



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

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Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS - KAING GUEK EAV "DUCH"

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

27 July 2009, 0905H

Trial Day 50

Before the Judges:

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MR. SUOS THY

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. AHMED	English
JUDGE CARTWRIGHT	English
MR. KAR SAVUTH	Khmer
MR. KOK SROS	Khmer
JUDGE LAVERGNE	French
MS. STUDZINSKY	English
MR. SUOS THY	Khmer
MR. TAN SENARONG	Khmer
THE ACCUSED	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
JUDGE THOU MONY	Khmer
MR. WERNER	English

1

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

2 (Judges enter courtroom)

3 [09.05.21]

4 MR. PRESIDENT:

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

6 We are going to continue hearing the testimony of witness Kok

7 Sros.

8 Before we begin our proceedings, the Greffiers are now instructed

9 to verify the attendance of the parties to the proceedings and

10 the person concerned today.

11 THE GREFFIER:

12 Mr. President, the parties to the proceedings today are all

13 present. The witness, Kok Sros, is also present in the

14 courtroom. Witness KW-07 is ready to be testifying in the Court

15 and he has no relationship with any parties in the proceeding and

16 he has taken an oath already.

17 THE PRESIDENT:

18 Good morning, Mr. Kok Sros. Today, the Chamber is going to hear

19 your testimony.

20 Before we give this floor to the Judges to put questions to you,

21 could you please be informed of your rights and obligations as a

22 witness as following.

23 [09.07.58]

24 As a witness, you can reject to respond to any questions if you

25 are afraid that your testimony could self-incriminate you and, as

2

1 a witness, you have the obligation to tell the Court only the
2 truth; nothing but the truth. So, please, be reminded we already
3 informed you during the first day you came to the courtroom.

4 And, next, we would like to give the floor to Judge Thou Mony to
5 put further questions to Mr. Kok Sros. The floor is yours, Judge
6 Thou Mony.

7 JUDGE THOU MONY:

8 Thank you, Mr. President.

9 BY JUDGE THOU MONY:

10 Q.Mr. Kok Sros, in the afternoon of Wednesday, we already put a
11 couple of questions to you but we would like to proceed with
12 further questions.

13 As the guard, had you ever carried out the arrests?

14 A.No, I had never arrested people.

15 [09.09.38]

16 Q.You said that you were on guard at the building, which is the
17 south-north building, probably Building D. During the time when
18 you were on guard, were you supposed to be on guard or you took
19 shifts also to different places?

20 A.I was in charge of guarding inside the complex. After one
21 month I was shifted to guard outside, so this was a regular basis
22 that I once guarded inside and once guarded outside after each
23 month.

24 Q.So you had to guard different places. Is that correct?

25 A.There were two locations that I had to stand guard, inside and

3

1 outside, so these two locations are my primary target for my
2 assignment.

3 Q.When you were guarding inside, what had you seen?

4 A.I had to patrol the location to see prisoners, and I observed
5 that some prisoners were covered with injuries on their backs
6 when they were walking -- passing me when I were on guard.

7 Q.So you were walking while on duty. Could you tell the Court
8 what was your impression concerning the detainees, and how were
9 they treated?

10 A.Detainees were put in an individual cell and there were a six
11 centimetres-long metal bar attached to shackles and they were
12 shackled, and every one of detainees was shackled in each
13 individual cell.

14 [09.12.31]

15 Q.Were detainees shackled on a regular basis or sometimes they
16 were also removed from being shackled?

17 A.Detainees were shackled every day and night.

18 Q.If they were shackled regularly like that, how could they have
19 themselves washed or relieve themselves?

20 A.They were given a container or box to relieve themselves and
21 while -- when they had to be washed then water would be sprayed
22 from a hose; water hose from outside.

23 Q.How could detainees change their clothes? Were they wet and
24 then they had to keep it until it dried? What happened?

25 A.During the time when they were being washed, they could change

4

1 their clothes and then had the wet one dried.

2 Q.How could they change or remove their clothes if they were
3 remained shackled?

4 A.They could make use of the one leg which was not attached to
5 the shackles. Then they could remove their pants or shorts
6 through that kind of margins of the shackles.

7 Q.Were there any female detainees at the location where you were
8 on guard?

9 A.No, there weren't.

10 [09.14.57]

11 Q.So did you know anything about the situation when female
12 detainees were being washed?

13 A.I never saw any female detainees had a wash inside individual
14 cells.

15 Q.What about the food ration? Was detainees given enough food?

16 A.Detainees did not receive adequate food ration because they
17 were given only a small mug of gruel and just watery soup.

18 Q.So how could the food be delivered to them?

19 A.Normally, the mug would be used to take the gruel, so they
20 were given only one mug of gruel.

21 Q.You said you saw prisoners or detainees who had scars or
22 injuries on their back and body. From your observation, did you
23 notice that these detainees were severely injured and how could
24 they sustain such wounds?

25 A.I have no idea how they were treated, but when I saw them I

5

1 noted that they would have been beaten and the wounds were
2 obviously seen on their backs, and I don't know how they were
3 tortured.

4 Q. Did you know back then that the detainees would be immersed
5 into the water basin and that their toenails or nails were torn
6 off?

7 A. I don't know.

8 [09.17.50]

9 Q. At the location where you were assigned to guard, were there
10 any interrogation sessions or places?

11 A. I did not see any interrogation locations in that compound.

12 Q. So where were these detainees taken to be interrogated then?

13 A. They were taken to the east of the compound.

14 Q. Within the vicinity of the prison or outside?

15 A. Outside.

16 Q. When detainees were taken to be interrogated, who were in
17 charge of walking them; the guards or the interrogators who were
18 assigned to do those tasks?

19 A. The interrogators were in charge. The guards were asked to
20 unlock the door and take the detainees but, later on, the
21 interrogators would be walking them.

22 Q. So you said about the mobile forces and then the fixed forces;
23 could you tell us more about this?

24 A. Yes, there were mobile guards and fixed guards.

25 Q. Did you ever witness any interrogation session?

6

1 A.No, I didn't.

2 [09.20.05]

3 Q.While on duty, what kind of regulations and rules were imposed
4 on you and other guards? So if you made any mistake by letting
5 any detainee escape, for example, what would be the sanction or
6 punishment?

7 A.During the meeting, the superior would instruct us to be
8 vigilant, to be very careful while on guard and not to allow
9 detainees to react against any of the guards and not to let
10 anyone flee, otherwise we would be punished.

11 Q.So who led the meeting?

12 A.Peng, the chief of the unit of 100.

13 Q.Did Kaing Guek Eav, alias Duch, ever chair the meeting?

14 A.He never attended such meeting except Peng who was seen often.

15 Q.During the time when you were on guard, did you see or had you
16 seen Kaing Guek Eav, alias Duch, walk past that location?

17 A.Occasionally, he would come to that location, but he did not
18 come inside, he only watch from outside.

19 Q.Had you ever seen him interrogating any detainee?

20 A.No, I had not seen him interrogating any detainees.

21 [09.22.27]

22 Q.Did you also know that the accused took part in interrogating
23 the detainees?

24 A.I don't think I know anything about this.

25 Q.In the process of detaining the detainees and taking the

7

1 detainees out to be interrogated, who ordered such a process to
2 be done?

3 A.It was the unit of 100 which was in charge of bringing and
4 taking out the detainees.

5 Q.So who was superior than the unit of 100 regarding this
6 matter?

7 A.I don't know.

8 Q.Do you know that after each interrogation, were there any
9 detainees released after such interrogation sessions?

10 A.I don't know.

11 Q.Where would the detainees who had been interrogated taken to?

12 A.I don't know where they were taken to, but they left the rooms
13 or the cell and disappeared.

14 [09.24.58]

15 Q.How were they transported? Could you please tell the Court
16 about the process of any detainee being transported?

17 A.Detainees would be tied to -- their hands behind their back
18 and blindfolded.

19 Q.Had you ever witnessed any execution of any detainee inside
20 S-21 compound?

21 A.I never saw it.

22 Q.When detainees were wounded -- the injuries sustained from the
23 interrogation and torture -- were there any treatment for them?

24 A.There were medics.

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

8

1 A.I don't know.

2 Q.You indicated that the wounded detainees would be treated by
3 medics. Did you ever see the medics give such treatment? Was
4 the treatment taking place inside the compound or were they
5 treated elsewhere?

6 A.The medics treated the detainees inside the cells.

7 Q.How many medics were seen at any one time, and were there any
8 female medics?

9 A.I saw only one male medic.

10 [09.27.30]

11 Q.Among the superiors at S-21, other than Mr. Kaing Guek Eav
12 alias Duch and Peng, the chief of the unit of 100, do you know
13 any other people?

14 A.I have known four guards: Kuarn, Heng, Than, and a guy named
15 Choeun -- the four guards I have known and they survived.

16 Q.I would like to know the superiors -- I mean people in the
17 leadership at S-21 -- for example, the chief of the interrogators
18 or the chief of any units inside S-21. Do you know any of them?

19 A.I only know Brother Hor and Brother Huy and Brother Peng and
20 small Huy.

21 Q.What is the full name of small Huy?

22 A.His name is Him Huy.

23 Q.What about the big Huy? What is his full name?

24 A.I don't know his full name. I only known his appearance; I
25 saw him.

9

1 Q.During the time when you had worked at S-21, had you ever seen
2 any staff member of S-21 be arrested?

3 A.I never witnessed even the disappearance of the staff member
4 at S-21.

5 [09.30.18]

6 Q.You never witnessed this disappearance, but did you ever see
7 any arrest of the members of staff at S-21?

8 A.At S-21, from what I observed within my group, two were
9 arrested -- the chief and a member of the group.

10 Q.What offence did they make so that they were arrested?

11 A.It's my observation that they did not complete their task
12 properly as they fell asleep during the guard shift, so they were
13 arrested.

14 Q.Did you know after they were arrested where were they taken
15 to?

16 A.I did not know.

17 Q.Did you know about the arrest and the killing of westerners;
18 did you witness that?

19 A.I did not see it.

20 Q.During the time that you worked at S-21, were you permitted to
21 visit your relatives or to go visit your home village?

22 A.No.

23 [09.32.26]

24 Q.So you worked at S-21, and until when did you stop?

25 A.I worked at S-21 until the time almost near the liberation

10

1 when I moved to the rice field.

2 Q.How did you move to the rice field? Did you go and work in a
3 rice field or you made a mistake and you were sent for
4 re-education?

5 A.I did not make any mistake but I was assigned in amongst other
6 people because the work was light, so we were assigned to assist
7 in rice farming at the rice fields.

8 Q.During the time that you went to do farming, did you go every
9 year?

10 A.From the time that I worked at S-21, I was assigned to work in
11 the rice fields on two occasions.

12 Q.Did you know before the liberation of 7 January that prisoners
13 were transported to any location in large scale?

14 A.I did not know about that.

15 Q.Did you know the location of Choeung Ek?

16 A.I hear people talking about Choeung Ek, but I myself did not
17 go there.

18 [09.34.55]

19 Q.So you heard people talking about Choeung Ek. What did they
20 talk about at Choeung Ek or were prisoners from S-21 were taken
21 and killed at Choeung Ek? Did you know that?

22 A.Regarding the prisoners being taken and killed at Choeung Ek,
23 I did not know that. I only heard people talking about Choeung
24 Ek, and whether prisoners were transported to that location I did
25 not know.

11

1 JUDGE THOU MONY:

2 Thank you, Mr. President. I do not have more questions.

3 MR. PRESIDENT:

4 Judges of the Bench, do you have any questions to be put to the
5 witness?

6 Judge Cartwright, you take the floor.

7 JUDGE CARTWRIGHT:

8 Thank you, Mr. President.

9 BY JUDGE CARTWRIGHT:

10 Kok Sros, you spoke to the author of a book called "Voices from
11 S-21" and the author's name was David Chandler. Do you remember
12 doing that?

13 A. It's been so many years, I cannot recall it.

14 Q. Well, I have a few questions to ask you about an interview
15 that you gave to David Chandler, and you can tell me at any time
16 if you don't agree with some of the statements that you gave to
17 him. But, first, do you remember meeting a man called David
18 Chandler?

19 A. I met a person but I cannot recall his name.

20 Q. This would be a man who spoke English and it would have been
21 nearly 10 years ago, so does that help you?

22 A. That is correct.

23 [09.37.55]

24 Q. Thank you. Now, first of all, the book to which I am
25 referring is "Voices From S-21: Terror and History in Pol Pot's

12

1 Secret prison" and it's found at English ERN 00192667 to 00192932
2 D91/I.

3 First of all, at ERN 00192712, you talked to this man about the
4 age of the guards at S-21. Is it correct what you said to him,
5 that you were 25 years of age when you came to S-21, but that
6 most of the guards who began working after the middle of 1977
7 were quite a lot younger than that? Is that correct, to your
8 recollection?

9 A.I cannot recall that part. I totally forget.

10 Q.Do you remember anything about the age of the guards at S-21?
11 Were they the same age as you or were they younger?

12 A.From my observation, there were some guards who were older and
13 younger than me.

14 Q.Are you able to tell me how young the youngest guards would
15 be? Would they be 20 years of age or younger?

16 A.The children who stayed and worked with me, their ages were
17 around 15 years old.

18 Q.And were there many children of that age working at S-21?

19 A.There were only a few of them working at S-21, and there were
20 about three of them working within my group.

21 [09.41.20]

22 Q.Thank you. And there could have been other children of that
23 age in other groups but you might not know about that. Is that
24 correct?

25 A.That is correct.

13

1 Q.Now, in his book, this man also talks about how he spoke to
2 you about high-ranking prisoners at S-21, and he says that you
3 told him that they got special treatment. Do you remember that?

4 A.I cannot recall this part.

5 Q.At English ERN 00192716, he says that you told him that they
6 slept on beds and had the same food as the staff. Do you
7 remember that?

8 A.I cannot recall this part either. It's been so many years
9 already, I have forgotten it.

10 Q.Do you remember telling him that after they had been
11 interrogated and tortured they were bathed and the medics treated
12 them? Do you remember that?

13 A.I can't recall this part.

14 Q.And is that correct, what you told him?

15 A.That was what I said to him.

16 [09.44.06]

17 Q.Now, you spent a lot of time at S-21 and you were able to
18 watch a lot of things happening. Is that correct?

19 A.I have forgotten most of them already, it's been so long.

20 Q.Well, I certainly understand that, but I still have a few more
21 matters that I'd like to ask you about because of what you told
22 this man, David Chandler.

23 The next thing is at ERN 00192775, and David Chandler says that
24 you told him that you saw prisoners who were often covered in
25 blood when they were taken back to their cells after

14

1 interrogation. Is that a correct statement?

2 A.That is correct.

3 Q.And again at 00192821, you spoke of hearing people screaming
4 during interrogation. Is that correct?

5 A.That is correct too.

6 Q.And that you heard that screaming while they were under
7 interrogation, but also whenever a prisoner disobeyed a guard.
8 Is that correct?

