



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
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TRANSCRIPT OF TRIAL PROCEEDINGS

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Case File N° 002/19-09-2007-ECCC/TC

8 August 2012

Trial Day 92

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

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. DE WILDE D'ESTMAEL	French
MR. DJAMMEN NZEPA	French
MS. GUISSÉ	French
MR. KARNAVAS	English
MR. KONG SAM ONN	Khmer
JUDGE LAVERGNE	French
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. ONG THONG HOEUNG (TCW-490)	Khmer
MR. PAUW	English
MS. SIMONNEAU-FORT	French
MR. SUONG SIKOEUN (TCW-694)	Khmer

1

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

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 For this morning proceeding, we will continue to hear the
6 testimony of the Witness Suong Sikoeun, who will be questioned by
7 the Lead Co-Lawyers for civil parties and then by Khieu Samphan's
8 defence team.

9 [09.01.53]

10 Before I hand the floor to the party, Ms. Se Kolvuthy, could you
11 report the attendance so the parties and individuals summoned by
12 the Chamber?

13 THE GREFFIER:

14 Mr. President, all parties to the proceeding are present, except
15 the accused Ieng Sary, who is present in the holding cell
16 downstairs. The Accused requests to waive his direct presence,
17 through his counsel, in today proceeding. The letter of waiver
18 has been submitted to the greffier.

19 Regarding the reserve witness, Mr. Ong Thong Hoeung, he's in the
20 waiting room, awaiting the call from the Chamber. Thank you.

21 MR. PRESIDENT:

22 The Chamber will decide to request - first, regarding the Ieng
23 Sary's request as the Chamber has received his request dated the
24 8th of August 2012, through his counsel, to waive his direct
25 presence in the courtroom and instead to follow it through the

2

1 audio-visual means for the entire day proceeding.

2 [09.03.20]

3 Kem Samsan, the treating doctor of the Accused at ECCC detention
4 facility, examined the accused Ieng Sary this morning and
5 observed that he is fatigued during his movement and he has
6 backache, and recommends that the Chamber shall allow him to
7 follow the proceedings through remote means in the holding cell
8 downstairs

9 And as Ieng Sary also request to waive his direct presence in the
10 courtroom due to his health, and as recommended by the treating
11 doctor for him to follow the proceeding in the holding cell
12 downstairs and that he is able to directly communicate with his
13 defence, the Chamber grants the request for the accused Ieng Sary
14 to waive his direct presence in the courtroom and allow him to
15 follow the proceeding through audio-visual means in the holding
16 cell downstairs, and that applies for the entire day proceeding.

17 [09.04.39]

18 AV booth, you are instructed to link the proceeding to the
19 holding cell downstairs for the accused Ieng Sary to follow for
20 the entire day.

21 The second decision is in regards to the request to submit new
22 document by Nuon Chea defence -- that is, document E172/27/3.

23 The Chamber is seized of a request by Nuon Chea defence team to
24 use a new document during their examination of Witness TCW-490
25 and that document be placed before the Chamber pursuant to Rule

1 87.4 of the Internal Rules. That is document E172/27/3.

2 The Chamber has repeatedly emphasized that applications to admit
3 new evidence under Rule 87.4 must be timely. When a new document
4 is relevant to a particular witness, the application to admit it
5 must generally be filed two weeks in advance of that individual's
6 testimony in order to be considered timely and so, the Chamber
7 clarified in its Memorandum E218.

8 [09.06.14]

9 The document that Nuon Chea defence seeks to put before the
10 Chamber has been in the public domain since April 2009. The Nuon
11 Chea's defence application was filed on 3 August 2012, less than
12 a week before the scheduled appearance of TCW-490, thus
13 preventing any analysis of whether -- the Nuon Chea defence does
14 not explain when and by what means it discovered the document.
15 That's preventing any analysis of whether efforts to discover it
16 could have been made at an earlier juncture.

17 The Nuon Chea defence has therefore not satisfied the
18 requirements of Rule of 87.4, and the Trial Chamber rejects its
19 request.

20 [09.07.22]

21 The floor is now given to the designated civil party lawyer to
22 put question to this witness.

23 You -- and before I hand the floor over, can I ask or enquire,
24 how much time do you actually anticipate to conclude your
25 questioning of this witness, Suong Sikoeun?

4

1 QUESTIONING BY MR. DJAMMEN NZEPA RESUMES:

2 Thank you, Mr. President. Your Honours, ladies and gentlemen, as
3 I said yesterday, I won't need more than half an hour to question
4 the witness, a maximum of 30 minutes, sir.

