time. I knew that

1 <Muslim> people were sent to live in Dambae district -- that is,
2 along the road <from> Dambae <district> leading to Rumchek
3 commune, Memot district, which was my native district. They did
4 not live in the <> villages, but they were instructed to live
5 along the roads and that new villages would be established for
6 them. <Today the village is called Phum Thmei.>

7 [15.14.39]

8 Q. I would like to read what you said <before> the
9 Co-Investigating Judges. <Document E3/5531, Answer 50, first.>
10 You said at that time of the Kaoh Phal revolt, the purges were
11 really practised on the Cham people <living there> because all of
12 those who worked in Sector 21 knew about this.

13 And then in response, Answer 53, you also said: "I knew that
14 after the purge on <Kaoh> Phal, Cham people were <less> trusted
15 and discriminated against. Many more Cham people were evacuated
16 from villages. We were informed to be cautious when walking
17 through Cham villages."

18 Do you confirm what you said, that on one hand there were purges
19 against the Cham and on the other hand that they were
20 discriminated against?

21 A. Because at that time there was a rebellion by the <Muslim>
22 people who were not armed with <firearms> but they had swords and
23 knives, and it could be said that the other side had <firearms>
24 and we could say that that event could be result of internal
25 conflicts since the <Muslim> people and the Khmer people went

1 along rather well in their daily activity. And previously, they
2 were not mistreated. But I believe they were mistreated by the
3 local authorities and that they could no longer stand it.

4 [15.17.19]

5 Q. And concerning this mistreatment -- and this will be my last
6 question -- did the Kampuchea Communist Party want to assimilate
7 the Cham into the Khmer by forbidding them from practising their
8 religion or speaking their language, practising their traditions
9 or being able to use their clothing <or observe> their holidays?
10 Was there a desire to assimilate the Cham so that <it would be
11 impossible to> know who was Cham and who was Khmer in the
12 Democratic Kampuchea regime?

13 A. Whether there was a principle or not regarding them, I never
14 received such a principle and I never saw any written document to
15 that effect.

16 Let alone the Islamic religion, even the majority of the people
17 who were Buddhist, they were not allowed to practice their
18 religious beliefs like what they enjoy now.

19 [15.18.50]

20 MR. DE WILDE D'ESTMAEL:

21 Thank you, Mr. President. I think the Civil Party Lead Co-Lawyers
22 have some questions in their remaining time.

23 MR. PRESIDENT:

24 Thank you. And I'd like to hand the floor now to the Lead
25 Co-Lawyers for civil parties.

1 MR. LOR CHUNTHY:

2 Thank you, Mr. President. In the interests of time, allow me to
3 start.

4 Good afternoon, Your Honours. Good afternoon everyone in and
5 round the courtroom. My name is Lor Chunthy; I'm a lawyer for
6 civil parties.

7 QUESTIONING BY MR. LOR CHUNTHY:

8 Q. And good afternoon, Mr. Witness, I have a few supplementary
9 questions to put to you.

10 When you came to attend study sessions in Phnom Penh, how many of
11 you came together?

12 MR. MEAS SOEURN:

13 A. There were two of us. The other person named Lev.

14 [15.20.12]

15 Q. Thank you. And the person who came along with you, did he
16 continue working with you until the fall of the regime in 1979?

17 A. After the event that unfolded on 25 May 1978, we separated
18 from one another; however, I met him after 1979. However, later
19 on, he became sick and died.

20 Q. I move on to another topic.

21 Did you personally ever see or meet So Phim?

22 A. Yes, I met him, I met So Phim.

23 Q. Can you tell the Chamber under which conditions you met So
24 Phim and where?

25 A. I met him at his house in Suong village, Suong commune, Tboung

1 Khmum district, Tboung Khmum province. Previously it was part of
2 Kampong Cham province.

3 Q. Before you decided to go to see him, what were the issues that
4 urged you to go and see him?

5 A. There were problems and then the chief, Sor, and senior people
6 in the unit decided to go and seek guidelines from Ta Phim so
7 that Yin Sophy would not continue to arrest our members.