9 A.I cannot recall that part.

10 Q.The screaming that you heard when people were being
11 interrogated, did you have to be quite close to the place where
12 they were being interrogated to hear it?

13 A.When I heard it, I guarded inside, but I was near the wall --
14 to the east part of the wall. I did not see it, but I could hear
15 the screaming

16 Q.Another person told this man, David Chandler, that there was
17 lots of screaming, especially at night when there was no noise in
18 Phnom Penh and that, "the cries were so loud we could hear them
19 from half a mile away." Do you agree with that statement?

20 A.I did not know about this statement. I did not know about
21 this point either.

22 [09.48.03]

23 Q.Now, at 00192832, you talked to David Chandler about the
24 killings of prisoners and you told him that nearly all the
25 killings took place in secret and at night. Is that as you

15

1 remember it now?

2 A.I completely forget this point.

3 Q.You told him that in 1976, blindfolded prisoners were clubbed
4 to death with iron bars in the field immediately to the west of
5 the compound. They were buried where they fell in shallow graves
6 that measured only 1.5 metres deep. Do you remember those
7 incidents?

8 A.I cannot recall this part either.

9 Q.You also told him that although the killings were not openly
10 discussed, the smell of decomposing bodies mingled with the
11 stench of feces and urine was overwhelming. Do you remember
12 this?

13 A.I am not really clear on my recollection of this part.

14 Q.At ERN 00192845, you spoke to David Chandler about
15 interrogators who did not want to use torture and that if they
16 hesitated, they would be arrested. Do you remember that?

17 A.I also forget this point. I cannot recall it.

18 [09.51.06]

19 Q.Do you remember attending a livelihood meeting where the
20 accused spoke about torture saying something like this?

21 "You must rid yourselves of the view that beating prisoners is
22 cruel. Kindness is misplaced in such cases. You must speak to
23 them for national reasons, class reasons, and international
24 reasons."

25 Do you remember any livelihood meetings where the accused said

16

1 words like that?

2 A. During the meeting, the superior would give us instructions to
3 the guards to perform their duty properly, not to allow the
4 prisoners to conduct any activities and besides that, I cannot
5 recall anything.

6 Q. Do you remember the accused, Duch, talking to a livelihood
7 meeting about how you should beat prisoners?

8 A. I did not know this part.

9 Q. Thank you.

10 JUDGE CARTWRIGHT:

11 Mr. President, I have no further questions of this witness, but
12 with your permission, may I ask the accused about that last
13 statement, please?

14 [09.52.59]

15 MR. PRESIDENT:

16 Judge Cartwright, you can proceed.

17 JUDGE CARTWRIGHT:

18 Thank you.

19 Kaing Guek Eav, do you wish me to repeat the statement that is
20 recorded in David Chandler's book that I just read out to this
21 witness?

22 THE ACCUSED:

23 Your Honour, the book by David Chandler is also in French and I
24 read it, but I cannot recall it and if you can now read what you
25 said then I would thank you.

17

1 JUDGE CARTWRIGHT:

2 This is a statement attributed to you and recorded as coming from
3 an un-catalogued item from S-21 archive dated 18 February 1976,
4 so I don't have an ERN Number for that but I will read it out to
5 you in English again. This is the statement that was recorded:
6 "You must rid yourselves of the view that beating the prisoners
7 is cruel. Kindness is misplaced in such cases. You must beat
8 them for national reasons, class reasons, and international
9 reasons."

10 Now, my question to you, obviously, is do you accept that you
11 made a statement like that?

12 THE ACCUSED:

13 Your Honour, the document of the 18th of 1976 that you just read
14 was far from what I taught. The content of what I taught, I
15 believe, is on the record of the 13 February 1976 which during
16 the livelihood meeting, I led the meeting for the city resistance
17 force -- the former force. I said anyone who was arrested by
18 Angkar was the enemy and if you cannot regard them as an enemy
19 then you cannot extract the confession from them, and that is the
20 foundation for my instructions to every interrogator, but on the
21 cruel beating, it's not. And, of course, for the reasons of the
22 nation, the class, it is a possibility that I might have said to
23 distinguish their individualism and nation.

24 And the focus is that the people who were arrested and sent to
25 S-21, they did not have any issues with anyone working at S-21 or

18

1 with me, but they were arrested by Angkar, and I believe I did
2 not say anything in regard cruel beating. That is my response,
3 Your Honour.

4 JUDGE CARTWRIGHT:

5 Thank you. We will, of course, be examining Professor Chandler
6 later, but your response to his entire book has been that it is a
7 thorough and systematic review of events at S-21. Is that
8 correct?

9 [09.57.54]

10 THE ACCUSED:

11 Your Honour, I responded to David Chandler in 13-page writing in
12 French language, which I already submitted to the
13 Co-Investigating Judges, and I will respond more when David
14 Chandler is summonsed to testify in the Chamber.

15 JUDGE CARTWRIGHT:

16 Yes, thank you.

17 I have no further questions of the accused.

18 MR. PRESIDENT:

19 Judge Lavergne, you take the floor.

20 JUDGE LAVERGNE:

21 Thank you very much, Mr. President.

22 BY JUDGE LAVERGNE:

23 Q.Mr. Kok Sros, I am Judge Lavergne and I have a few questions
24 to put to you.

25 Could you first of all tell me if you are suffering from memory

19

1 problems? Do you have difficulty to remember certain things?

2 A.Because the events took place long time ago, so I cannot
3 recall them all clearly.

4 [09.59.31]

5 Q.Do you not remember specifically what happened at S-21 or,
6 generally speaking, you have memory problems? Or are these
7 problems only based on your recollections of S-21 -- only involve
8 your recollections of S-21?

9 A.I know that I forget a lot because I think a lot and my main
10 focus at the moment is to provide support to my family.

11 Q.You have seen the accused present here in the courtroom. Do
12 you recognize him? Do you wish to see him again?

13 A.I recognize him here in the courtroom; he was the Chairman of
14 S-21. At that time, I called him Ta Duch, or Grandfather Duch.

15 Q.Was he also called Brother East?

16 A.I had never heard he was called like that.

17 Q.You were interviewed by the investigators of the
18 Co-Investigating Judges, this is in document number D78/10 and
19 you explained, amongst other things, that after Phnom Penh was
20 evacuated you worked in what you described as the main prison.
21 You have so far not mentioned this work at the main prison. Do
22 you remember it or not?

23 A.I think my memory is rather poor regarding that point. I
24 don't remember it in details.

25 [10.03.08]

20

1 Q.Are your memory problems recent because you were interviewed
2 barely more than a year ago? It was on the 3rd of April 2008.
3 Your memory was good on the 3rd of April 2008 and it is no longer
4 good now. Is that correct? Did you have any particular problems
5 after the 3rd of April 2008?

6 A.Of course, my memory after the 3rd of April 2008 is still
7 good, but still I forget a lot of other things because I have not
8 paid great attention to that matter other than my feeding of the
9 family.

10 Q.Mr. Kok Sros, are you afraid today, and if you are afraid,
11 what are you afraid of or whom are you afraid of?

12 A.No, Your Honour, I'm not afraid of what or whom.

13 Q.So the most important thing for you today is to feed your
14 family. Is that what we are to understand?

15 A.That is correct, Your Honour.

16 Q.But do you know that as a witness you took an oath and you are
17 required to participate in the ascertainment of the truth? Are
18 you aware of this?

19 A.Yes, I am, Your Honour. Only if I can recollect it then I am
20 able to tell the Court and the parts that I'm not sure I'm not
21 supposed to tell the Court because I don't remember it.

22 [10.06.15]

23 Q.At this particular moment, do you remember what you described
24 as the main prison PJ which was south of the central market Psar
25 Thmei? Do you remember telling the investigators that Duch was

21

1 the director of that prison?

2 A.I spent only one night and one day at that location before I
3 was transferred to Ta Khmau and the person in charge at that time
4 was told by my friends that he was Ta Duch. That's what I was
5 told.

6 Q.Did you see him there or is this something which, as you say,
7 you were told? And what was going on in that prison?

8 A.I did not see him in that location. I was only told about
9 him.

10 [10.07.57]

11 Q.Had you heard about him before then?

12 A.No, I hadn't.

13 Q.You explained that afterwards you went to Ta Khmau prison and
14 you stated that the prisoners in Ta Khmau were sent to the
15 central prison to be interrogated. Did you witness this
16 personally or was this something you were told?

17 A.I was told about this.

18 Q.Mr. Kok Sros, was it the first time you were working in a
19 detention centre? In the course of your life had you ever had to
20 work in a detention centre before?

21 A.No, Your Honour, only during the Khmer Rouge regime that I had
22 been put and appointed by the Angkar to work in that such
23 location.

24 Q.Was this ordinary work, in your view, or was it special work?

25 Did it leave strong memories for you or did it seem something

22

1 ordinary?

2 A.Through my observation, this work was a kind of ordinary task.

3 Q.Could you explain what was ordinary about this work?

4 A.I'm saying it is ordinary work because wherever I had worked,
5 it would be the same and when I worked at the prison I could feel
6 like it was just another kind of ordinary assignment because we
7 were assigned by the Angkar to be on guard and we had to follow
8 the assignment, the order.

9 [10.11.14]

10 Q.Mr. Kok Sros, today if you were asked to do such ordinary
11 work, if you were asked to do that again, would you do it?

12 A.No, Your Honour, I wouldn't.

13 Q.The shouting, the shouting you heard, was that ordinary? Was
14 that normal? Were these human beings shouting or were they the
15 cries of animals?

16 A.The shouting's from people were of course different from the
17 cries of the animals.

18 Q.Regarding the wounds that you saw, the bodies covered in blood
19 -- were they the bodies of human beings? The smells, what was it
20 that smelled?

21 A.The wounded detainees were physically human beings but the
22 smell I did not know whether they smelled like animal or what. I
23 just have no idea.

24 Q.Do you remember that smell now? What did it smell of? Was it
25 the smell of dead bodies as you were told a while ago? What was

23

1 it? What smell was this?

2 A.At that time I could smell the stench. I think the smell was
3 identical to the smell from the decayed animal and dead animal,
4 dead body or the human corpses. They were the same.

5 [10.14.28]

6 Q.Is Angkar a word that raises any memories with you; what does
7 it mean to you? What memories does it arouse; is it something
8 ordinary or does it arouse fear within you?

9 A.Usually the term Angkar, so far as I know, is just the
10 ordinary term used back then. I have not been afraid of using
11 the term Angkar because it has been widely used.

12 Q.And the word "pity", was that word ever used in S-21? Do you
13 remember any prisoners who asked you to help them? Do you have
14 any such memories?

15 A.At S-21 I had never heard the term "pity" -- never.

16 Q.Do you remember prisoners who asked you for help, who asked
17 you, "Why am I detained?" Does this remind you of anything? Did
18 you speak to the prisoners or did you not speak to them at all?

19 A.When detainees were arrested and detained in the cells, of
20 course, they asked me and the guards such questions, why were
21 they arrested and detained. I just told them I did not know
22 anything. It was the Angkor who arrested them and sent them here
23 and I was in charge of looking -- or just patrolling the
24 location. That's all.

25 Q.Did they ask you for help? When there was suffering, did they

24

1 ask you for help?

2 A.They did ask me for help, but I just told them that I could
3 not help them. It was none of my business.

4 [10.18:01]

5 Q.So that is ordinary work? It is neither a good or a bad
6 memory; it is just an ordinary memory for you, is it?

7 A.I partially remember the work. I cannot fully remember the
8 details because many years had passed.

9 Q.And in the course of this work, do you remember any prisoners
10 who committed suicide?

11 A.I don't know. I had never seen such incident.

12 Q.Did you hear about it? Did you have any instructions destined
13 to avoid detainees committing suicide?

14 A.It's obviously true that we were instructed to be cautious of
15 this matter.

16 Q.Did you see anyone die at S-21?

17 A.No, I didn't, Your Honour.

18 Q.Did you hear about any female prisoners who may have been
19 maltreated or even raped? Did you have any instructions
20 regarding female prisoners?

21 A.I was not in charge of guarding the female detainees, and I
22 don't even know where they would have been detained.

23 [10.21.12]

24 Q.I shall put my question again. Did you hear about any
25 prisoners, any female prisoners, being raped; did you hear

25

1 anything about it?

2 A.No, I didn't, Your Honour.

3 Q.Now, let us talk about the accused. In your view, was he an
4 ordinary leader? What can you tell us about Duch; what can you
5 tell us about his character?

6 A.Having lived and worked with him, I think he led the work
7 ordinarily and he did not force us to do anything.

8 Q.What does that mean; what does what you have just told us
9 mean?

10 A.It was ordinary because we were assigned the same old tasks
11 and that we followed the orders on a regular basis without any
12 problem.

13 Q.When you were interviewed by the investigators, and I am
14 referring to document number D78/10 pages 3 and 4 of the French,
15 the following question was put to you:

16 "For how long have you known Duch; what is he like?"

17 And you said this:

18 [10.23:53]

19 "He is small. He is warm but strict. I knew him from when I
20 was assigned to be a guard in S-21. I went once to Duch's when I
21 took prisoners who were able to record documents at his home.
22 His home was in front of the entry gate to the southeast. Duch
23 spoke with me and asked me to keep the prisoners, to guard the
24 good prisoners -- or the prisoners who were good at registering
25 documents. Duch was the Director of S-21 and he was responsible

26

1 for documents pertaining to confessions. He kept orders in
2 general; for example, with regard to executions."

3 So what are you telling us today? Are you telling us that he was
4 a warm but strict person still? Was he an ordinary man?

5 A.It is correct as what I already stated in that quote Your
6 Honour just read out.

7 Q.You spent practically four years in S-21, didn't you? Would
8 you say that these memories are painful or that they are
9 ordinary; that is, neither good nor bad?

10 A.I had been in S-21 from 1975 until the liberation day of the
11 7th of January. I had been suffering, of course, from the time I
12 spent there but I had no choice. I could not flee and I just had
13 to be patient and I did not even realize that the regime had
14 exterminated a large scale of population, and I just did my best
15 to survive.

16 Q.So let me try to summarize. If you have any bad memories it
17 is because you personally suffered. Is that correct? Or do you
18 also have bad memories because other people suffered in S-21, or
19 is this suffering too ordinary?

20 A.The suffering endured at S-21 was tremendous because we had to
21 work hard. Every one of us suffered and we had no choice, we
22 could not escape, and we had to work. Only time would tell.

23 [10.28.39]

24 Q.This will be my last question, Mr. Kok Sros.

25 The hardest suffering; was it you who suffered, was it the staff

27

1 that suffered or was it the prisoners?

2 A.The detainees suffered more than the staff members at S-21.

3 JUDGE LAVERGNE:

4 Very well, I have no further questions, Mr. President.

5 MR. PRESIDENT:

6 It is a convenient time now to take an adjournment. We will

7 adjourn for 17 minutes and resume afterwards.

8 The Court officer is now instructed to take Kok Sros to the

9 waiting room and return him to the courtroom by a quarter to 11

10 a.m.