5 Good morning, Mr. Witness. Thank you, firstly, for coming this
6 morning despite your somewhat fragile state of health.

7 Q. We are going to continue the discussion we were having
8 yesterday, which ended on a misunderstanding, I believe, and I'd
9 like to come back to the time you spent in the Ministry of
10 Foreign Affairs. Do you remember certain regional cadres going
11 through the ministry?

12 MR. SUONG SIKOEUN:

13 A. First, let me say good morning, Mr. President, Your Honours,
14 and good morning, everyone in and around the courtroom. As for
15 the base cadres transiting through the Ministry of Foreign
16 Affairs, I cannot exactly recall the details.

17 Q. Thank you, Mr. Witness. It's really not the details I'm after;
18 it is simply knowing whether or not they transited through the
19 ministry. But you seem to be aware that some of the regional
20 cadres went through ministry. I mean, are you aware of what they
21 came to do at the ministry and why they came there in the first
22 place?

23 [09.09.46]

24 A. I was not told by anyone of the reasons of their transit
25 through MFA. However, amongst the base cadres some were appointed

5

1 to carry out the diplomatic missions for DK overseas.

2 Q. Some cadres, Mr. Witness, are people about whom you have no
3 precise idea of where -- where they went. But do you know who it
4 was who decided where they were allocated to and who decided when
5 they would leave the ministry?

6 [09.10.54]

7 A. I did not know as I stated earlier. Those cadres were not
8 within the framework of my supervision.

9 Q. Let's turn to another subject, Mr. Witness, and this concerns
10 the situation of children, those who were working in the Ministry
11 of Foreign Affairs. Was it fairly typical in the ministry for
12 children to be separated from their parents?

13 A. In general, not only for the staff of the Ministry of Foreign
14 Affairs; as a general measure, children were separated from the
15 parents for them to be in another unit.

16 Q. Mr. Witness, as far as you were concerned, you, who had lived
17 abroad, was this system of separating children from their parents
18 to put them in a different unit something that you, yourselves,
19 accepted? What was your reaction and feeling about this when you
20 saw this happening?

21 A. There seemed to be no problem because within the childcare
22 centre the supervision there was also appropriate. And the one in
23 charge also took care of the children. Even my wife could be able
24 to go and visit our children there at the childcare centre. It
25 was not too strict.

6

1 Q. I understand that the education given to the children was a
2 normal kind of education, but in your view, was this in fact a
3 form of indoctrination to put them in the separate unit to answer
4 the whims of the directors of the Party?

5 [09.14.14]

6 A. The education back then was not a concern of mine, as I
7 trusted the Party and I wanted my children to follow my path --
8 that is, loving the country, loving the people, and sacrifice
9 everything for the cause of the nation, the people and the
10 revolution.

11 Q. After you had had years to meditate this, can you say that the
12 education that was dispensed in those days had a generally
13 positive affect on the children as they developed?

14 A. Mr. President, do I need to respond to this question? To me,
15 it seems he is out of the scope of the hearing.

16 [09.15.44]

17 MR. PRESIDENT:

18 You must respond to this question.

19 MR. SUONG SIKOEUN:

20 A. At that time, I did not think much about that and the period
21 of the DK regime was not long. And in reference to the education,
22 the time of the regime was not long enough to see the result of
23 that kind of education.

24 BY MR. DJAMMEN NZEPA:

25 Q. Thank you for that answer, Mr. Witness.

7

1 Let's move to another period and another sector. After the
2 elections in 1993, an event occurred at the leadership level of
3 the Khmer Rouge in June 1994. Can you have an idea of the
4 structure and command of the Khmer Rouge at that time, in 1994,
5 to share with us?

6 MR. PRESIDENT:

7 Defence Counsel, you may proceed.

8 MS. GUISSÉ:

9 Thank you, Mr. President. Good morning to you, sir, and good
10 morning to everybody in this courtroom. I am taking the floor at
11 this stage to raise an objection.

12 I don't believe that my learned colleague's question covers the
13 subject of the first trial. Thank you.

14 [09.17.46]

15 MR. DJAMMEN NZEPA:

16 It's not a problem if this question does not cover the period
17 concerned, Mr. President. I had planned for 30 minutes, but I
18 think actually that's covered the range of questions I wanted to
19 put, so I won't -- I won't abuse on people's time. Thank you very
20 much, Mr. President.