8 [15.22.51]

9 Q. And when you met So Phim, can you recall what he said at the
10 time?

11 A. Before I went to meet him -- that is, after my superior, Sor,
12 didn't dare to go and assigned me instead, I went to seek advice
13 from Peam and Ta Peam said he did not have any authority to
14 decide on the matter, and he suggested that I should go and see
15 So Phim myself. He also said that this was unprecedented.

16 [15.23.52]

17 Q. Thank you. And allow me to ask you another question -- and it
18 may be my last -- this is in relation to your father.

19 You said that you met him one more time and it was the last time
20 that you met <with> him. Can you be a bit more specific; where
21 did you meet him and what did he tell you at the time?

22 A. He didn't say much. I met him when his vehicle was about to
23 board a ferry at Neak Loeang to cross the river to continue his
24 journey to Phnom Penh. What he said was that he was about to go
25 to Phnom Penh and that was all.

1 Q. Thank you. Also, in relation to your father, and you were
2 asked by the Co-Prosecutor <whether you have> received any
3 information from him <since then>, can you tell the Chamber
4 whether you still believe that he is still alive?

5 A. As I said, I am not sure whether he's alive or he's dead. I am
6 in the dark here, and if I know for certain that he is alive,
7 then I would go looking for him. And if I know that he's dead,
8 then I will take my siblings to go there in order to exhume his
9 remains.

10 [15.25.36]

11 MR. LOR CHUNTHY:

12 Thank you, Mr. President, and thank you, witness.

13 MR. PRESIDENT:

14 Thank you. The Chamber would like to hand the floor now to the
15 defence teams, first, to the defence team for Nuon Chea to put
16 questions to this witness.

17 MR. KOPPE:

18 Thank you, Mr. President. Good afternoon, Mr. Witness.

19 Mr. President, with your leave, I would like to start my
20 questioning with showing some footage to the witness.

21 I earlier sent an email and it is the footage that is contained
22 in recording E3/3015R, and I would like to show the first 2
23 minutes and 19 seconds. But while I'm saying this, I just
24 realized that I don't think we have informed the AV Unit
25 beforehand, so I'm not quite sure if they are capable of doing

1 this themselves. If not, then I will reserve my questions till
2 tomorrow.

3 [15.27.18]

4 MR. PRESIDENT:

5 AV Unit personnel, you are instructed to play the video clip as
6 requested by the defence team for Nuon Chea -- that is, Counsel
7 Koppe, and please advise the Chamber whether you are able to play
8 the clip. And if not, then counsel may move on to another topic
9 and the video clip can be played tomorrow.

10 The AV Unit personnel has not prepared the clip yet as they need
11 time to search for the relevant clip so, Counsel Koppe, please
12 leave this video clip for tomorrow and move on to another topic.

13 MR. KOPPE:

14 Yes, no problem, Mr. President.

15 [15.28.37]

16 QUESTIONING BY MR. KOPPE:

17 Q. Mr. Witness, I would like to start with asking you something
18 about testimony you gave to the Investigating Judge, and I think
19 I should read it to you because I'm not quite sure what you meant
20 when you said this.

21 MR. KOPPE:

22 Mr. President, it is his statement E3/5531 and it's question and
23 answer 66.

24 BY MR. KOPPE:

25 Q. Mr. Witness, you're speaking about your father. Presumably,

1 you're speaking about the period in 1979, and then you say in 66
2 the following. Let me quote you:

3 "Two months later, I came to meet my father face to face in Chheu
4 Kach. He told me, 'Don't speak about the previous things (in
5 Sector 21). Instead, he told me to say I was a farmer at Kampong
6 Trabaek farm in Damban Pluoh. He also told me to tell his former
7 subordinates not to say anything and to show ignorance of Sector
8 21, and all should say that they used to be farmers at Kampong
9 Trabaek." End of quote.