11 (Judges exit courtroom)

12 (Court recesses from 1029H to 1050H)

13 (Judges enter courtroom)

14 MR PRESIDENT:

15 Please be seated. The Chamber is now back in session. We

16 continue to hear the testimony of the witness, Kok Sros.

17 Before I hand the floor to the Co-Prosecutors, the Chamber would

18 like to make an announcement regarding the decision and

19 instructions as a result of our Trial Management Meeting and also

20 in response to the various requests.

21 [10.51.39]

22 First, regarding the request for the time to question the

23 witnesses. On the 22nd of July, the Co-Prosecutors raised

24 questions to the accused regarding the time of the testimony of

25 the witness. It is requested that this type of practice would

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1 scare the witnesses away.

2 The Chamber also noticed that the civil party lawyers group 3
3 said if the accused was to be questioned during the testimony of
4 the accused; an extra time shall be given.

5 Regarding these two requests, the Chamber would like to provide
6 instructions to all parties as follows.

7 1. There is no restriction on the questioning of the accused
8 during the relevant time of the proceedings. The Chamber will
9 make decision whether the questioning is allowed or not based on
10 the actual situation.

11 2. All the civil parties can use all the times allocated for
12 questioning to the witness and instead question the accused,
13 however, there is no additional time granted for such
14 questioning.

15 The civil party lawyers group 2 also requested to ask questions
16 -- or the remaining questions to the accused -- but as the lawyer
17 did not have time to ask during the allocated time. The
18 Co-Prosecutors supported this motion but observed that if the
19 Chamber takes this stand then the questions shall be divided
20 verbally in order to set the times required for translation in
21 the three languages.

22 The defence counsel objected to this request with the reasons
23 that this is a simple proceeding to gain additional time for the
24 civil party lawyers to put questions.

25 [10.54.18]

29

1 Decision: The Chamber has the duty to ensure that the trial is
2 both fair and expeditious. There is a constant need to review
3 the time given to parties to put questions while ensuring that
4 the defence also has adequate time.
5 The Trial Chamber will not introduce a practice that effectively
6 extends the time for questioning allocated to any party as this
7 would distort the careful balancing of the time allocated to each
8 party, including the defence.
9 Decision on the request by the defence for a period of time equal
10 to the time allocated to the prosecutors and the civil parties
11 together for putting questions to the witnesses: The Chamber has
12 noted the defence application to be granted after each witness
13 testifies, a period of time equal to the total questioning time
14 granted to the Co-Prosecutors and civil party lawyers.
15 Bearing in mind that the civil parties are allowed to put their
16 questions with a view to supporting the prosecution, the Chamber
17 is aware that in order to preserve the rights of the defence
18 particularly the right to a fair trial that guarantees equality
19 of arms, it may become necessary to accord more time to the
20 defence than is set aside for it in the scheduling of the
21 hearing. This notwithstanding, the Chamber must also ensure that
22 the trial of the accused is conducted within a reasonable time,
23 which justifies the view that for the proper administration of
24 justice a limited time should be allocated to each of the parties
25 to take the floor during the proceedings and that repetitive or

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1 irrelevant questions should be prohibited.

2 The Chamber notes that in point of fact the defence has so far
3 not requested additional time, nor has the defence registered any
4 particular concerns upon the conclusion of a testimony. On the
5 contrary, the defence has most often signified that it has no
6 further questions, even when the time allocated for it to put
7 questions still runs.

8 [10.58.11]

9 Accordingly, the Chamber is of the opinion that in order to allow
10 for realistic scheduling consistent with expeditious trial
11 requirements, it is appropriate to maintain the time allocated
12 for each party to take the floor; it being clear that should the
13 Chamber consider it necessary, in light of the questions already
14 put, the defence may apply to the Chamber for a further period of
15 time to enable it to put all the questions it may consider
16 necessary to ensure that its rights are preserved. In such case
17 the Chamber will rule on a case-by-case basis.

18 The Chamber decides to maintain the period of time currently
19 allocated to the defence; it being clear that the defence may on
20 a case-by-case basis and, in light of what transpires in the
21 proceedings, request a further period of time to put the
22 questions that it considers necessary for the preservation of its
23 rights.

24 These are the instructions and decisions regarding the motions
25 and observations put forward by the parties during the last

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1 hearing on last Wednesday. I would like now to give the floor to
2 the Co-Prosecutors to put questions to this witness regarding the
3 facts being processed before the Chamber.

4 The Co-Prosecutors have 15 minutes in total. The floor is yours.

5 MR. TAN SENARONG:

6 Thank you, Mr. President.

7 QUESTIONING BY THE CO-PROSECUTORS

8 [11.00.30]

9 BY MR. TAN SENARONG:

10 Q.Good morning, Mr. Kok Sros. The first question: you stated
11 earlier on that you were assigned to guard S-21 and you took
12 turns to stand guard one month inside the compound and the other
13 month would be standing guard outside. So who made such decision
14 to switch your shift and how many hours were you supposed to be
15 on guard?

16 A.It was the chief of the company who administered these shifts.
17 If the shift falls on the evening we would be on guard from 6
18 p.m. to 12 midnight.

19 Q.Thank you, Mr. Kok Sros. During the time when you were on
20 guard, both within and outside the vicinity of S-21, when you
21 were guarding had you ever seen any security regulations in each
22 building?

23 MR. TAN SENARONG:

24 With the Chamber's permit, could the document with ERN 00181448
25 be put on the screen, please?

32

1 MR. PRESIDENT:

2 The AV Unit is instructed to project this document as requested.

3 BY MR. TAN SENARONG:

4 Q.Mr. Kok Sros, have you ever seen such Santebal circulations

5 while you were at S 21?

6 A.I had never seen such regulations.

7 [11.03.21]

8 Q.Thank you.

9 MR. TAN SENARONG:

10 With Mr. President's leave could another photo, the general view

11 with ERN 00189137, be put on display, please?

12 MR. PRESIDENT:

13 The AV Unit is instructed to put this document on the screen as

14 requested by the Co-Prosecutor.

15 BY MR. TAN SENARONG:

16 Q.Mr. Kok Sros, this is the overview, the photo or aerial

17 photograph of S-21, and you can see letters here -- letters A, B,

18 C, D, and E. Can you please tell the Chamber, during the time

19 when you were guarding the premises, in which particular building

20 did you witness the detainees being detained, and in which

21 particular location of which particular building were you on

22 guard?

23 MR. TAN SENARONG:

24 And I would like to inform the Chamber that this is just the

25 former photographs already included in the case file. We only

33

1 highlighted and added just a few names of the streets to be more
2 convenient for the witness to identify.

3 BY MR. TAN SENARONG:

4 Q.Mr. Kok Sros, could you please tell the Court about this?

5 A.I was guarding at Building C inside the building and then when
6 I was guarding outside, it was to the west at the rear of
7 Building C and I would be patrolling along the wall of that
8 premise.

9 MR. TAN SENARONG:

10 Thank you.

11 With Mr. President's leave, could document with ERN 00326351 be
12 put on display? This photo was the drawing of Vann Nath who
13 depicts the condition of S-21.

14 MR. PRESIDENT:

15 The AV Unit is instructed to put this document under ERN 00326351
16 on the screen, please.

17 [11.07.24]

18 BY MR. TAN SENARONG:

19 Q.Mr. Kok Sros, as a guard, had you ever seen any detainee were
20 detained in such a condition as shown in this photo or as this
21 drawing?

22 A.The drawings are reflecting the real condition at the location
23 back then.

24 Q.Thank you, Mr. Kok Sros.

25 MR. TAN SENARONG:

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1 Could document P00000027 be put on the screen, please, with Mr.
2 President's leave?

3 Q.In this common room and you could see that detainees were
4 shackled and lie down on their backs, does it remind you of the
5 condition back then when you were on guard? Did you see such
6 condition?

7 A.That is true, the condition is like that.

8 Q.Thank you very much.

9 MR. TAN SENARONG:

10 I would like to give the floor to my colleague to put more
11 questions.

12 MR. AHMED:

13 Given the constraints of time, I'll have a very few questions.
14 Can I request the Audio-Visual Unit to project this document on
15 the screen, 00186795 to 00186801? And while it's being
16 projected, I shall ask my question.

17 [11.09.09]

18 BY MR. AHMED:

19 Q.Mr. Kok Sros, you are a literate person and you can read
20 Khmer, can't you?

21 MR. PRESIDENT:

22 The AV Unit is now instructed to put this document on the screen
23 as requested by the international Co-Prosecutor.

24 BY MR. AHMED:

25 Q.I'll ask my question again. Mr. Kok Sros, you are a literate

35

1 person and you can read Khmer, can't you?

2 A.Yes, I can read, but now my eyesight is not good because I
3 cannot really see the clear cut of the writings.

4 Q.This document before you is a statement that you gave about
5 one year ago as reminded to you by Judge Lavergne on which there
6 is a signature and a time impression. On the left-hand side, can
7 you recognize your signature and time impression?

8 A.I still remember it.

9 Q.This was a statement you gave to the investigators of the
10 Investigating Judges who interviewed you on 3rd April 2008. You
11 told the investigators that Duch, the accused here, was in
12 overall control of the premises and he had the power including
13 the order to kill. Do you agree with that?

14 A.Yes, I do because at that location he was the top person.

15 [11.11.19]

16 Q.You also told the investigators that when Vietnamese soldiers
17 came in, Duch ordered the killing of the remaining detainees at
18 S-21. Is that correct?

19 A.No one other than him could put such order; otherwise the
20 detainee would not be executed.

21 Q.Thank you.

22 You also told the investigators that although children were not
23 detained, but children of "big guys" and this is not my
24 expression, your expression, "big guys" -- were detained; is that
25 true?

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1 A.I did not mention anything about it.

2 Q.You also told the investigators that sometimes senior military
3 officials were imprisoned and with them, their soldiers -- their
4 entire group was arrested even if they were innocent soldiers.

5 Do you agree?

6 A.I don't remember saying it.

7 Q.You also told the investigators that important prisoners, even
8 if they were few in number, were killed outside the S-21 fence.

9 Do you agree with that?

10 A.Yes, I do.

11 [11.13.17]

12 Q.You also told the investigators of the Investigating Judges
13 that there were many foreigners -- Indians, Thais, and
14 particularly Vietnamese who were there at S-21. Is that correct?

15 A.That's correct.

16 Q.My last question to you is, because my time is running out --
17 you quoted Duch as saying that Duch ordered the imprisonment of
18 S-21 staff -- not quoting Duch, this is your statement:

19 "Duch ordered the imprisonment of S-21 staff if they had
20 involvements and tendencies."

21 To your recollection, did Duch order the imprisonment of S-21
22 staff?

23 A.I still remember it.

24 Q.Maybe one last question since I have one minute. You said:

25 "No inmate was allowed to leave alive from S-21."

37

1 Is that correct?

2 A.Yes, that is correct.

3 [11.14.44]

4 MR. AHMED:

5 Mr. President, I have no further questions.

6 MR. PRESIDENT:

7 Next, at this time, for the civil party lawyers to put questions
8 to the witness starting from civil party lawyer, group 1. You
9 have five minutes to put question to this witness.

10 MR. WERNER:

11 Good morning, Your Honours.

12 We have an agreement among civil parties because of the time
13 allocated. Only one lawyer will ask questions to the civil
14 party; and it will be for this witness my colleague, Silke
15 Studzinsky.

16 Thank you.

17 MR. PRESIDENT:

18 Lawyer Studzinsky, please take the floor, but could you please
19 verify the time. It is now 11.14.

20 MS. STUDZINSKY:

21 Yes, good morning, Mr. President, Your Honours. I agree it's
22 between 11.14 and 11.15.

23 [11.15.59]

24 QUESTIONING BY CIVIL PARTY COUNSEL

25 BY MS. STUDZINSKY:

38

1 Q.Good morning, Mr. Kok Sros. My name is Silke Studzinsky. I'm
2 representing civil
3 party for victims here in these proceedings. I want to put some
4 questions to you.

5 My first question is did you see the accused enter the
6 interrogation rooms outside the prison compound to watch and
7 inspect interrogations?

8 A.I saw him once. He came into the place where the
9 interrogators were conducting interrogation. I did not know what
10 he said or what he did inside.

11 Q.Do you remember how long he stayed in this interrogation room?

12 A.I don't know.

13 Q.Do you remember what kind of prisoner was interrogated? Was
14 this an important prisoner?

15 A.When he came to that session I didn't know whether the
16 detainee at that time was important or not important.

17 [11.17.54]

18 Q.What was the distance? Where were you when you saw him enter
19 this room?

20 A.It was about 15 metres from the location where I was standing
21 and I could see him walking from the east into that location.

22 Q.Did you see that the accused frequently came to inspect the
23 detention cells, looking in from outside? Did you observe this?

24 A.Occasionally he would be coming to the location but he was not
25 coming inside the compound. He was seen outside.

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1 Q.But again, am I right that he looked into the cells, into the
2 detention cells, and this frequently? Is this right?

3 A.Not very frequent. He only went occasionally but he did not
4 go inside. He only watched from outside.

5 Q.My next questions concern the suicides in S-21. You told us
6 today that you have no knowledge about the suicides. I would
7 like to confront you with a statement that you gave to David
8 Chandler, the man that already Judge Cartwright talked to you,
9 who made an interview around 10 years ago. And there this is the
10 ERN 00164564, the English version.

11 [11.20.47]

12 And there you said to Mr. Chandler there were many cases of
13 prisoners committing suicide this way and you had described
14 before how they committed suicide. "And some of them hanged
15 themselves so we had to be right there, watch them finish
16 drinking ourselves. This is why we had to be careful."

17 Do you remember that you told Mr. Chandler that you were aware of
18 a lot of cases of suicide?

19 A.I still remember it regarding the detainee who hanged himself.
20 At that time we were instructed to be more vigilant and were
21 asked not to let this kind of thing happen again.

22 Q.Did you see this prisoner hanging personally with your own
23 eyes?

24 A.I never saw it personally because we worked in the different
25 targets of assignment.

40

1 Q.But you have been told about this suicide. Is this right?

2 A.Yes, it's correct because I was told and when we changed shift
3 and I was told by the previous guards about this.

4 Q.I would like to know now could you recall again how many
5 people were in your group?

6 A.There were four groups in my unit, the units who would take
7 turns to guard the location. In each group there were 10 to 12
8 people.

9 [11.23.45]

10 Q.How many of this group of 10 to 12 people disappeared?

11 A.After some time more and more people disappeared but I don't
12 remember how many disappeared because when one disappeared then
13 another person would be called to substitute the missing or the
14 disappearing men.

15 Q.But can you confirm -- and only talking about your group; that
16 means those with whom you worked closely together -- is it right
17 to say that these, the members of your group were like your
18 brothers? Is this fair to say?

19 A.In my group there were 10 of us and we had worked together for
20 quite some time and there were two of us who disappeared.