21 MR. PRESIDENT:

22 Thank you.

23 I'd like to enquire with Judges of the Bench if you have
24 questions to put to this witness?

25 Judge Lavergne, you may proceed.

8

1 [09.18.33]

2 QUESTIONING BY JUDGE LAVERGNE:

3 Thank you, Mr. President. I am Judge Jean-Marc Lavergne. Good
4 morning, Mr. Suong Sikoeun.

5 I have some questions to ask you and I'm going to begin with the
6 historical context, and I want to come back to the FUNK and the
7 GRUNK.

8 Q. Can you tell us, Mr. Witness if, in your view, there was a
9 clear and joint political line between the different groups that
10 together made up the FUNK? Or was it more an alliance of
11 convenience that brought together divergent elements? What indeed
12 could be, in your view, the point in common between all of these
13 groups?

14 MR. SUONG SIKOEUN:

15 A. When we refer to the FUNK and the GRUNK, where Prince Sihanouk
16 was the head of state at the time -- had their clear agenda.

17 [09.20.03]

18 First, within the country, the aim was to liberate the country
19 from the grip of the Imperialist Americans and their puppets,
20 which was the Khmer Republic regime. And in the area of a country
21 construction, there was a debate and discussion, and Sihanouk
22 wanted it to be a socialist revolution. Your Honour, here I'm
23 referring to the historical context. The Prince, back then,
24 wanted a socialist revolution, but during the debate within the
25 FUNK -- and at that time Pol Pot was still in Beijing, and China

1 opposed the word "socialism" and, instead, requested to build a
2 country which is neutral, independent, and sovereign.

3 As for the overseas view, we would adhere to the neutrality and
4 non-alliance and not to bend ourselves to socialist or the
5 Western Bloc or the SEATO, which means the Thailand, Pakistan or
6 the Philippines, where they were all led by the Americans. So, as
7 I recall, that was the main things at the time.

8 Q. Do you think that Prince Norodom Sihanouk's vision was the
9 same as Pol Pot's and other members of the CPK about the future
10 of Cambodia?

11 [09.22.32]

12 A. I do not know that clearly. However, through my historical
13 observation and as a Cambodian, I am of the view that as we are
14 born Cambodians we have pride in our country, in our glorious
15 history and past, and that we shall consolidate or join our
16 forces without class splitting, without arrest or religious
17 incrimination, and that we just join as one force to build a
18 prosperous country within the current boundary of Kampuchea.

19 I think all Cambodian leaders through various stages in the
20 history are of the same view as they loved the country and the
21 people. Whatever happened after was not the result or the direct
22 result of the willingness of members of the FUNK.

23 As for Prince Norodom Sihanouk, it is my understanding that he
24 adhered entirely to this vision.

25 And I'd like to take this opportunity to pay my great respect to

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1 Norodom Sihanouk and to apologize for what happened, regarding
2 what I said about him or about the oppressed regime or the puppet
3 regime. And I wish him a long life so that he can be the shade of
4 our life and the country and the people.

5 Q. Yes, right. Mr. Witness, am I to understand that you are
6 telling us today that Prince Sihanouk and Pol Pot shared
7 precisely the same vision in the 1970s, after Prince Sihanouk was
8 overthrown? That is what I adduce from your comments anyway.
9 In the eyes of the public is it true that there were really four
10 important people in the FUNK, "trois en Chine" -- Sihanouk, Penn
11 Nouth, and Ieng Sary -- and one in Cambodia -- Khieu Samphan. At
12 the time and in the eyes of the public, is that the impression
13 that people had of FUNK?

14 A. Can Your Honour please repeat the first name?

15 [09.26.27]

16 Q. I said that in the eyes of the public there were apparently
17 four important people in the FUNK, three of whom were in China --
18 Prince Sihanouk, Penn Nouth, and Ieng Sary -- and one in Cambodia
19 -- Khieu Samphan.

20 A. Back then, the main important person of the FUNK was actually
21 only Samdech Sihanouk who was the head. And of course, there were
22 subordinates, namely, Samdech Penn Nouth, who was a long-time
23 colleague and real compatriot whom I have great respect for him
24 and that I knew him personally. And inside the country, as I said
25 earlier, there were three who were respected by the general

11

1 Cambodian people and the youth -- that is, they were Hu Nim, Hou
2 Youn, and Khieu Samphan. Ieng Sary was not known by many people
3 then. Only -- he was only well-known within the intellectual
4 circle.

5 Q. What can you tell us about the relations between Ieng Sary and
6 Prince Norodom Sihanouk? Did their relations go through difficult
7 periods? Were there incidents that you yourselves might have
8 witnessed or was it total harmony?