10 First of all, Mr. Witness, do you recall saying this to the
11 investigator?

12 [15.30.35]

13 MR. MEAS SOEURN:

14 A. Yes. I <was referring> to a period of two months after the
15 events of 25 May 1978.

16 I was found by people who worked for my father and I was taken to
17 Chheu Kach to meet him and he <actually> advised about those
18 things that you quoted because people who were with him, they
19 were not his previous bodyguards. Son Sen replaced them with the
20 bodyguards from his side.

21 Previously, my father had two bodyguards who escorted him and
22 they were replaced by two bodyguards assigned by Son Sen.

23 And he instructed me not to speak about anything from Sector 21

24 and, if asked, I should tell that I was from Kampong Trabaek

25 since there was a big farm in Kampong Trabaek district in Sector

1 24. People who fled other areas, they came to work in the rice
2 fields in that farm.

3 [15.32.25]

4 Q. I understand, but what exactly was it that your father was
5 trying to conceal? What was it that you had to show ignorance of;
6 which facts, which events?

7 A. Thank you. <I do not know whether or not he was afraid that
8 the information might leak> to those <bodyguards> who <were
9 assigned by Son Sen to stay> with him.

10 <> I was advised not to say any things about the matter for the
11 sake of security, personal security. As far as you are concerned,
12 back in <that time> if we happened to know <a lot>, it was very
13 difficult to live through the regime.

14 Q. Let me continue a bit on this because I still -- I'm not able
15 to understand which previous things, which specific things, were
16 you told not to speak about? Was it the 25 May events? Was it the
17 rebellion of the Cham? Was it anything else?

18 A. The things that had happened before we reached Chheu Kach. The
19 idea from my father was to encourage me not to allow others <to
20 know that I used to work in Sector 21 or> that we knew some
21 things that happened in the East Zone <on> 25 May 1978.

22 [15.35.02]

23 <I was told to say that I was> working the field at <Kampong>
24 Trabaek -- that is, Sector 24, not Sector 21.

25 Q. Let me move to another subject, Mr. Witness, and that was just

1 mentioned in a question by the Prosecution, it is the rebellion
2 in Svay Khleang and Kaoh Phal. You spoke briefly about it. You
3 said it was a rebellion to oppose the local government.

4 Do you know when it started? Who, if any, was behind the
5 rebellion? Do you know some details about what happened in '74
6 and '75?

7 A. I knew about the rebellion but did not know how it happened.
8 Those who travelled along <the> Mekong River from Chhloung
9 <district> to Krouch Chhmar <district> up to Peam Chileang
10 <district> were advised to be cautious. We were told that most
11 Cham people intended to rebel.

12 We were not advised to do anything to those people, but we were
13 warned to be cautious.

14 Q. Let me ask it differently. Do you remember who it was that was
15 in charge of the district to which Svay Khleang and Kaoh Phal
16 belonged, and Krouch Chhmar? Who was in charge at the time of the
17 crushing of the rebellion?

18 A. I have told the Court already. In that district, I know an
19 individual by the name Pha. However, I do not know when exactly
20 he was arrested. And I do not know whether he was still the chief
21 of Krouch Chhmar district during the period of the conflicts in
22 relation to Cham people.

23 [15.38.24]

24 Q. Do you know whether your father had anything to do with the
25 crushing of the rebellion? Was he somehow involved?

1 A. Thank you. I do not know about that. Thank you.

2 Q. Do you know whether So Phim was in charge during the time that
3 the rebellion was crushed?

4 A. All I know is that So Phim became chief of the <East> zone
5 after the coup d'état in 1970 up until the time when he was
6 accused of being a traitor by the Centre.

7 Q. Earlier today, you said your father became the number two of
8 the zone next to So Phim in '74. Are you sure about that date,
9 about that year?