21 Q.I would like to confront you with another statement that you
22 gave in this interview around 10 years ago. This is the ERN
23 number 00164580. In there you have been asked by David Chandler
24 how many were in your group. Your answer was, "First there were
25 20 men and all of them died except for two of us. Then they were

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1 replaced." This is rather different than what you said now. It
2 means to David Chandler you said the great majority of your group
3 disappeared and died.

4 Could you recall what the right number is? How many of your
5 brothers in your group died and disappeared?

6 A.It was not true that there were 20 people in the unit because
7 there were about 200 people in total. After time passed by then
8 more and more people disappeared but later on I only observed
9 that the people whom I had known, only two of them remained.

10 Q.This was not really an answer to my question but, however, I
11 will proceed then at this point. Had you fear when you observed
12 that more and more people from your group disappeared? Had you
13 personally fear?

14 A.I felt some fear actually and I knew that only time would tell
15 but I had to tell myself to be strong and then concentrated on my
16 work.

17 [11.28.04]

18 Q.And you could? You were able to control yourself in such
19 manner that this fear, this original fear, disappeared then and
20 then to go ahead with your work? Is this right that you were
21 able to suppress your fear?

22 A.That's correct.

23 Q.I would like to move now to 1979 and 1978, and I would first
24 like to know did you get any news by the end of 1978 or beginning
25 of 1979 that the Vietnamese will invade or are about to invade

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1 Cambodia? Did you get any news about this?

2 A.I did not receive any information regarding that matter.

3 Q.And I would like to confront you as well with your statement
4 in the interview 10 years ago. It is 00164572. To the same
5 question you told David Chandler, "About two weeks before a cadre
6 called a meeting and told us about this." And "this" means the
7 Vietnamese invasion.

8 My question is do you recall this now, that there was a meeting
9 two weeks before?

10 A.At that time, yes, there were meetings amongst the company
11 members and then we were instructed to be really strict and to
12 save all the resources because we would not be certain whether we
13 would sleep in the house or sleep in the forest.

14 [11.31.15]

15 Q.When did you finally leave S-21 and when have you been there
16 for the last time? But I'm talking of course '78, '79.

17 A.Before I left S-21, that is, before the liberation it was
18 about a fortnight before the liberation I left S-21 and went to
19 work at a branch of S-21 to work the rice fields. It was south
20 of Prey Sar prison where I worked the rice fields.

21 Q.Did you go back to S-21?

22 A.In that final stage I did not return and after the Vietnamese
23 attack I was at the rice fields so we fled to the west.

24 Q.I would like to confront you as well with your statement to
25 David Chandler. It's on the same page, same ERN number of

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1 00164572. And there you have been asked, "When you left, were
2 the Vietnamese already approaching?"

3 And then I quote your response was,

4 "When we were about to leave, they had already reached Chbar
5 Ampov Monivong Bridge."

6 Do you remember this? That you have been in S-21 when the
7 Vietnamese arrived at Monivong Bridge?

8 A.I cannot recall this part.

9 [11.33.53]

10 Q.I'm very sorry but this is, I would say, a very impressive
11 moment that the Vietnamese enter Phnom Penh and you want to -- or
12 pretending here that you do not remember this. I note this.

13 I would like to continue with one more sentence. Did you come
14 back, as you told Mr. Chandler, to collect important documents
15 that were kept in the wardrobe, managed to get about one-third of
16 the documents. There were a lot. Do you remember that you have
17 collected documents from S-21?

18 A.I did not return to S-21. I did not even go to my house to
19 collect my clothes, let alone the documents. I did not return.

20 Q.And now my last quotation with this interview to Mr. David
21 Chandler. On the same page you have been asked, "Did you burn
22 the documents at the prison?"

23 And then your response as it is quoted here is,

24 "No. We took them away and threw some of them upon the streets,
25 the documents from the wardrobe in S-21."

44

1 Do you remember now?

2 A.As I said, I did not return to collect any document so that
3 statement is not true.

4 [11.35.48]

5 MS. STUDZINSKY:

6 Thank you, Mr. President. The allocated time is running out and
7 so we have further questions but no time to ask them.

8 Thank you very much, Mr. Kok Sros.

9 MR. PRESIDENT:

10 I would like now to give the floor to the defence counsel to put
11 questions to the witness. If you have any, the floor is yours.

12 MR. KAR SAVUTH:

13 Thank you, Mr. President. Good morning, Your Honours. Good
14 morning, ladies and gentlemen.

15 QUESTIONING BY DEFENCE COUNSEL

16 BY MR. KAR SAVUTH:

17 Q.Mr. Kok Sros, in the document ERN 00186796 D78/10 on the last
18 line you said:

19 "Angkar assigned me to the big prison, PJ, south of Psar Thmei.

20 I stayed there for one night and the leader there was Duch."

21 [11.37.38]

22 Did you know In Lorn, alias Nat, at the time?

23 A.I did not know him at the time.

24 Q.Thank you. During the time that you stood guard at S-21 did
25 you ever see any Vietnamese prisoners of war or Vietnamese

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1 prisoners?

2 A.During the time that I stood guard I only saw Vietnamese
3 civilians, not Vietnamese soldiers.

4 Q.So during the time that you guarded you did not see any
5 Vietnamese soldiers. Now, another question.

6 You said you never saw Duch interrogate or torture or kill any
7 prisoner. Is this correct? Do you agree with this statement?

8 A.Yes.

9 Q.Thank you. You said Duch ordered the execution. Did you know
10 who ordered Duch to give those instructions? Do you know?

11 A.I did not know regarding this matter.

12 [11.39.17]

13 Q.Thank you. You worked as a guard at that location. Did you
14 ever see any release of Thai people at S-21?

15 A.I did not see any.

16 Q.Thank you. In your group who was your direct chief of the
17 group?

18 A.In my group I had a chief but I cannot recall his name.

19 Q.So you forget your chief group? Another question.

20 So who was the chief of your group chief? Can you recall the
21 name?

22 A.The person supervised my group chief was Peng.

23 Q.Thank you. What was the role of your group chief? Can you
24 elaborate?

25 A.The role of the group chief was during the guard he patrolled

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1 the guards at the designated locations to ensure that they did
2 not fall asleep.

3 Q.Thank you. What about the role of the supervisor or the chief
4 of your chief? Do you know that?

5 A.The role of the chairman of the company was stationed opposite
6 the detention location to supervise the incoming and outgoing of
7 the prisoners for the interrogation.

8 [11.41.49]

9 Q.Thank you. Did you also know the role of the S-21 Chairman;
10 that is, of Duch? Because he, as you stated, went around looking
11 at various rooms; so what was the role of Duch? Can you
12 elaborate?

13 A.Regarding his role in general, and it is not specific, nobody
14 ordered him because he was the top leader there. So he went
15 around doing this or that, inspecting this or that. That is his
16 exclusive role to supervise, to monitor.

17 MR. KAR SAVUTH:

18 Thank you, Mr. President. I do not have questions.

19 MR. PRESIDENT:

20 The Chamber would like to give the time now to the accused to
21 make his observations regarding this witness testimony, if he
22 wishes to do so. Secondly, the observations to be made by the
23 accused is for the entire Chamber to hear. Especially it should
24 be addressed to the Judges of the Bench and try to avoid to
25 signify any pressure placing upon the witness.

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1 You can take the floor.

2 THE ACCUSED:

3 Thank you, Mr. President. I would like to clarify certain
4 matters as follows.

5 [11.43.54]

6 This person, Kok Sros -- and I was interested in him since I
7 started reading David Chandler's book and I wanted to find out
8 who actually is Kok Sros. And during this Chamber hearing I
9 tried to look and to recognize him but I couldn't think of him at
10 all, of any people working at S-21. I still think I never met
11 him before. That is point one.

12 And on point number two I would like to talk about Mr. Kok Sros'
13 testimony, which I do not agree. Kok Sros said I looked at the
14 detention rooms occasionally. It sounds plausible but I never
15 did that, and that is the reason of the testimony that led me to
16 believe that Kok Sros was not a member of S-21.

17 And the second point to prove that he was not a member of the
18 S-21, he said that I instructed and provided lessons to the
19 guards regarding the policy on the enemy. Of course I taught the
20 guards regarding the general situation and also talked about the
21 enemy, based on documents provided by Angkar, but it was in
22 general. And regarding the teaching of specific enemy detained
23 at S-21, that testimony is not true.

24 And the third point: Kok Sros said I ordered the prisoners to
25 copy documents, so this is another reason that makes me believe

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1 he is not a member of the S-21. At S-21 we had a photocopier,
2 that is one machine, and the other one is a stencil machine and
3 then a roller and they are the remnants of Division 703. Before
4 I became the Chairman of S-21, 703 was already in operation of
5 the three machines. Although I have the three machines in my
6 house, as ordered by my superior, only where needed, I ordered
7 the S-21 staff to use it. Therefore, I am not convinced that Kok
8 Sros was a former guard of S-21.

9 And I would like to provide my observations on the following
10 situations. Kok Sros did not clearly recognize any people except
11 those who were well known by the public like Peng, Huy Sre, Hor
12 and myself and besides, even Nat who was the former Chairman of
13 S-21, he did not even know. So it is my observation that I am
14 not convinced he was a former S-1 guard.

15 [11.47:50]

16 I also would like to provide another testimony. Kok Sros said
17 about a meeting regarding instructions to prevent the prisoners
18 escape. If he were a member, the essence of the meeting would be
19 according to the circular instructions that all comrades are
20 instructed to follow the instructions by the S-21 document with
21 ERN 00008091. If Peng really led a meeting, he would pass these
22 instructions on this document.

23 So, in summary, there are several issues which make me believe
24 that Kok Sros was not a member of the S-21 guards; however, I do
25 not completely reject his status. If the Co-Investigating Judges

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1 have any evidentiary documents to put before the Chamber that he
2 was a member, then I would accept it.

3 This is my response, Your Honour.

4 MR. PRESIDENT:

5 Judge Lavergne, you take the floor.

6 BY JUDGE LAVERGNE:

7 Q.It seems to me that after such a statement, the witness should
8 have the possibility of providing his own clarifications in
9 relation to what I just heard and, in particular, to tell us if,
10 yes or no, he was a staff member at S-21.

11 A.I would like to clearly state that I am a former S-21 guard
12 starting from late 1975 until Phnom Penh fell, and this is my
13 response.

14 [11.50:38]

15 JUDGE LAVERGNE:

16 So if I understood properly what the accused told us is that as
17 long as we do not have a written document that can check this
18 that, well, he believes that Mr. Kok Sros' statement is doubtful.

19 Is that what you are saying, but if we provide you a written
20 document that states that he was part of the S-21 staff you would
21 accept it. Is that so?

22 THE ACCUSED:

23 Your Honour, I would like to state that the list of S-21 staff
24 from the time that I took control and during the investigation, I
25 never seen such a list submitted by the Co-Investigating Judges

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1 to the Chamber. So that is one issue.

2 And on a separate issue, regarding Kok Sros and other people who
3 allege themselves to be the S-21 staff, there might be a few
4 other people whom I might not know clearly. So if there is S-21
5 documents on the list of staff, if their names are there and you
6 can clearly verify that categorically, I would accept their
7 testimonies.

8 JUDGE LAVERGNE:

9 Can you tell the Chamber today that you personally knew each one
10 of the staff members at S-21 or no?

11 THE ACCUSED:

12 Your Honour, the S-21 staff, for those who came from M-13 I knew
13 everyone of them without any exception; namely, Brother Mam Nai,
14 alias Chan, Tong Sun Hoeun, alias Pon, Prak Nan (phonetic), On
15 (phonetic), Oeun (phonetic), Tith. I knew every one of them.
16 And for those forces who were the former city resistant forces,
17 there were five of them, and I knew every one of them.

18 [11.53.50]

19 And for those that came from 703 Division, I knew some of them
20 including Hor, Huy Sre, Huy from the Special Force, Phal, Snguon,
21 Pauch and several interrogators and as well as Suos Thy
22 So for those whom I knew I would not deny their status, but I
23 can't say at this stage that I only know some of those forces
24 came from Division 703.

25 JUDGE LAVERGNE:

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1 Can you remind us of the number of people who were part of the
2 S-21 staff and who came from the 703rd Division and, in
3 particular, those who came from M-13? Could you say that more
4 than 80 percent came from the 703rd Division?

5 THE ACCUSED:

6 Your Honour, the statistics that we received from the general
7 staff, which was submitted by the Co-Investigating Judges to the
8 Chamber, there were more than 2,000 staff, 2,300 something. And
9 amongst those from M-13 including young and old, including my
10 guard, parents -- there were -- total number which was mentioned
11 in that document, and three people from the city force and the
12 other two only got married when they worked at S-21. So that was
13 the city force.

14 Also, there were the teenagers from Kampong Chhnang. There were
15 about 40 of them, and amongst those 40 I clearly knew four of
16 them. I knew their names and I knew their faces and the rest,
17 they were the forces from 703, and in total they would be in
18 excess of 95 percent of the total forces employed at S-21.

19 JUDGE LAVERGNE:

20 So regarding the 2,000 people you just spoke about, you knew
21 about 100?

22 THE ACCUSED:

23 No, less than 100; far less than 100.

24 JUDGE LAVERGNE:

25 I have no further questions, thank you.

52

1 [11.57.21]

2 MR. PRESIDENT:

3 The hearing of the testimony of the witness Kok Sros now comes to
4 an end and also it is time for lunch break. The Chamber will
5 adjourn the hearing this morning and we'll resume this afternoon.
6 Mr. Kok Sros, the Chamber would like to thank you for providing
7 your testimony before this Chamber. We also have taken note of
8 the difficulties that you have experienced in providing your
9 testimony as being faced by several questions put to you by the
10 Chamber and by the various parties.

11 Secondly, the difficulty arose as a result of the facts which had
12 been for many years -- 30, 34 years already, and the recollection
13 of people in general tend to forget certain aspects of the facts.
14 Regardless of this, the Chamber appreciates your testimony and
15 you can now return to your residence.

16 Court Officer, make necessary arrangements for Mr. Kok Sros to
17 return to his residence.

18 And for this afternoon, starting from 1.30, the Chamber will hear
19 the testimony of a witness, KW-07. So the hearing is now
20 adjourned.

21 Security guards, take the accused to the waiting room and bring
22 him back to the Chamber before 1.30 p.m.

23 (Judges exit courtroom)

24 (Witness exits courtroom)

25 (Court recesses from 1200H to 1332H)

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1 (Judges enter courtroom)

2 MR. PRESIDENT:

3 Please be seated. The Court is now in session. We're going to
4 hear the next witness. The Court Officer is now instructed to
5 bring in witness Suos Thy into the courtroom.

6 (Witness enters courtroom)

7 QUESTIONING BY THE BENCH

8 BY MR. PRESIDENT:

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

10 A.I am Suos Thy.

11 [13.35.05]

12 Q.Do you have any alias?

13 A.No, Your Honour, I don't have any other name.

14 Q.How old are you?

15 A.I'm 58 years old.

16 Q. What is your occupation now?

17 A.I do farming. I'm a farmer.

18 Q.According to the report of the Greffiers, it indicates clearly
19 that you have no blood relation with any parties to the
20 proceeding today and that you have taken an oath already. Is
21 that correct?