9 [09.29.01]

10 A. I do not know the details of the communication between these
11 two elites. It is my understanding that sometime Norodom Sihanouk
12 had a clear vision and he had led the country and maintains
13 independence and peace for the last 15 years in a very
14 complicated historical context as well as within the political,
15 geographical complexity which was rather risky and dangerous.
16 That was the great achievement by Prince Norodom Sihanouk, that
17 he had maintained peace for the past 15 years while we had been
18 oppressed.

19 Q. Mr. Witness, could you kindly answer my question? It's a
20 precise question. I want to know if there were any incidents that
21 occurred between Prince Norodom Sihanouk and Ieng Sary when they
22 were both in Beijing.

23 Do you remember, for example, a visit by Prince Sihanouk to
24 European countries and certain African countries in 1973? Were
25 the conditions for that visit between the two individuals good or

12

1 not?

2 A. It's even beyond what Your Honour has described, but actually
3 I could not describe his personal characteristic and personal
4 relationship at a very personal level, but in terms of working
5 level, they work along well. For example, during the visit to
6 foreign countries with which I also sometime accompanied them, I
7 did not notice any incident or problems.

8 [09.31.29]

9 It did not raise any issue and there was only one thing that
10 could be a problem. It was way back in 1973. Your Honour might
11 have been aware there was a conference in Paris, back then. The
12 conference was about the United States and the Socialist Republic
13 of Vietnam in order to negotiate the peace agreement in Paris.
14 Back then, both Vietnam and the United States wanted FUNK to take
15 part in this conference as well in consultation and coordination
16 with the former Lon Nol's administration.

17 As for the resistance forces back in Cambodia represented by Ieng
18 Sary in Cambodia opposed against the reconciliation between the
19 FUNK and the former Lon Nol's administration. And to my
20 recollection, then Prince Norodom Sihanouk also agreed with Mr.
21 Ieng Sary's position concerning that matter. So, basically,
22 Prince Sihanouk and Ieng Sary did agree on the national
23 solidarity in the country.

24 Of course, there were -- there could have been some incidents in
25 their relations, but I could not describe because it was at their

13

1 personal level. But if you look at the overall picture of the
2 resistance, there was an agreement between them that there would
3 be a resistance without negotiation or reconciliation which the
4 former Republic Khmer lead by Lon Nol.

5 [09.33.59]

6 Q. And this agreement, wasn't it reached after a long period of
7 distrust? Weren't people afraid that Prince Sihanouk might
8 believe that it was preferable to reach a compromise? And wasn't
9 this, in the end -- let's say, a hard position that might have
10 stirred things up?

11 A. I am of the view that it was beyond my knowledge because I was
12 not within the leadership level, but I could only tell the Court
13 about the situation surrounding the teams with which I worked,
14 but I can also tell the Court about my overall impression and
15 view concerning that.

16 In order to ensure our national sovereignty and independence and
17 in order to lift up the living standard of people of Cambodia
18 back then, we had to achieve the socialist - socialism, and that
19 political line was only the target in principle.

20 But later on we realized that this path to prosperity was not
21 possible. That's why we agreed that the path that we had paved,
22 so far, would not be possible and conversely, it would jeopardize
23 the country and particularly, it would undermine the effort of
24 the former resistance forces. And then we agreed, together, that
25 we would not adhere to this path.

14

1 [09.36.42]

2 But I would also like to emphasize that we should not be afraid
3 that one day the Khmer Rouge regime would come to power or so
4 again because that was not possible because the path that we have
5 gone through was treacherous and harmful. By way of analogy, if a
6 cat which was hurt by the hot water, it would be deter and it
7 want -- it will be afraid of even the cold water.

8 And I believe that everyone now concedes to living in -- under
9 the present administration, and what we have achieved so far is
10 the pride of Cambodian people as a whole, we should be proud of.
11 And what we see at the present day is some things that we believe
12 that we are on the right track. So individual of us should
13 continue to work together, that they should not stir up the
14 problems, and -- and we should try to avoid the -- any internal
15 strife or conflict because it would bring the country to
16 disaster.

17 Q. Witness, I don't wish to interrupt you, but please answer my
18 questions directly and avoid personal comment even if they may be
19 interesting.

20 [09.38.58]

21 Now, I would like to turn to your role at the Information
22 Department of the GRUNK. Can you tell me what kind of information
23 you received and through which channels? I'm speaking about
24 information from outside as well as information coming from
25 Cambodia.

15

1 A. When I was assuming a position in the Information and
2 Propaganda Department within the FUNK, based in Beijing, China, I
3 receive information from various sources including foreign news
4 agencies and basically there were three main sources: one, AFP --
5 it's a French news agency; two, Xinhua News Agency based in China
6 because this is the Chinese own newspaper; and the third source
7 was the internal information I received from the battlefield. I
8 received the information from the Vietnam's news agency.