10 A. He was the deputy chief. He was the deputy of So Phim from
11 late 1974.

12 [15.40.42]

13 Q. So that would be about four or five months before the
14 liberation of Phnom Penh; correct?

15 A. I am sure that he had already become the deputy chief of the
16 East Zone on the 17 April 1975.

17 Q. Do you know which forces were used in October-November '75 to
18 crush the rebellion in Svay Khleang and Kaoh Phal? Were these
19 district forces; were these sector forces; were these zone
20 forces? Do you know anything about this?

21 A. I do not know which forces from which zone crushed the
22 rebellion. What I know is that in the East Zone, there were
23 soldiers <at> the district, <the sector> and zone levels, and
24 during the time I did not know which forces came to purge those
25 people.

1 [15.42.29]

2 MR. KOPPE:

3 Mr. President, I believe by now the AV Unit is ready to show the
4 first 2 minutes and 19 seconds of E3/3015R.

5 So with your leave, I would like to show that to the witness?

6 MR. PRESIDENT:

7 AV Unit, please screen the video clip as requested by the defence
8 team for Mr. Nuon Chea.

9 [15.43.30]

10 (Presentation of audio-visual document)

11 [15.45.43]

12 BY MR. KOPPE:

13 Q. Mr. Witness, I hope you were able to see the footage well.
14 My first question to you is: did you recognize anyone on that
15 video?

16 MR. MEAS SOEURN:

17 A. I could recognize Pol Pot's face. He wrapped his krama or
18 scarf around his neck. <I did not> <participate> in <that> event,
19 <but> I have seen <> the photos of him after 1979.

20 Q. Is there anyone else that you recognize on this -- in this
21 footage, Mr. Witness?

22 A. I could not see clearly. I could only see Pol Pot's face very
23 clearly, but not the other people.

24 Q. Is that because of you having difficulty seeing this film?

25 Would you like us, or the Chamber, to have it played again, Mr.

1 Witness?

2 A. No need. Even if the video is played once again, I could not
3 see the faces very clearly and I do not recognize most of them.

4 [15.47.58]

5 Q. I'm a bit surprised with that answer, Mr. Witness, because it
6 seems that Pol Pot was walking next to So Phim and I believe So
7 Phim was clearly to be seen in the footage.

8 Are you sure you didn't recognize So Phim?

9 [15.48.30]

10 A. I could not recognize him. So Phim<, whom> I had met close to
11 the event in 1978 <during> that period was rather old and he had
12 shaved his hair.

13 Q. Did you recognize Vorn Vet on the video?

14 A. I could not recognize him.

15 Q. Mr. Witness, this might be footage of So Phim receiving Pol
16 Pot in the East Zone at a rubber plantation in early 1978. Do you
17 know anything about Pol Pot, and possibly Vorn Vet, visiting So
18 Phim in the East Zone early '78 at the rubber plantations?

19 A. I do not know about that.

20 Q. There was another person that you could see speaking on the
21 video, Mr. Witness, between 1 minute 54 and 2 minute.

22 [15.50.14]

23 MR. KOPPE:

24 Mr. President, with your leave, I've made a still of that footage
25 with the person speaking and I would like to show the photo of

1 that -- or the still to the witness and ask him whether he
2 recognizes the person that one can see between 1 minute 54 and 2
3 minutes?

4 MR. PRESIDENT:

5 Yes. AV Unit please show the video clip as requested by Counsel
6 Koppe.

7 And Court officer, please take the document and give it to the
8 witness.

9 [15.51.20]

10 (Court officer takes video clip still to witness)

11 [15.51.36]

12 BY MR. KOPPE:

13 Q. I saw you simultaneously look at the photo and the footage. If
14 you didn't see it clearly, I'm sure it can be played again.

15 Mr. Witness, can you have a look at the photo or, alternatively,
16 at the footage between 1.54 and 2 minute?

17 MR. MEAS SOEURN:

18 A. Still I am not sure who he is. After I have looked at the
19 physical copy of your photo and video clip, I am not quite sure
20 whether he is my father, Chan, and I am not sure whether the
21 location of the meeting.