22 A. That is correct, Your Honour.

23 Q. Mr. Suos Thy, as a witness who is testifying before the Trial
24 Chamber of the Extraordinary Chamber in the Courts of Cambodia,
25 you have the following rights and obligations. As a witness, you

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1 can choose not to respond to any questions that you believe or
2 you are afraid that your testimony could self-incriminate you.
3 So you have the right not to incriminate yourself.
4 At the same time, while you are a witness you have the obligation
5 to talk only about the truth; nothing but the truth. And your
6 testimony shall not be from your assumption or conclusion other
7 than what you witnessed. Do you understand what we have told
8 you?

9 A.Yes I do, Your Honour.

10 [13.37.34]

11 Q.Mr. Suos Thy, when did you join the revolutionary movement?

12 A.After the coup d'état staged by Lon Nol to topple down the
13 king, the former Prince Norodom Sihanouk. And in 1971, late
14 1971, with the appeal of the former prince, I joined the army and
15 I was the local militia for the commune in Koh Keo, and later on
16 I was sent to work in a unit in the Special Zone near Phnom Penh.
17 And I was promoted to be the combatant of a regiment and I fought
18 in the battles in the battlefield near Phnom Penh until 1973 when
19 I was severely injured and was hospitalized for a few months.
20 After I was discharged from the hospital I was used as the medic
21 for the Battalion 112. And in 1974, because my injury was still
22 severe, I was sent to the Company 23. And Peng was actually the
23 chief of that battalion.

24 I was asked to register the lists or the names of combatants who
25 got injured during the battlefields and that I had to report to

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1 the superior. And I prepared or made the lists in this Battalion
2 112 until 1975 and after a few months, two months after the fall
3 of Phnom Penh, I was reassigned to my unit and I was the deputy
4 chief of that team.

5 [13.40.49]

6 Q.After the liberation day, after the 17th of April 1975 until
7 the 7th of January 1979, what had you done and in which units had
8 you worked?

9 A.After 1975 until 1979, first after two months I was assigned
10 to the unit and in late 1975 I saw Hor in the battalion I worked
11 in and then Hor asked that I work with him in the PJ location
12 near the central market. And first I was not assigned any task.
13 I was later on given the lists, to prepare the lists of detainees
14 at that PJ prison or office.

15 In late 1975, maybe early 1976, the location of the prison was
16 changed to Tuol Sleng, current location, and I worked in the
17 guard unit. And Hor asked me to take hold of the prisoners'
18 lists, to grasp or to control how many detainees were being sent
19 in and out and also to summarize their biographies. And I had
20 been dealing with these lists until the day Phnom Penh was
21 liberated.

22 Q.You indicated that you administered the lists of the wounded
23 combatants and ammunition during the wartime before 1975 and in
24 the battlefields to liberate Phnom Penh from Lon Nol's regime.
25 And there was Huy you mentioned. What was his full name?

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1 A.He was Nun Huy or Huy Sre. He was the commander of the
2 battalion.

3 Q.You also stated that after the 17th of April 1975 -- although
4 you said you were not quite sure but after that time Hor took you
5 to work in a location which was the former PJ prison -- or at the
6 prison. Is that correct?

7 A.That is correct, Your Honour.

8 [13.44.42]

9 Q.Can you tell the Court about the full name of Hor, the Hor you
10 mentioned at the PJ, and what was his role? What was his role
11 back then?

12 A.I don't remember his full name but actually he was the chief
13 of regiment of the Division 703, and later on he worked at S-21
14 as the deputy chairman of S-21, or Tuol Sleng.

15 Q.When Hor took you to work at a prison, the former PJ location,
16 at the beginning, where was it located? If now, where would it
17 be? Could you please give, for example, a landmark of importance
18 to which you can link that location to that important location --
19 for example, central market?

20 A.The PJ prison location is now located at the police
21 headquarters in Phnom Penh.

22 Q.Is it to the south of central market, about 200 metres to the
23 south of central market; is it correct?

24 A.It's correct, Your Honour; it's to the south of the central
25 market.

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1 Q.Because currently this location is occupied by the police
2 headquarters, but the police headquarters has been swept to the
3 other side of the town because it's further from the TV tower, so
4 make sure that we understand the location very clearly. So you
5 did say that the PJ location was once located at the current
6 location south to central market.

7 When you said the PJ location was used as the prison, so who was
8 in charge as the chairperson at that location?

9 [13.47.32]

10 A.When I first came to work at that location -- at the PJ
11 location -- I did not know whether it belonged to the S-21 but it
12 first originally belonged to Division 703 in which Brother Nat
13 was the chairman and Huy was the deputy chief of that PJ prison.

14 Q.How long did you work at the PJ location before it is changed
15 or moved to the S 21 location of Phnom Penh centre back then?

16 A.I don't remember in full but actually after one or two or
17 maybe three months after I had worked at that PJ location before
18 we were moved to the current S-21 location.

19 Q.During the few months -- initial few months, at that compound
20 before it was moved to the S-21 location, had you ever known the
21 accused, alias Duch, back then?

22 A.I had never known him at the PJ prison.

23 Q.When did you start to get to know him -- to know the accused?

24 A.I came to know him only when Ta Nat was removed and that Duch
25 was promoted to be the Chairman of S-21.

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1 Q.Do you know what was the reason behind the removal of In Lorn,
2 alias Nat, from the position? So when Nat was removed was S-21
3 still located at the PJ location or was it already moved to S-21,
4 or current Tuol Sleng prison compound?

5 A.Mr. President, could you please repeat your question? I may
6 not understand it well.

7 [13.51.05]

8 Q.You said Nat was removed and that a new chairman was put to
9 replace Nat. The question is that when such removal took place,
10 did it happen at the former location of the PJ prison or did it
11 happen only when the location was already moved to the current
12 S-21, or Tuol Sleng, prison location?

13 A.Ta Nat was replaced at the PJ location, not at the current
14 location at S-21.

15 Q.So this means that when you started working at the PJ
16 location, or prison, you were under the supervision of Nat and
17 that a few months later Nat was removed and Duch was in place of
18 that position, and later on, after Duch was promoted, then the
19 location was moved to the current location. Is that a fair
20 assumption of what we understand from you?

21 A.That is true. It's correct, Your Honour.

22 Q.When Hor took you to work with him, you said you were asked to
23 administer the prisoners list. The first question is when you
24 first arrived at the PJ location was it a name already used, the
25 PJ prison, or was there any other name to identify that location

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1 at the outset?

2 Question number 2: what were you in charge back then at the very
3 outset when you worked at the PJ location?

4 A.At the PJ location it was known as the 703 Division prison and
5 at the beginning I

6 was asked to prepare the lists of the detainees who were brought
7 in on a daily basis.

8 [13.54.14]

9 Q.Had you ever heard Dam Pheng prison?

10 A.I did not pay attention to know that Dam Pheng prison because
11 I worked at that location, I did not move about, and I was only
12 put to administer the prisoners' lists; that's all.

13 Q.Could you please tell the Court about the work you had done in
14 relation to the administering of the lists of detainees from the
15 time when you worked at the Division 703 prison until you were
16 about to be moved to the S-21? Just tell us about those kind of
17 work before S-21.

18 A.When I was made to keep the lists of detainees, my task was to
19 register thereby a brief biography of any detainees who was being
20 brought in. I was asked to only record their names of the
21 parents and where they were from, and I had to report on a
22 regular basis to the chief of the division, and at that time Meng
23 was put in charge and I had to report to him every day.

24 Q.When detainees were arrested and detained at 703 Division
25 prison and that you were in charge of keeping such lists of the

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1 detainees, were there any photographs taken?

2 A.I don't remember having seen anyone being photographed. After
3 their biographies were obtained detainees would be detained. At
4 that location, the 703 Division prison, there were very few
5 detainees and the list was drawn or made without having any
6 detainee's photograph be taken.

7 [13.57.37]

8 Q.You said that there were only few detainees while you had been
9 working at that PJ location. So can you give us approximate
10 figures of detainees who had been detained and sent into that
11 prison?

12 A.The work at Division 703 was based on the list prepared
13 earlier. I had to only input new entry, which was very few. I
14 mean the new entry regarding the new detainees; there were very
15 few of them.

16 Q.So you said there were very few here, referring to the numbers
17 of detainees who were asked by your superior that you put into
18 the list. But in conclusion, can you give us approximate figures
19 of all the detainees, including those that you had not prepared
20 the list.

21 A.The detainees who had already been arrested, on top of what I
22 had registered, I think there were approximately 100 people only,
23 more or less.

24 Q.You were the list holder or documents holder. Did you know
25 that among the 100 or so detainees arrested and detained at

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1 Division 703 prison, where were they sent from? What kinds of
2 people were they? Were they the former combatants, former Lon
3 Nol soldiers, or were they the officials from Lon Nol's regime?
4 A.At 703 Division prison there were not any internal detainees
5 yet. They were the workers, officials, workers of the factories,
6 but there were no people arrested inside the Party's rank yet.
7 There were only the factory workers and the people of the 17th of
8 April.

9 [14.00.58]

10 Q.Did you know where those people were arrested? So where the
11 703 Division arrested those people, I mean the 100 or so people.

12 A.I did not know because the arrests were carried out outside.

13 Q.The 100-plus people who were detained at the 703 Division
14 prison, as you said, after the prison was relocated from PJ to
15 the Tuol Sleng prison which is currently known as the museum, the
16 Tuol Sleng Museum, were those prisoners -- or where were those
17 prisoners taken to?

18 A.After the 703 prison relocated to Tuol Sleng the prisoners
19 were also brought from that location to Tuol Sleng prison.

20 Q.During the time that you worked at that location, besides
21 making the list of the incoming prisoners did you also work on
22 the list of the outgoing prisoners, besides the remaining
23 prisoners who were transferred to the S-21 prison that is now
24 known as the Tuol Sleng Genocidal Museum? At that particular
25 time were there any prisoners taken out and did you work on the

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1 list of the outgoing prisoners as well as on the incoming
2 prisoners?

3 A. So when the prison was relocated from the 703 Division to the
4 Tuol Sleng all the prisoners from the old location were brought
5 to the new location and none of the prisoners was killed at that
6 time.

7 Q. During the times that you first worked at the PJ location did
8 you ever go to another prison to belong to 703 Division which was
9 located at the psychiatric hospital in Ta Khmau?
10 [14.03.54]

11 A. During the time that I worked at the 703 Division prison at PJ
12 I never went to the Ta Khmau prison because in the Ta Khmau
13 prison there was already a person who administered the list.

14 Q. Now let me talk about the times that you came to work and
15 administer the list at the Santebal Office or S-21 Office in
16 Phnom Penh. And let me remind you that location is now known as
17 the Genocidal Museum of Tuol Sleng. When you first arrived at
18 that location what was your assignment and what was your role in
19 carrying out your assignment?

20 A. After the 703 prison was relocated to Tuol Sleng prison and
21 upon my arrival I was still assigned to work on the list, which
22 is the list of the incoming and outgoing prisoners. Another task
23 that I was assigned to was to write and record biographies of the
24 prisoners on a piece of paper before a photograph was attached to
25 that biography. Also I had to report constantly the total number

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1 of the daily incoming and outgoing prisoners to the S-21A, where
2 Meng was in charge of the list of the prisoners in that location.

3 Q.What was your unit called and how many people working there,
4 and who was the chief?

5 A.In my unit it was called S-21B or, in brief, it's the guards
6 unit and Hor was the chairman of that unit.

7 Q.Hor was a deputy chairman and he also was the general chief of
8 the guards unit. What about your team? Who was the chief and
9 how many people in that group?

10 A.In the group of making list it was only I who made the list
11 because the list -- the records were brief to be written on the
12 list and there was only I who worked on the list.

13 Q.What about the photography section? Which unit did it belong
14 to; was it separate or was it part of your unit?

15 A.The photography unit was part of the S-21A unit under Meng's
16 supervision, and Meng was also a list-maker at S-21A.

17 [14.08.24]

18 Q.Today it is new to us that we have heard the words S-21A and
19 S-21B. So far we have only heard of M-13A and M-13B at Amleang,
20 and we have also heard that the S-21 office located in Phnom Penh
21 and another one is called S-24 or the re-education camp at Prey
22 Sar. And now you have said about S-21A and S-21B. For the
23 S-21A, who was in charge of the S-21A Office and what was his
24 role?

25 A.The chief of the S-21A Office was Duch. He was an overall

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1 Chairman in charge of all the units in S-21A. However, to make
2 it easy to understand, S-21A is an interrogation unit and the
3 S-21B was the guard unit, and the S-21C was the rice fields unit
4 which was later on called the S-24.

5 Q. So regarding the structure, S-21 which is called the Security
6 Office S-21 or S-21 prison was an overall office and there were
7 three subordinate offices under S-21, i.e. S 21A, the
8 interrogation unit; and S-21B, the guard unit or section; and
9 then the S-21C which is the re-education office at Prey Sar. Is
10 this correct?

11 A. That is correct.

12 Q. Let me make it clear that we have to really work on the
13 structure of S-21 so that there shall be no misunderstanding,
14 because now you talk about the S-21A, B, C, and D. Were there
15 any S-21C or D or S-24, as you said?

16 A. From what I heard, there were only S-21A, S-21B and S-21D or
17 S-24. I did not hear of any S-21C.

18 [14.11.59]

19 Q. You said S-21A was the interrogation section. Were there
20 other sections under S 21A?

21 A. Under S-21A there was the interrogation section, the economics
22 section, the photography section and the typist section. So
23 there were like four sections under S-21A.

24 Q. And what about S-21B? How many units under S-21B?

25 A. Under S-21B there was only the guard unit and also the kitchen

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1 -- the cooks group was also under S-21B.

2 Q.What about the Special Unit? Did you ever hear of the Special
3 Unit or the company?

4 A.The company, it was under the guards unit. Initially the
5 Special Unit was under the supervision of the 703 Division and so
6 when it was transferred over it was still referred to as the
7 Special Unit.

8 Q.We want to know about the Special Unit which was initially
9 from the 703 Division. So which unit of S-21B was it integrated
10 into? You said one Special Unit from the 703 Division was
11 integrated into the S-21 and you also talk about S-21B where the
12 guard unit was in, and was the special force also in the S-21B?

13 A.The Special Unit while at the PJ prison it was under the
14 direct supervision of Nat, the chairman of the division.
15 However, at Tuol Sleng the Special Unit was under the supervision
16 of the guard unit under the supervision of Hor.

17 [14.15.35]

18 Q.What about the motor pool or the drivers? Which unit it
19 belonged to?

20 A.For the motor pool it was under the Special Unit. Let me add
21 a bit further. The Special Unit initially was under the 703
22 Division and messengers belonged into that unit later on at Tuol
23 Sleng. So it was still called Special Unit under the supervision
24 of Hor under the guard section.

25 Q.Are there any other units? And what about the medical unit?

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1 Where did it belong too?