9 [09.40.45]

10 Q. So, regarding information coming from the battlefield, more
11 specifically speaking, were you aware of the developments of the
12 military situation in Cambodia? Were you aware of the status of
13 the fighting and of the zones which were liberated? What were you
14 aware of? What kind of information did you receive in that
15 regard? Did you receive military information?

16 A. As for military information we receive, we -- we heard it from
17 the "Voice of FUNK" broadcast from Hanoi. That was the domestic,
18 military development news. And we also heard from AKI agency for
19 domestic news and that information was also broadcast through
20 Hanoi as well.

21 Q. And on the basis of this information, was it possible to
22 understand that when a city was taken, when a city would fall
23 into the Liberated Zone, that this city would be systematically
24 evacuated -- that its population would be evacuated?

25 [09.42.20]

16

1 A. Your Honour, at that time, I did not know that there was
2 evacuation of the population when the resistance forces liberated
3 certain region of the country. I only learned about this
4 evacuation when I returned to Cambodia. I, at that time, observed
5 that people who were evacuated from Phnom Penh, particularly
6 those who live in the -- those who used to live in the city were
7 of a different appearance and I noted that they were relocated in
8 Se San -- along Se San River.

9 And I would like to try to explain the picture. I did not know
10 whether or not Ieng Sary was aware of the evacuation but as far
11 as I can remember, when I was in Hanoi at the "Voice of FUNK",
12 based in Hanoi, Mr. Ieng Sary opened a training course and at
13 that time he introduced to us that when Cambodia was liberated,
14 then, as the resistance forces, we had to live together with the
15 people from Phnom Penh so we had to observe our attitudes and
16 etiquette. We had to adhere to a moral standard, and so on and so
17 forth.

18 There was no indication or information from him that the people
19 were to be evacuated out of Phnom Penh at all. That's what I
20 could answer to your question, Your Honour.

21 [09.44.41]

22 Q. So I can conclude from this and from the information that you
23 received in Peking as well as in Hanoi, you could never conclude
24 that the cities that were taken by the liberation forces would be
25 evacuated or am I wrong? In no case you could conclude that this

17

1 kind of information never transpired; is that so?

2 A. Yes, according to the sources of information, we could not
3 know whether there was evacuation of people out of the city.

4 Q. So let's move along a little bit, and I would like to return
5 to the period when you returned to Cambodia. You said that you
6 stayed in a place called B-20, and if I understood correctly, you
7 said that you were re-educated there; is that true?

8 [09.46.05]

9 A. At B-20, I only transited it and I met with the supervisor of
10 that office by the name of Phum. At that time, I did not know
11 that he was the biological brother of a former leader whom I
12 could not recall clearly -- it could have been Chanda or Keo
13 Moni, but the supervisor of B-20 was Phum. He -- there was no
14 re-education for me over there. I also indicated in my draft
15 dissertation that I went there to attend day-to-day meeting and
16 at that time, I was assigned to plant banana.

17 Q. So this was not re-education therefore?

18 A. No, no, I was not re-educated over there.

19 JUDGE LAVERGNE:

20 President, I would like now to show the witness a document which
21 is indexed as IS 6.9, and this is a document titled in French "À
22 propos" -- "Regarding the Mastery of the Political Line and the
23 Gathering of the Democratic Forces". So this document has Khmer
24 ERN 00072400 to 407; French 00611566 to 70; and English,
25 00244274.

18

1 President, is it possible to show this document in its Khmer
2 version to the witness?

3 MR. PRESIDENT:

4 Yes, Judge.

5 [09.49.07]

6 And court officer is instructed to present this document to the
7 witness for his examination.

8 (Short pause)

9 JUDGE LAVERGNE:

10 I wish to specify that this document is a list of directions and
11 this is a document that has been mentioned in several of the
12 footnotes in the Closing Order, in particular in footnote 4,456
13 and 4,457.

14 So what I would like to focus on is a first passage on page 2 in
15 the French version, and at ERN 00244275 to 00244276 in English;
16 in Khmer, 00072402 to 403.

17 So I don't know if it is possible to display this document on the
18 screen?

19 [09.51.09]

20 MR. PRESIDENT:

21 Yes.

22 BY JUDGE LAVERGNE:

23 Q. Thank you, President. Your Honour, what we have here on the
24 monitor is IS 6.2. And I thought I heard "6.9", so, for the
25 purposes of the record, we should correct this. Yes, I apologize.