22 Q. We're also not entirely sure, but could this be someone called
23 Heng Samrin?

24 A. I am not sure because this person looks very different from
25 the individual you named.

1 Q. Did you know at the time who Heng Samrin was?

2 A. He was part of military of the East Zone.

3 Q. And do you know what his position in the East Zone military
4 hierarchy was in early 1978?

5 A. I do not know about him later on. I know that before 1978, he
6 was divisional commander number 5 of the Eastern Zone.

7 [15.55.04]

8 Q. And do you know whether he was a member of the general staff
9 of the East Zone?

10 MR. PRESIDENT:

11 Please hold, Mr. Witness. You may proceed now, International
12 Deputy Co-Prosecutor.

13 MR. DE WILDE D'ESTMAEL:

14 Thank you, Mr. President. I believe I understood from the
15 previous answer by the witness that he did not know back then
16 <what> Heng Samrin's <duties were> and then he learnt it.

17 So I think in each question a distinction should be made between
18 the moment when he learnt that information regarding that person
19 because <I do not believe> the <witness's> answers <indicate>
20 that he knew him <at that time>. <Thank you.>

21 [15.56.02]

22 BY MR. KOPPE:

23 I think in the English, that was what the witness said, but I'm
24 happy to ask re-confirmation.

25 Q. Mr. Witness, did you know at the time, before 1979, what the

100

1 position was in the military hierarchy of the East Zone of Heng
2 Samrin?

3 MR. MEAS SOEURN:

4 A. It was after 1979 that I saw him and after that year I learnt
5 that he was once a member of <the> military in the East Zone.

6 Before that time, I did not know his <name>.

7 As I said, no-one in the regime used <their> surname or full
8 name. We used only first names or aliases.

9 Q. Did you know at the time before '79 another high-ranking East
10 Zone military person called Chan Chakrey?

11 A. I do not know him, yet I have heard of his name and that he
12 was once <a divisional commander of the East Zone>. I did not see
13 him or meet him personally back then.

14 [15.58.03]

15 Q. Have you ever heard that Chan Chakrey, together with your
16 father, were selected to be revolutionary role models in 1974?

17 A. I have no idea and I haven't heard of it. This is the first
18 that I have heard <of it> from you.

19 Q. My last question, Mr. President, before the break.

20 I'm -- this information comes from a statement, E3/387, from a
21 person called Ouk Bunchhoeun. Have you ever heard of someone
22 called Ouk Bunchhoeun?

23 A. Yes, I have heard of his name and I have known this
24 individual. Thank you.

25 MR. KOPPE:

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1 Mr. President, this might be an appropriate time to break?

2 [15.59.37]

3 MR. PRESIDENT:

4 Thank you. It is now time for the adjournment, and the Chamber
5 will resume its hearing tomorrow on Thursday, 30 June 2016 at 9
6 a.m.

7 Tomorrow, the Chamber is scheduled to continue hearing the
8 testimony of Meas Soeurn. Please be informed and please be on
9 time.

10 [16.00.02]

11 Tomorrow, there is no reserved witness.

12 And WESU unit has already <brought> witness <2-TCW-976 to Phnom
13 Penh>, so please send this witness back to <his residence or> the
14 place where he wishes to go.

15 Mr. Meas Soeurn, the hearing of your testimony has not come to an
16 end yet. You are invited to come here once again to testify
17 tomorrow.

18 I am grateful to you as well, Duty Counsel Sok Socheata; you are
19 also invited to come -- to attend the hearing of the testimony of
20 this witness as well.

21 Court officer, please work with the WESU unit to send this
22 witness to the place where he is staying at the moment and please
23 invite him back into the courtroom tomorrow at 9 a.m.

24 Security personnel are instructed to bring Nuon Chea and Khieu
25 Samphan back to the ECCC's detention facility and have them

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1 returned into the courtroom before 9 a.m.

2 The Court is now adjourned.

3 (Court adjourns at 1601H)

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