2 A.The medical unit was also under the S-21A; that is under the
3 interrogation section. However, later on after the previous
4 medics were arrested, when the new ones arrived, then they were
5 under the supervision of the guard section of S-21B.

6 Q.What about those who worked in the kitchen, who cooked for the
7 S-21 staff and cadres? Which section or unit did it belong to --

8 A, B or D?

9 A.The cook for the cadres was under S-21B; that is under the
10 guard section. And for those who cooked were under the economic
11 unit, who also cooked both for the cadres and for the prisoners.

12 [14.17.50]

13 Q.Were the kitchens separate -- those for the cadres and those
14 for the prisoners?

15 A.It was a common kitchen for both S-21A and S-21B; that is for
16 both the interrogation and the guard sections.

17 Q.You talk about the separate sections. The S-21A, where the
18 economic section was in, and they also provide food to the
19 prisoners, and those cooks in the S-21B provided food to the
20 cadres. Were those who worked in the common kitchen but for
21 different sections used the common equipment in the kitchen,
22 common tools?

23 A.I am not clear on this matter because I did not go to the
24 kitchen.

25 Q.What about the S-21D? What was the clear structure of S-21D

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1 and who was in charge?

2 A.For the S-21D I was not familiar with its structure. However,
3 the chief was Nun Huy. He supervised the S-21D.

4 Q.Let's talk about your task that you administered the list of
5 incoming and outgoing prisoners at S-21. First let's focus on
6 your location where you worked. Where did you work? Did you
7 work within the S-21 compound?

8 A.The guard office where Hor worked was inside and I also was
9 assigned by Hor to work on the lists inside the office; that is
10 inside the prison compound.

11 [14.20.45]

12 MR. PRESIDENT:

13 Court Officer, can you project on the slide the document with the
14 ER number 00189137? Please use the projector, not the screen of
15 the computer.

16 Can you make a proper light adjustment on this? It looks a bit
17 too bright. It's a bit too big now. Can you zoom out a bit?

18 That is fine now.

19 BY MR. PRESIDENT:

20 Q.Mr. Witness, can you look at this photo? The top part is the
21 west and to the right is the north and to the bottom is the east
22 and your left is the south. And there are buildings photographed
23 and marked with Latin letters and there are five of them.

24 From the east, the building on the left, on the far left, is
25 Building A. And then the north-south building is Building B, and

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1 next to it on the north is Building C. And further right, that's
2 Building D. And in front of it, in front of us, it's called
3 Building E. In French it's E.

4 And the location where you worked, which building where you
5 worked amongst the five buildings here of the Tuol Sleng prison?
6 A. It was in a building next to the entrance.

7 [12.24.17]

8 MR. PRESIDENT:

9 Court officer, can you give the witness a pen so that he can
10 indicate the location?

11 THE WITNESS:

12 That was the office where I worked, towards the east.

13 MR. PRESIDENT:

14 Thank you.

15 Court officer, you can remove the document from the projector
16 now.

17 BY MR. PRESIDENT:

18 Q. Mr. Suos Thy, can you describe to the Chamber so that we know
19 the process of registering on the incoming list and the outgoing
20 list of S-21 -- how was it done? You don't have to respond now.

21 MR. PRESIDENT:

22 I notice the presence of the civil party lawyer, group 1. Mr.
23 Werner, you may proceed.

24 MR. WERNER:

25 I apologize for interrupting Your Honour. I just would like the

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1 record to show that, answering your previous question, the
2 witness took a pen and actually indicated Building E, and if it's
3 not on the record then that will not be known. Thank you.

4 MR. PRESIDENT:

5 For the record, it was Building E. It was to the front of
6 Building E towards the east where the witness worked. So it was
7 from the middle of Building E towards the front where Mr. Sous
8 Thy worked.

9 BY MR. PRESIDENT:

10 Q.Mr. Suos Thy, can you describe to us the operation of working
11 on the lists, how the lists were processed for both the incoming
12 prisoners and the outgoing prisoners?

13 A.When the prisoners were brought in by the Special Unit, the
14 Special Unit brought the prisoners in from outside and they were
15 brought through the main entrance on the east. And once they
16 were brought in they were asked to sit and then I would record
17 their names one by one. It was a brief recording of the names,
18 their positions, and the villages or the sub districts.

19 [14.27.44]

20 And after that, let me say that during the time when the
21 prisoners were brought in they were still in handcuffs and
22 blindfolds and during the recording of their names they were
23 still in blindfolds and they were still tied or cuffed. And
24 after I took down their names the prisoners would be taken to the
25 photography location, which is not far from where I worked. It

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1 was just next. So actually I recorded their names outside a room
2 and they later on were brought into the room to be photographed.
3 After they were photographed then they would blindfold the
4 prisoners and then the guards would take those prisoners who were
5 already photographed into the rooms or cells. And once they were
6 brought into the rooms or cells after I made their brief
7 biography I had to register which rooms they had to be detained
8 in, and in which building, in order to combine them into the list
9 so that which prisoners and how many of them were detained in
10 which buildings and in which rooms, common rooms or individual
11 cells, and that would facilitate the guards when they had to
12 bring those prisoners for interrogation. So that is the
13 operation for the incoming prisoners.
14 Regarding the outgoing prisoners, when there was an annotation
15 from Duch a list would be given to Hor and Hor would send the
16 list to me to extract the names and the room numbers and the
17 buildings so that the guards would be able to identify them and
18 to take them out. And during the process the prisoners had to be
19 brought to the front of the main entrance so that they would not
20 be mistaken. Hor reminded me if I made a mistake in identifying
21 a prisoner then I would be accused as a traitor or an enemy.
22 So once they were brought to the front near the gate then I would
23 ask them again regarding their names and positions, and once it's
24 finished I would give the list back to Hor so that Hor would
25 assign the forces to take them out.

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1 [14.31.30]

2 Q.So the lists of detainees that was prepared initially when any
3 detainee was being sent into the S-21 then -- I mean the
4 detainees who were sent by the Special Unit, they would be sent
5 to you so that you can register their names before they would be
6 taken for photographs. Is that correct?

7 A.It is correct, Your Honour.

8 Q.When did they put the photos onto the biography of any
9 detainee?

10 A.A biography would be attached to a photo gradually because I
11 was alone and I could not do it immediately. So we only
12 processed it gradually.

13 Q.After photographs were being taken then detainees would be
14 sent to the detention rooms, including the common room and the
15 individual cells. And you said that at that moment you had to
16 verify the detainees' names again to make sure that you did not
17 make a mistake in counting them. Is that correct?

18 A.In the process of taking the detainees into the detention room
19 then if the small rooms were vacant they would then be fit in
20 that room except the small rooms downstairs were filled or
21 occupied, then the latecomers would be sent to upstairs.

22 [14.33.57]

23 Q.So who notified you whether the rooms were vacant or not and,
24 for example, who made a decision to put prisoner or detainee A or
25 B into any particular room? Were you in charge to do so or you

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1 were only assigned to record their names and that after all the
2 guards would be in charge to bring them to any respective cells
3 or rooms and that you only go there finally to verify the records
4 of the names, when they came and when they were being sent to the
5 room, whether the names are consistent?

6 A. Detainees were taken to the detention facility or rooms by the
7 guards and I was not entitled to take them to their rooms. When
8 the rooms were free for accommodating more detainees then the
9 guards would take them to those respective rooms. I was not in
10 charge of doing so.

11 Q. So after that you had to go to each room to verify the
12 attendance? I mean after the detainees were already sent to the
13 common or individual cells. So what else did you do?

14 A. After I already verified the names of the detainees who were
15 put into each room I would come back to my workplace to retype
16 the names so that we can have the final list and have it reported
17 to the superior and awaiting for the next assignment for
18 tomorrow.

19 Q. You can please continue your testimony.

20 A. I would like -- that I had to report to the superior and that
21 in the report there was no indication of smaller or bigger rooms.
22 We only had the names of the detainees and we did not list down
23 even the titles -- correction; I reported the names of the
24 detainees along with their roles and occupations, but I did not
25 put in which room these particular detainees were detained.

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1 Q.During the time when you were asked to record the detainees,
2 were all the detainees be registered and that their photographs
3 be taken or were there any exceptions; that there was no
4 biography taken and photographs were not taken either or was it
5 not a case?

6 [14.38.08]

7 A.Regarding the detainees who were being sent in, not all of
8 them were sent straight to me because the important detainees
9 would be segregated and they were not put to have their
10 biographies taken because they were then put into their special
11 prisons, and only later that Hor would come to me and bring in
12 the names so that I can have them registered.

13 Q.If Hor was the one in charge of bringing the names of those
14 people who put in the special prison, how could their photographs
15 be processed or taken?

16 A.Regarding the important detainees, I don't think I grasped
17 hold of what happened to them regarding the photography or how
18 they were being taken photograph because it was the superior who
19 would be entitled to understand this.

20 Q.Had you ever seen any children who came along or who were
21 arrested along with their parents and sent to S-21? If you had
22 seen those children, were they also -- were their names also
23 registered in your list?

24 A.Children who were sent to Tuol Sleng's Office were seen coming
25 along with their parents and there was a list of the children.

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1 Their biographies were not processed or obtained.

2 [14.40.11]

3 Q.Were they taken photographs then?

4 A.I did not register their names in the lists but they were not
5 taken photographs either.

6 Q.So it is fair to say that children were not supposed to have
7 their photos taken and that their biography was not subjected to
8 be taken either. Is that correct?

9 A.Yes, it is, Your Honour.

10 Q.In your view, since you had worked close to the entrance of
11 the detention facility and from the very outset when you started
12 working at S-21 until the 7th of January 1979, can you give us
13 the approximate figures of those children who were sent along
14 with their parents to that location?

15 A.I did not pay attention to the children because I had paid
16 great attention to the detainees, who was part of my job to
17 register their names, but I could have some estimation of the
18 figures but I have heard from other people and I think it would
19 not be fair to give my assumption in this Court anyway.

20 Q.It is obvious that you did not register their names, you did
21 not obtain their biographies, and that their photographs were not
22 being taken, but the Court is only interested to know if you can
23 just give us the rough estimation of the figures of those
24 children. Were there about 100 of them or less than that?

25 A.I think it's about hundreds of them.

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1 [14.42.48]

2 Q.Had you ever seen any foreign detainees, especially the
3 Westerners, the white-complexioned detainees; for example, people
4 from Europe? So had you ever registered their names into your
5 list?

6 A.I think Western detainees were not going through my location.
7 They were sent to be detained straight at the special prison.

8 Q.Could you please proceed with your testimony?

9 A.And Hor actually administered their names and Hor would advise
10 his subordinate to have their names registered on a daily basis.
11 I was not in charge of them.

12 Q.Can you give me an estimate of the numbers of foreigners who
13 were detained there?

14 A.I think my estimation can be wrong but there were about three
15 or four of them.

16 Q.Had you also registered any pregnant detainees into your list?

17 A.I did not pay good attention to any pregnant women. I think
18 it has been long time ago. Maybe there were some of them or
19 maybe there were not.

20 [14.45.09]

21 Q.Had you ever received Vietnamese prisoners of war or
22 Vietnamese civilians during the time when there were armed
23 conflicts between Cambodia and Vietnam?

24 A.During the conflicts we had received both civilians and
25 soldiers, the Vietnamese civilians and soldiers.

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1 Q.How many Vietnamese prisoners of war and how many Vietnamese
2 civilians were sent to that location, based on your best
3 recollection?

4 A.I don't remember exactly how many soldiers and how many
5 Vietnamese civilians were brought in.

6 I would like to make it clear that at that time I worked my best
7 to have their name registered and I was alone on my own and
8 that's why I only focussed on putting them into the list.

9 Q.Thank you.

10 MR. PRESIDENT:

11 I think it is now a convenient time for a break or adjournment.
12 Then we now will take an adjournment for 15 minutes and the Court
13 officer is now instructed to make sure that the witness is taken
14 to the waiting room and have a good rest and we resume at 3 p.m.
15 We note the Co-Prosecutor is on his feet. You take the floor.

16 [14.47.15]

17 MR. AHMED:

18 Just a point of clarification. Maybe it was a translation
19 problem and I would suggest to Your Honours, may I put a question
20 for that clarification?

21 When Mr. President asked the question, "How many children were
22 detained?" and Mr. President said was it 100 or thereabouts, I
23 could not get whether the witness said a hundred or hundreds of
24 them. I would most respectfully submit that that could be
25 clarified.

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1 THE GREFFIER:

2 All rise.

3 (Judges exit courtroom)

4 (Court recesses from 1448H to 1503H)

5 (Judges enter courtroom)

6 MR. PRESIDENT:

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

8 We will continue to hear the testimony of the witness Suos Thy.

9 BY MR. PRESIDENT:

10 Q. Before the break the International Co-Prosecutor put a
11 question to the Chamber for clarification to the witness
12 regarding the total number of children which he observed during
13 his work as a record-keeper at the S-21 security office in Phnom
14 Penh.

15 [15.04.23]

16 The Chamber also took note of the uncertainty that you have said
17 because you yourself did not involve directly with the children
18 as they only came along with their parents. And you talk about
19 hundred or hundreds. So can you verify whether they were in the
20 total number of 100, more than 100, or less than 100?

21 When you talk about more than 100, it could be less than 200.

22 However, when you say several hundreds, it could be three, four,
23 500. So can you provide a clearer response to this question?

24 How many, in total?

25 A. For the children, according to my observation, though I am not

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1 certain, it could be more than 100, up to 200 the most.

2 MR. PRESIDENT:

3 Mr. Co-Prosecutor, so now you clearly hear; it's between 100 to

4 200.

5 BY MR. PRESIDENT:

6 Q.The Vietnamese prisoners of war who were arrested and brought

7 to the centre, did you know the total number or were they in the

8 total of 100, less than 100, or under 200, or under 300?

9 We don't want a clear total number if you don't have it because

10 it's been happening so long already. So can you please provide

11 your estimate on the total number?

12 A.From my recollection, although it is not clear, I think the

13 total number was less than 100 for the Vietnamese prisoners of

14 war.

15 Q.What about the Vietnamese civilians; what is the total number?

16 A.I am also not clear, it is my estimate. The number could be

17 100 or a little bit over 100.

18 [15.07.22]

19 Q.Regarding the working hours, when you worked on the list and

20 making the list of the incoming prisoners or the outgoing

21 prisoners, now at this time let me talk about the list for the

22 incoming prisoners who were arrested from outside and brought to

23 the centre by the Special Force. When did you start working?

24 What is your working hours?

25 A.Working with the list of the incoming prisoners, the working

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1 hours varied. I was asked to be on alert 24 hours a day because
2 the prisoners came at various times, sometimes in the morning, at
3 noon, in the evenings, sometimes at 12 midnight, sometimes at 4
4 a.m. in the morning.

5 Q. So you had to be on standby 24 hours per day, and you started
6 working once the prisoners were sent without any delay. Is this
7 correct?

8 A. Yes, that is correct.

9 Q. While you were working there, did you ever witness the arrival
10 of those who were arrested en masse, who were sent at one time or
11 in one day? Did you ever witness that?