1 Indeed, it is IS 6.2.

2 So I'm going to read out the first part of the excerpt I wish to
3 focus on, which reads as follows:

4 "Regarding -- how do things change regarding what was happening
5 outside the country? Outside the country, there was an enormous
6 amount of change with the following characteristics. First of
7 all, people from the outside front had to return to the home
8 country. They were no longer living abroad which meant that we
9 had put an end to this outside organization without any negative
10 impacts. On the contrary, our influence in the world increased.
11 The world never imagined that this could happen in this way.

12 [09.52.41]

13 "Second of all, once the people from the Front returned to the
14 country, we were able to take charge of them firmly from Penn
15 Nouth all the way down the hierarchical line. The forces of this
16 exterior forces did not all return, but they kept on coming in.
17 Even Sihanouk, we were able to take charge of him as well,
18 because he had nothing left no money, no power. Thus he was
19 forced to depend entirely upon us, materially as well as
20 politically. If we had to -- he had more -- by comparison, he is
21 still more powerful. Before, if he left us, we would say he would
22 die. Now, we have held him more effectively in our hands because
23 we won over the enemy. We have everything. We take control of
24 everything including the Royal Palace. However, we can work with
25 him easily.

20

1 [09.53.54]

2 "Nowadays, he sees that he can live with us. If such are things,
3 he is satisfied as long as he can remain in the country for a
4 little while and travel abroad. This is a situation that provides
5 us with time to consolidate and develop our forces and in the
6 future, if he changed his mind, we would consider him as a scab
7 which will fall on its own without any suffering. This would not
8 be a wound. We had no concern about this and this could only be
9 in our favour.

10 "Thus, forming a front for these people was not difficult and
11 this from Penn Nouth himself. And with Sihanouk, we have to be a
12 little bit political, but it is not as difficult than outside of
13 the country. We even provide him with food."

14 So is this a document that you have already seen, Witness? And
15 what can you say about it?

16 MR. SUONG SIKOEUN:

17 A. I have never seen the document of this kind, so I cannot
18 comment on this document. Nevertheless, I can share with Your
19 Honours that this was the policy back then.

20 Q. So, according to you, these instructions correspond to a
21 political reality that was in force during the period of
22 Democratic Kampuchea?

23 A. Yes, it -- it did correspond to the political policy at the
24 time.

25 [09.56.39]

21

1 Q. So I will read out another excerpt on page 4 of the French
2 version -- and I believe it's the same in the English version --
3 and the excerpt says the following:

4 "Those from the outside, and we're speaking now about Cambodian
5 people living outside of Cambodia, those from the outside who
6 asked to return to the country, they are living in Europe -- in
7 Western Europe and in the United States. They are intellectuals.
8 "Our principle is that we must mobilize them, as many as
9 possible. It is up to them how to return. We have to mobilize
10 these people for them not to remain abroad which would make us
11 lose ground politically. They said that we could not mobilize
12 them. The Americans sent some of them back. If they came, what
13 will we make them do? We will make them do labour work. If they
14 had come in '72, '73, '74, they were forced to perform manual
15 labour as well. If they came now, they should engage in manual
16 labour as well. These forces are only peripheral however, we also
17 must train them and re-educate them in the new society and in the
18 new movement."

19 [09.58.19]

20 So doesn't this mean that those whom must return must necessarily
21 be re-educated and that this re-education means labour and more
22 specifically speaking, "physical labour"?

23 MR. PRESIDENT:

24 Court officer is -- is instructed to ensure that the document is
25 removed from the computer screen and the hard-copy document be

1 withdrawn from the witness.

2 MR. SUONG SIKOEUN:

3 A. Yes, that was the case because intellectual had to go through
4 re-education and labour work such as cultivation and at the same
5 time, they had to undergo the political and conscientiousness
6 training.

7 BY JUDGE LAVERGNE:

8 Q. The need to raise the level of consciousness through work, was
9 that explained to the intellectuals who were planning to come
10 back to Cambodia or were things presented to them as being
11 entirely wonderful and not requiring any efforts of that kind?

12 MR. SUONG SIKOEUN:

13 A. I did not know whether, before they are returning to Cambodia,
14 those who were in charge of the Front or the Party give them any
15 specific instructions.

16 [10.00.51]

17 While I was in Beijing, while I was awaiting the trip to return
18 to Cambodia, I and a few other intellectuals tried to engage in
19 physical activities including exercising so that we prepared
20 ourselves for long-distance walk and intensive labour work as our
21 -- as we already prepared ourselves psychologically and mentally,
22 but when it comes to physical labour, we did not have that kind
23 of readiness. That was for the purpose that we hope that when we
24 were to be arriving in Cambodia, we would be able to engage in
25 such labour.

1 Q. This is dated 22 September 1975 -- the directive, here. And in
2 the same month, Mr. Ieng Sary was in Paris and in New York, where
3 he attended the United Nations General Assembly, and he made a
4 certain number of public statements. Did you accompany him to
5 France and to the United States? And as far as you remember, did
6 Ieng Sary talk about the possibility of required physical labour
7 for all intellectuals when they got back?

8 [10.02.49]

9 A. At that time, I accompanied him and we travel through Paris in
10 order for him to attend a United Nations' General Assembly to be
11 held in New York, but I cannot recall the content of his meeting
12 with students in Paris.

13 Q. Is this memory loss, Witness, or simply because you were not
14 there or do you simply not want to remember?

15 (Short pause)

16 A. Does it mean -- Your Honour, it means that I don't want to
17 talk about that, but as far as I know, I am the one who speak the
18 most about the Khmer Rouge. So far, there has been no other
19 intellectuals who speak a lot about the Khmer Rouge, and I do not
20 gain anything from speaking out. I'd just like people to
21 understand what happened, and not for the purpose of mitigating
22 the circumstances for other people or individuals.
23 And if Your Honour know me personally, clearly, and my background
24 -- of course I don't want to reveal that here in the courtroom,
25 but you would know that if I am a person who will say what I

24

1 know. I -- it doesn't mean I don't want say, but you can say it's
2 a memory loss. It's been more than 30 years, almost 40 years. I
3 can only recall that he held a meeting in Paris and I attended
4 that meeting. And those who attended the meetings, as I said,
5 whether they were invited or not, they would attend, because at
6 that time the students' movement was very strong, and that's all
7 I can recall.

8 [10.05.35]

9 And while we arrived in Cambodia, some of them did face certain
10 difficulties, and there was -- there were others who did not
11 return to Cambodia, and I know some of them clearly. Those who
12 did not come were those groups who always accompanied the prime
13 minister wherever he went. So in fact they are those who are
14 currently helping to rebuild Cambodia, and I know them all.
15 And, Your Honour, do you want to say about me? You know, they
16 always say, I don't care about whether it's a red, or a white, or
17 a blue. I only speak to my profession. If I am an engineer
18 working on the road or the construction, I just focus on that,
19 that any regime would accept me to work.
20 But my view at that time was the opposite. My view was that,
21 number 1, we are the red, and number 2, we are the experts. So we
22 came into contradiction with those people. This is a personal
23 matter, but I just like to let you know.
24 And you know why I survive until today? If you know, it's Dr.
25 Tong Vien (phonetic) -- Kim Vien, rather, who lived in the South

25

1 Vietnam as Ieng Sary did at the time. We had different views, as
2 he supported the Lon Nol regime. However, when I became desperate
3 while I lived in Malai and that I had to undergo a surgery in
4 Bangkok, suddenly, out of the blue, he gave me a phone call, and
5 at that time he was in Paris, and I did not know that he actually
6 arrived in Phnom Penh.

7 [10.08.09]

8 Mr. President, I'd just like to take a moment to say that the
9 person who actually rescued me was not a Khmer Rouge cadre, it
10 was actually a political enemy, and what's the reason behind
11 that? And actually it was through one of my friends who was a
12 French national, and Your Honour, you are also a French national,
13 and that's what happened to me.

14 I say all this in order for you to understand, because when we
15 are Cambodians we have to reflect on our nature and if the Khmer
16 Rouge did a mistake or the Pol Pot did a mistake it was the
17 difference between the Khmer against the Red.

18 [10.09.13]

19 So, of course, we would back the Khmer against the Red, and we
20 had to really understand that clearly, we had to know the
21 distinction between the two, because I don't know how much longer
22 I can live. And what I wrote in the book--

23 MR. PRESIDENT:

24 Mr. Witness, I think that is enough. You are again reminded to
25 hear -- to listen to the question clearly and limit your response

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1 to that. If you make your comments further off the scope of the
2 questions put to you, the difficulty is yourself, then that you
3 would be requested to respond to more and more questions. And
4 only two parties concluded their questioning time, and the floor
5 is now given to the Judges of the Bench, so please try to save
6 time and your energy.

7 And if your comments are out of the scope of this trial, then it
8 will not be considered and be dismissed, as it will not help us
9 trying in our effort to ascertaining the truth, because in the
10 proceeding, every party attempts to seek the truth based on their
11 obligation as a party to the proceeding, and they have different
12 roles to play, trying to find the evidence for and against the
13 Accused. Therefore, please limit your response to the questions
14 you are asked.