12 A. For the prisoners who were sent, usually the number could be
13 four, 10, 20 or 30 at the most, however, toward the late 1978
14 they were sent en masse. Sometimes there could be more than 100
15 of them, but not on many occasions that they were sent. They
16 were usually sent from the northwest zone on a few occasions. As
17 I said earlier, the regular number ranged from one person to 20.

18 [15.10.00]

19 Q. Did you ever experience the sending to S-21 of the prisoners
20 in large number and did the Special Force drive the vehicles that
21 transported the prisoners directly into and inside the S-21
22 compound as they were in large number, because we have heard that
23 when they were brought in in smaller number they would be walked
24 from outside into the main entrance of S-21. But in large
25 scales, they would be transported into the vehicle by the Special

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1 Force inside the compound. Did you ever witness that?

2 A.Yes. There were cases like that.

3 Q.If so, what was the process of processing those prisoners and

4 how was the photographer process those prisoners?

5 A.Towards the end, when they were brought in en masse, the

6 prisoners were not brought into the location where they would be

7 photographed. They were put into the detention facility and I

8 went to that location to make the lists there directly. I only

9 recorded their names onto the list.

10 Q.You can continue.

11 A.However, regarding the photograph, I'm not sure. Maybe Hor

12 would assign a photographer to photograph those before they were

13 entered into the rooms, and that only happened toward late 1978.

14 Q.We talked about the times when the prisoners were sent in

15 large scale. And when you had to make a brief biography of each

16 prisoner and usually you would write the brief biography straight

17 away and then you would hand over the prisoners to the guards,

18 and the guards would send them to the detention rooms or the

19 interview cells.

20 [15.12.54]

21 And, in such cases, when the prisoners were brought in in large

22 scale, did the guards take those prisoners to be put into the

23 common rooms or in the interview cells and shackle them first

24 before you went to the rooms or the cells in order to register

25 their names on the list?

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1 Or how was it done? Were they detained in the rooms first, and
2 then the list was made later? Or the list was made at the same
3 time as they were brought in and later on they were handed over
4 to the guards for them to take to the detention rooms?

5 A. Let me clarify the process of the incoming prisoners.

6 Once they arrived at my location, I registered their biography
7 and the guards would, on their own, take them to their detention
8 rooms or cells. And for us, when we went to those rooms we did
9 not go and make the list, we only get from the guards which
10 prisoners were put in which rooms or cells.

11 Q. So when the prisoners were brought en masse then the
12 operations were the same, that is, to extract their brief
13 biographies, and later on they were handed over to the guards so
14 the guards could take them to be detained in the rooms or cells.
15 Also, the common process would be when you would go and inquire
16 from the guards which rooms the prisoners were brought in, so you
17 would register the room numbers or the cells numbers onto the
18 list. Is that correct? Do you understand the question?

19 A. Yes, I do.

20 [15.15.11]

21 In principle, the prisoners, once they were brought in, they
22 would be questioned for their brief biography and, later on, the
23 guards would take them to be detained into the rooms or cells.
24 And, later on, when we went into the rooms we did not ask for any
25 further biography. We only asked the guards for the room numbers

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1 for those prisoners. So that we would ask the room numbers and
2 the building and that information would be kept at my location,
3 at my office, and not to be sent to the upper echelon because
4 then when they would come to me to inquire about a prisoner then
5 I can tell them which room or which building they were detained.

6 Q.In the detention facilities, that is the common rooms and the
7 individual cells; were the numbers clearly displayed for those
8 individuals' cells and the common rooms were any codes used? So
9 if codes were not used, what was the process?

10 A.In the detention rooms they always have numbers, including the
11 numbers for the individual cells. Also the building had a
12 number. However, these numbers are for my own use in my section
13 in order to facilitate the interrogation section, so that they
14 could ask the guards to bring them in. But the reports which
15 were sent to the upper echelon did not contain the room or the
16 cell numbers.

17 Q.Through your observation, when the prisoners were brought in
18 -- as you said, they were brought in by the special force and you
19 talk about the guards. The guards, after the prisoners were
20 asked for their biographies and were photographed, then those
21 guards would take them to the common rooms or to the individual
22 cells. Were they taken by the guards unit or by that same
23 Special Unit?

24 [15.17.58]

25 A.The prisoners who were brought in by the Special Unit, they

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1 were brought inside the compound. However, once the prisoners
2 were inside then the prisoners would be handed over to the guards
3 section to take them to the individual cells or rooms.

4 Q.As you worked there directly, the prisoners who were handed
5 over from the special force to the guard unit after their brief
6 biographies and photographs were taken, and later on the guards
7 took them to the common rooms and the individual cells, were
8 those prisoners still in their dress or were their dress or
9 clothes removed?

10 A.Let me clarify the previous question to make it clear.
11 Regarding the special force who brought the prisoners inside the
12 compound, then the guard section would tell them which rooms or
13 which individual cells were vacant and available. Then the
14 special force would take those prisoners into those vacant rooms
15 or individual cells.

16 Can you restate your second question, please?

17 Q.So the special force duty was to deliver those prisoners
18 inside the compound and hand it over to you to extract their
19 brief biographies for each prisoner, and after that they would be
20 photographed, and after that the special force still had the duty
21 to take them to the detention room or individual cells, and only
22 after that they would be handed over to the guards. Is this a
23 fair assumption?

24 A.That is correct.

25 [15.20.19]

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1 Q.The questions that I asked you previously, did you observe
2 when the prisoners were brought in and later on they were taken
3 to be detained in their rooms, were they still in the same
4 clothing or were the clothes removed? That is the pants or long
5 shirts removed and they only were allowed to wear shorts?

6 A.The prisoners who were brought into my location, the way they
7 dressed were varied. Sometimes they only wore shorts. Some of
8 them still wore pants, although I am not certain on this.

9 Q.Thank you. Let me talk about another stage, that is, the
10 interrogation phase. What was your task involved in relation to
11 the interrogation group regarding the processing of the prisoners
12 to be taken out for interrogation and brought in after the
13 interrogation?

14 A.In relation to my involvement with the interrogation unit was
15 that the interrogation unit would give me the name. I only
16 needed the name and the ministry because I already knew their
17 position. Then I would indicate the room number and the building
18 and then the interrogation unit itself would go and take the
19 prisoners for interrogation. And when the interrogation
20 completed they did not come to me. The prisoners would be
21 brought into the rooms by the interrogation unit itself.

22 Q.So if they needed they would come to you to get the number,
23 the cell number, and the building number. Who actually annotated
24 on the letter? Was it in writing? Who actually authorized for
25 you to indicate the prisoners to be taken out for interrogation?

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1 A.The names given to me by the interrogation, it was on a small
2 piece of paper without any annotation. It was just the name and
3 the position on a piece of paper.

4 [15.23.41]

5 Q.I would like you to reiterate again. You already said that
6 the list of the incoming prisoners, when they were done you would
7 report, and whom did you report to and what was his position?

8 A.Regarding the daily list of the incoming prisoners, I made a
9 daily report at 7 a.m. It had to be finished by that time, and
10 after I completed the list I gave the list to Hor for his
11 signature. After he signed it I would then take the list to give
12 to Meng who was in charge of the interrogation unit, which was
13 the S-21A unit.

14 Q.During the administering of prisoners at S-21 were there cases
15 where prisoners were relocated from the common rooms to the
16 individual cells, or from the individual cells after
17 interrogation to the common rooms? Did such cases exist?

18 [15.25.51]

19 A.The relocation of prisoners happened constantly according to
20 the report made by the interrogation unit. Once the prisoner was
21 interrogated and if the prisoner was from the common room, then
22 that prisoner would be taken into the individual to separate the
23 person from those held in a common room and that was reported to
24 Hor and from Hor I knew, and then I would make the adjustment on
25 the list; that is the change from the common room to the

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1 interview cell.

2 Q.Did you ever experience an incident where you met a prisoner
3 and that prisoner died? Did you ever witness such cases?

4 A.For the prisoners who died in the rooms, I did not witness it
5 personally. I only saw the report made by the medical personnel
6 because in each building there was a standby medic and, if a
7 prisoner was sick, then the medic would report to Hor and also a
8 medic would report if a prisoner died. So from the report from
9 the medic which was sent to Hor, I would take that one and make
10 the adjustment on the list that I had.

11 [15.27.59]

12 Q.So for the prisoners who died due to sickness or insufficient
13 food, you would also make a list -- that is, to remove them from
14 the list according to the report that you received. But you,
15 personally, did not go and witness it as it was the
16 responsibility of the medical unit and then the guard unit would
17 report to Hor and Hor would give the report to you. Is this a
18 fair assumption?

19 A.That is correct.

20 Q.Did you know if at S-21 an incident such as the drawing of
21 blood from the prisoners occurred according to the needs of the
22 hospitals? Did you hear or did you know about the drawing of the
23 blood from the prisoners?

24 A.Regarding the prisoners whose blood was drawn, I did not
25 witness it personally, but I knew it as Hor asked me to request

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1 the list of the prisoners whose blood was drawn into the list of
2 prisoners to be smashed.

3 Q.What did Hor order you so that you knew about the blood -- the
4 drawing of blood and that the names of those had to be included
5 into the list of prisoners to be smashed? What was the process
6 from the start or the beginning regarding this section?

7 A.Regarding the drawing of blood, the medical unit made a
8 request to Hor and Hor, subsequently, made a request to Duch
9 because any removal of any prisoner had to be authorized from
10 Duch. So the drawing of blood, I personally did not witness it,
11 but for any prisoner whose blood was drawn, the prisoner would
12 die.

13 Later, Hor would receive the report from the medical unit
14 indicating the names that they requested from Hor and, later on,
15 I would verify the list against my list and that's all.

16 [15.31.05]

17 Q.Were you told by Hor to prepare any list in advance; for
18 example, the list of A, B, C who were expected to have their
19 blood drawn because normally, as what we heard, the practice was
20 that the blood would have been drained from any detainee until
21 they're dying?

22 So were you assigned to prepare such lists; I mean the lists of
23 detainees to be taken to have their blood drawn and that, later
24 on, their names would be included in the list of people to be
25 smashed, or were the people who registered in the list of the

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1 people to have their blood drawn already considered as people in
2 the list of the people to be smashed, or can you tell the Court,
3 precisely, what were you supposed to do according to the orders
4 from Hor regarding to be taken the blood detainees?

5 A.After any detainee's blood was drawn, then the report would be
6 sent to Hor.

7 Q.So what about your list, how could you have these names
8 registered?

9 Please, wait until you see the red light before you can respond,
10 otherwise your message cannot be communicated. Please, answer
11 again.

12 A.Regarding the "to smash" list, after a detainee was taken
13 blood, then the next day
14 there would be a report to Hor, then Hor would take the names of
15 the people whose blood was drawn to be included in the list of
16 people to be smashed. However, I'm not quite sure about this
17 whether the people whose blood was drawn had to be included in
18 the smashed list or not.

19 [15.34.07]

20 Q.To the best of your recollection, when the detainees whose
21 blood was drawn and then their names included in the list of
22 people to be smashed, how many of them were they? I mean, how
23 many people were taken to have their blood drawn? Just give us
24 an approximate figure.

25 A.I'm not quite sure, but approximately there would have been

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1 two times when prisoners were taken to have their blood drawn,
2 and in each occasion there would have been only, like, four to 10
3 people at a time. So altogether, maybe, there were only about 20
4 people who were taken to have their blood drawn.

5 Q.Where were was the place in which the detainees would have
6 their blood drained or drawn?

7 A.It was not inside the prison compound, that the medic would
8 take them to the outside location, and I was not in the position
9 to know where it would have been taking place.

10 Q.So if you was not involved in knowing where these detainees
11 would be taken to, how could you tell the guards or the people
12 who were to take those detainees to have their blood drawn, which
13 room -- did they know the detainees would have been detained and
14 the people who were to be taken away to have their blood drawn?
15 So please tell us more about this.

16 A.To clarify this, for the detainees who were taken by the medic
17 to have their blood drawn, actually, before such practice could
18 take place, there was a request made to Hor and before the
19 detainees were taken out I would be informed or asked to identify
20 the location of the detainees because it was part of my job.

21 Q.You had known this because you were involved in the register
22 of the detainees. And to your best memory were all the detainees
23 who were detained at S-21 interrogated or were there any
24 exceptions? Exceptions here mean people would not be interrogated
25 at all.

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1 A.I think I'm not quite sure whether all the detainees were
2 subjected to be interrogated or there were exceptions or not.
3 [15.38.08]

4 Q.Now, let's talk about the outgoing list of detainees. In
5 preparing the lists for detainees to be taken out from the
6 prison, could you tell the Court of the process?

7 A.After Hor received the lists, the full lists from Duch who
8 already annotated on those lists, then Hor would give the list to
9 me to verify the numbers, the names, especially who would be
10 taken away to be smashed and who would remain at the premises.
11 And after that I have to register in the list by identifying the
12 building they belonged to in order to facilitate the guards to
13 take them out. And after registering the room numbers and the
14 building number then I would give the list back to Hor who later
15 on assigned his men to take the prisoners out.

16 At the beginning, prisoners would not be taken to the outside of
17 the compound. They would only be unlocked and then taken to the
18 outside next to their room and then I had to verify their names
19 and roles, so on and so forth. And that I was well-informed and
20 warned that if I made any mistake with the names of the detainee
21 then I would be accountable for the wrongdoing.

22 I was warned by Hor and I had to make sure that the information
23 was precise so I had to double check it before I gave the list to
24 Hor. And that's the time when my duty ended.

25 Q.When you said that detainees would be taken out to be executed

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1 then the list should be re-adjusted and that there would have
2 been annotation from Duch to Hor who later on sent the list to
3 you to verify them, and that you helped facilitate this process
4 to verify the names because you would like to make sure that it
5 would be easy for Hor to assign his men to take them out.

6 [15.41.27]

7 And you said detainees were taken out of the room and were they
8 taken to the door, the gateway at the entrance to S-21 or were
9 they just taken out from their rooms, or respective rooms and --
10 while their names were being verified?

11 A.They were put at the entrance or the gate, the access to the
12 prison compound while their names were finally verified.

13 Q.Did you have to do that in general as a principle or did it
14 only happen when there were en masse sending out of detainees to
15 be executed and that while there were fewer detainees to be sent
16 out that you did not have to do that?

17 Can you please elaborate further on this?

18 A.Regardless of any number of detainees to be taken out, the
19 process would be identical, because I had no time to inspect
20 inside the prison cells because these detainees had to be taken
21 to the gate, the entrance and so I had to follow the same routine
22 with fewer or more detainees.

23 Q.When trucks would be coming to pick them up, were the trucks
24 parked outside the compound or were they allowed to come into the
25 complex to pick those detainees before they could be loaded to be

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1 executed?

2 [15.43.51]

3 A.Detainees would be loaded on the trucks which parked outside.

4 And after the final names were verified then the truck would

5 leave or take off and the door, the gate door would be locked and

6 the trucks were not allowed to come in.

7 Q.So at that time the front gate was locked. Is that correct?

8 And that only a small path would be allowed for anyone to access

9 to that location in order to make it easy for you and for other

10 people to verify the names of the detainee to be sent to be

11 executed?

12 A.That is correct, because the door would be partially opened to

13 make sure that only one detainee would be walking out at a time

14 to that truck.

15 Q.Could you try to recollect the times when there were fewer

16 detainees being taken away to be executed at the nearby location

17 next to the compound of S-21? Were there the same practices or

18 routines like those when detainees would be taken away to be

19 executed at Choeung Ek? Please, can you tell the Court about

20 this?

21 A.When detainees were taken to be executed just in the

22 neighbourhood of the S-21, the operation would be the same. The

23 difference is that when there were more people to be executed at

24 Choeung Ek then there would be involved with trucks, and that's

25 all.

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1 Q. So when detainees had to be smashed at the nearby location at
2 S-21 were they also transported by trucks or were they walked to
3 be executed?

4 A. I don't remember quite well because I was not involved in how
5 people would be taken away, because I only paid great attention
6 to my task to verify their names, although I knew that trucks
7 would be parking outside.

8 But when it comes to detainees who were killed in the
9 neighbourhood, I didn't know for sure.

10 [15.47.18]

11 Q. The reason I asked this question, because in the case file
12 there are documents and there is information concerning the
13 individual detainee who would be taken away to be smashed in that
14 nearby compound. But then in the early 1980 the mass graves were
15 exhumed and several mass graves were exhumed, and according to
16 the records there were -- in some mass graves there were 28
17 bodies, and at least 16 bodies were buried in each mass grave.
18 That's why we asked this question regarding the execution and how
19 execution was carried out when it involved fewer people and more
20 people; for example, whether detainees would be taken altogether
21 at once and that they were sent out from the vicinity and that
22 the door would be locked and that the list would be finalized.
23 Or were there be a kind of process in which one detainee at a
24 time would be taken out and that the list would be finally
25 verified and this process could take time, for example like

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1 hours?

2 That's why it is important to know about this and we want to seek
3 further clarification from you, so to your best recollection can
4 you tell the Court whether you can remember it?

5 A.In general, I think in short, I don't remember quite well
6 because normally after the final -- the list was finally
7 verified, then they would be loaded on the trucks and they would
8 not be walked.

9 Q.Were you supposed to actually also make another list after
10 execution was already carried out?

11 [15.50.38]

12 A.After any detainee was taken out and after the final list
13 verified, the list would have been sent to Hor, who sent to the
14 guards, including Huy and Peng who were holding the lists after
15 all. And after the detainees were executed then Hor would grab
16 the list and then I would verify the list against the detainees
17 who were still in the prison and those who were already smashed.

18 Q.So this process applied to both en masse execution and small
19 execution. Is that correct?

20 A.It's correct, Your Honour.

21 Q.Were you trained or instructed, and from whom, regarding your
22 daily operation at the location?

23 A.How the lists were prepared were instructed by Hor. So
24 whatever Hor would like me to do then I would just follow his
25 orders.

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1 Q.What about the important detainees or foreigners? You said
2 earlier that when they were initially sent to be detained at S-21
3 that those prisoners would not pass you because they were sent to
4 the special prison. So when they were taken to be executed were
5 you also involved in their registration?

6 A.Regarding the important detainees, it is true that they did
7 not go through me because Duch already was quite aware of those
8 important detainees and big people, and they had to execute these
9 kind of operations themselves without having to bother me.

10 [15.53.42]

11 Q.Those who were in charge of executing the important prisoners
12 or detainees and Western detainees, were they supposed to send
13 the list of the people who had been smashed to you to keep a good
14 record?

15 A.Normally the important prisoners at the special prisons
16 outside of S-21 and within S-21, if they were smashed I was not
17 well informed, but then Hor would bring in the list of those
18 people so that I could have them included and reported to the
19 superior.

20 Q.Normally in the list of prisoners to be smashed in which you
21 said the accused would annotate on such a list, so how could you
22 know that these particular names had to be smashed? How did you
23 learn from the annotations by Duch that you knew that the persons
24 had to be smashed?

25 A.Only Duch had the authority to annotate anyone to be smashed,

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1 and they used the code name like in Khmer "kam kam" which could
2 be translated as "smash".

3 Q.Now let's talk about the lists of the people who had been
4 smashed and that you would be given the lists to make sure that
5 their names are recorded and that the numbers of people smashed
6 would be well recorded. Can you tell the Court about this
7 process again?

8 A.Regarding the "to smash" list, as I already said and so far as
9 I remember -- sorry, Mr. President, could you please repeat your
10 question?

11 Q.According to your recollection, you said that there were lists
12 of people to be taken out and people to be sent in and that
13 people who were smashed, the names of them would be sent to you
14 by Hor with the annotations of Duch and you said that those
15 annotations consist of the terms "kam kam" in Khmer, which means
16 "smash", and that you would be given such lists so that you could
17 have them recorded in the record or archive to identify how many
18 people would have been smashed.

19 [15.58.05]

20 And you said that you were warned that if you had made any
21 mistake regarding the people to be taken away to be smashed --
22 for example, like, any detainee who would not yet be ready to be
23 taken away to be smashed and that you made a mistake to list
24 their name too premature, then you would be punished and that
25 you had to work harder to verify those lists and that the

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1 detainees would be taken to the gate and that after finalizing
2 the list and names, the detainees would be loaded on the trucks
3 and that another list would be given to the people who
4 accompanied the detainees to the killing site and later on, after
5 they were executed, the list would be given back to you to make
6 sure that you can compile a common "to be smashed" detainees or
7 names and that, after all, the names would be put into a report
8 and that the report would be sent to the superior.

9 The question is: what kind of information was needed in that
10 kind of list, the list of detainees who had already been smashed
11 and that you had to send to the superior?

12 A.Regarding the list of the prisoners who had been smashed
13 already, next day I would have to report at 7 a.m. and the list
14 was called list "smashing list on" then a date would be inserted
15 and then the names of those who had been smashed and their
16 positions would be recorded onto that list -- a smashing list and
17 then a particular date.

18 Q.In your response you said the children were not registered in
19 the list. The question is from your observation the children who
20 were taken along with their parents; what happened to them?

21 Where were the children taken to?

22 [16.01.00]

23 A.The children who came along with the parents, they were not
24 yet separated at my office, but once the parents were detained in
25 the room then the children would be separated. And once the

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1 children entered the prisons they would not survive; all of them
2 would be killed.

3 Q.From your recollection during the time that you worked were
4 there any cases where prisoners were released?

5 A.From my recollection the prisoners who were detained at Tuol
6 Sleng and during the time that I worked there, none of the
7 prisoners was released. This is my observation and
8 understanding.

9 Q.Did you ever know or receive any information regarding an
10 incident where a prisoner or prisoners successfully escaped from
11 S-21 compound?

12 A.I knew of an incident where a prisoner escaped from S-21
13 prison and that prisoner was a former S-21 staff. Later on both
14 the platoon and the companies in the guard unit were arrested.

15 Q.Did the prisoner successfully escape or he was re-arrested
16 later on?

17 A.The prisoner successfully escaped.

18 Q.The prisoner who escaped successfully, and regarding the
19 making of the list which is part of your job, did you make any
20 lists for prisoners who successfully escaped?

21 [16.03.51]

22 A.For the prisoners who successfully escaped, whatever happened
23 involving a prisoner I had to report it as instructed by Hor in
24 order to report it to the interrogation unit. For example, if a
25 prisoner successfully escaped I would write "successfully

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1 escaped" and if a prisoner was sick I would also put it into the
2 list. Also I had to write it for the prisoner who died and I
3 would have to make a daily report on the conditions or status of
4 the prisoners.

5 Q.You said that because of an incident where a prisoner
6 successfully escaped and it led to the arrest of the S-21 staff
7 in large numbers; is this what you said or did I misunderstand
8 you?

9 A.From what I knew, there were a huge number of arrests after a
10 prisoner successfully escaped.

11 Q.So after a prisoner successfully escaped then the cadres and
12 the staff of S-21 were arrested and detained and later on
13 smashed. Is this correct?

14 A.That is true; especially those who worked in the platoon or in
15 the company and also the guard unit whose task was to guard that
16 building. They were all arrested.

17 Q.When you talk about a unit of 100 and a platoon or a unit of
18 50, what do you mean by that? How many people in each respective
19 unit?

20 A.The unit of 100 is the company and the unit is 50 is the
21 platoon, and in the platoon there were 50; in the company there
22 would be 100.

23 Q.In the event of the arrest of the staff and cadres of S-21,
24 regarding your duty as administering the list, did you process
25 them in the same way as you processed other prisoners or was it a

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1 special circumstance?

2 A. Could you please ask me again?

3 Q. You talked about the arrest of staff and cadres at S-21,
4 including the platoon and the company and some members of the
5 guard unit, and you said the arrest occurred after one prisoner
6 successfully escaped from the S-21 Security Office, and my
7 question to you is: your duty in processing and preparing the
8 list for those people who were former staff and cadres of S-21,
9 was the process the same as the process which you practised for
10 other prisoners?

11 [16.08.28]

12 A. Regarding the arrest of the cadres and staff of S-21 Office, I
13 was not allowed to know. Hor, under the order of Duch, was
14 ordered to conduct those arrests and I had no authority to do
15 anything with this. Hor gave the names to me to extract those
16 names from the list and to make the report to send to the upper
17 echelon.

18 Q. So this means you never had the opportunity to question or to
19 make any brief biography of the former S-21 staff or cadres who
20 were arrested. The arrests were made confidentially and the
21 documents did not go through you, and only after the arrests were
22 made then the list was sent to you in order to include those
23 names into the prisoners list to be sent as a report to the upper
24 echelon. Is this a fair assumption?

25 A. That is correct.

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1 Q.What happened when the former staff and cadres of S-21 were to
2 be interrogated? What was the process and your involvement?

3 A.Regarding the interrogation of the former S-21 staff and
4 cadres, the interrogation unit knew and recognized them. So
5 there was no process involving me at all.

6 Q.Did you know, in regard to the S-21 staff and cadres who were
7 arrested, the process of selecting the targets of the staff who
8 later became the prisoners, how was the target made? For
9 example, how were they processed for interrogation? Did you know
10 that?

11 [16.11.13]

12 A.I did not know any operations regarding the arrest or the
13 interrogation of the S-21 staff. It was conducted secretly and I
14 was not allowed to know.

15 Q.So you talk about the interrogation unit who covered the
16 former S-21 staff and cadres when they were taken for
17 interrogation and when they were taken back into the rooms. How
18 were they covered? What do you mean by that?

19 A.Once when they were walked by the guards they used cloth to
20 cover their face and bodies so we would not recognize them.

21 Q.And what happened after they were interrogated and they had to
22 be returned to the room?

23 A.After being interrogated the process was the same.

24 Q.According to your knowledge, as you worked there and as you
25 administered the list, and in respect of the S-21 staff and

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1 cadres who were arrested, including those working at S-21D, or
2 Prey Sar, were they arrested and sent for detention at S-21
3 location in Phnom Penh in the same way as those S-21 staff who
4 were arrested and detained at the S-21 Office in Phnom Penh?
5 A.Regarding the arrest and the detention, the process was the
6 same, including those who were arrested at the S-24 and for those
7 who were in the guards unit. Although I cannot recall it
8 clearly, it's been so many years already, the S-21 staff who were
9 arrested at S-21, they were put under the column of the General
10 Staff because S-21 was under the supervision of the General
11 Staff.
12 [16.13.43]
13 So the S-21 staff would be written under the column of the
14 General Staff.
15 Q.According to your knowledge, how many of them were arrested?
16 And regarding the list, the list which is already in the case
17 file and the Chamber will examine those lists in the case file,
18 but the questioning now is verbal, based on your recollection in
19 order to verify against the list which is already in the case
20 file and the information from various testimonies of other
21 witnesses. So can you provide your estimate?
22 A.From what I knew, even if it's not certain, the total number
23 would be more than 100 and up to 200.
24 Q.The staff and cadres of S-21, including those at Prey Sar,
25 their arrests and detention were done. Were there any releases

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1 of those after they were arrested, or were they treated the same
2 way as the ordinary prisoners? It means they would be smashed in
3 the end.

4 A.The treatment at Tuol Sleng prison and the arrest of the S-21
5 staff, once they were arrested they would be killed; there was no
6 release. They would be treated like the ordinary prisoners.

7 [16.16.06]

8 Q.You left the S-21 Office. What day did you leave?

9 A.I left S-21 Office after I heard the gunfire. I came out to
10 inquire and I left on that day.

11 Q.So when you heard the gunfires, including the sounds of the
12 armour tanks, is this correct?

13 A.That is correct.

14 Q.So it means you left on the 7th of January 1979 and, if so, at
15 what time?

16 A.It's around 10 or 11, I'm not really sure.

17 Q.When you left, can you try to recall whether the people at
18 S-21 and who left with you, how many types of people who left
19 together? Were there any prisoners who survived and who also
20 left at the same time as you were leaving with the other groups
21 of the S-21 staff?

22 [16.17.37]

23 A.Regarding leaving the S-21 Office on the 7th January '79,
24 prisoners were also leaving at the same time, however, those
25 prisoners were those who worked or who provided a service at

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1 S-21. They left together with us.

2 Q.So it means during that time, certain prisoners were allowed
3 not to be detained or chained in the detention rooms or in the
4 individual cells and instead they were asked to provide certain
5 services to the office.

6 The question is, for those who were allowed to work outside, what
7 happened to their names in the list that you administered?

8 A.In the list they would be marked "prisoners working outside".

9 Q.What about the reports to the upper echelon in respect of the
10 prisoners who were allowed to work outside without being detained
11 or chained in either the common room or the individual cell? In
12 your monthly report or common report to be sent to the upper
13 echelon, what information did you include in that list regarding
14 this matter?

15 A.For the prisoners who were allowed to work outside, in the
16 daily list that I sent they only include the names of the
17 incoming prisoners, however -- and also their names were not
18 registered in the common report.

19 [16.20.03]

20 Q.Thank you, Mr. Suos Thy, for your effort in responding to the
21 questions. However, because now it's time for the adjournment
22 and that you still have to provide your testimony tomorrow
23 morning before this Chamber, we will take an adjournment now.
24 The Chamber requires you to provide your testimony again tomorrow
25 morning at 7 a.m., (sic) so please be here tomorrow morning.

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1 MR. PRESIDENT:

2 The Chamber is now adjourned and it will resume tomorrow morning.

3 Court officer, can you facilitate with WESU to make necessary

4 arrangements for the witness to return to his residence or

5 residing place, and bring him back to the Chamber tomorrow

6 morning before 9 a.m. to continue the proceedings.

7 Security guards, take the accused back to the detention facility

8 and bring him back to the Chamber before 9 a.m.

9 The hearing is now adjourned.

10 (Judges exit courtroom)

11 (Court adjourns at 1621H)

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