15 [10.11.27]

16 BY JUDGE LAVERGNE:

17 Witness, I have other questions to ask you, so please keep your
18 answers as concise and direct as possible.

19 Q. According to you, how many inhabitants were living in Phnom
20 Penh during the period of Democratic Kampuchea?

21 BY SUONG SIKOEUN:

22 A. There is no document stating to that effect, but I heard it
23 from other peoples, one from another, and roughly there were
24 about 2 million people residing in Phnom Penh.

25 Q. We may have misunderstood each other. I think that the figure

1 of 2 million that you've just mentioned is the number of
2 inhabitants when Phnom Penh fell.

3 But my question to you is the number of inhabitants during the
4 period of Democratic Kampuchea, after the liberation of Phnom
5 Penh.

6 [10.12.50]

7 MR. PRESIDENT:

8 There is no (sic) problem in the translation. The witness stated
9 clearly that "there were 200,000 inhabitants". There is a huge
10 difference between 200,000 and 2 million. The witness does not
11 have to respond again. In the Khmer language, he said "roughly
12 200,000 inhabitants".

13 JUDGE LAVERGNE:

14 Thank you, Mr. President.

15 Q. Witness, can you expatiate a little bit more on the atmosphere
16 that there was in the Ministry of Foreign Affairs during the
17 Democratic Kampuchea period? You've told us a lot about the
18 people who disappeared and who were arrested, but for example,
19 are you aware of cases of individuals who might have committed
20 suicide?

21 BY SUONG SIKOEUN:

22 A. As I recall, there was a case of a suicide. The person was of
23 a Jarai ethnicity. He was a head of a department under the charge
24 of Koy Thuon, who was the head of the North Zone. Koy Thuon was
25 later smashed.

28

1 [10.14.42]

2 I cannot recall the name of that person. He came to work at the
3 Ministry of Foreign Affairs and I did not know his exact duty
4 there. However, I attended a meeting. The nature of the meeting
5 was for those who were responsible before the Party, and not
6 necessary means the Party's members, and there were Ieng Sary, So
7 Hong, Phy Phoun, and there could be also Madam Saur Se, who was
8 the secretary.

9 At that time, that person was seriously criticized as he was
10 close to Koy Thuon who had been smashed. Ieng Sary or I did not
11 really criticize him that seriously, but it was his close
12 colleagues who criticized him heavily and requested him to make a
13 clear self-criticism, but he did not respond to the criticism and
14 later on people said he committed suicide.

15 [10.16.36]

16 So the news was rather consistent, as he was of a Jarai ethnicity
17 who had a strong self-belief. And if I were in the same
18 situation, maybe I would do the same, as people who were close to
19 us criticized us heavily; and what's the purpose of continue
20 living?

21 That was the only case to my knowledge regarding suicide.

22 MR. PRESIDENT:

23 Counsel, you may proceed.

24 MR. KARNAVAS:

25 Thank you, Mr. President. Just a point of clarification.

1 We heard in English "200,000", and I understand that you
2 indicated that the witness said "20,000". This was earlier to the
3 previous question. So we first heard "2 million", then in English
4 it came out as "200,000". We understand, though, however, Mr.
5 President, that you corrected -- when you intervened you
6 indicated that in Khmer it was very clear, and in Khmer, I am
7 told, it was "20,000".

8 [10.18.06]

9 So perhaps we need some clarification for the record, because
10 this would go to the credibility of the witness.

11 BY JUDGE LAVERGNE:

12 Q. Witness, just so that we can be clear on this point --
13 because, indeed, in French we did not hear the figure of 20,000
14 -- can you just tell us again exactly, in your view, how many
15 people were living in Phnom Penh during the Democratic Kampuchea
16 period?

17 BY SUONG SIKOEUN:

18 A. As I said, there was around 20,000 inhabitants. And allow me
19 to say that they were not ordinary civilians; they were mostly
20 workers, soldiers -- or you can say they were public servants.

21 Q. Thank you. On the question of the number of people living in
22 Phnom Penh, or more broadly in Cambodia itself, do you know if
23 the Democratic Kampuchea authorities actually carried out
24 censuses of the population? Were people asked in the zones and
25 the cooperatives how many people were living in the zones and

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1 cooperatives?

2 [10.19.59]

3 A. There was no census. This -- actually the statistics gathered
4 from as a result of the writing of a biography.

5 Q. When you were working in the Ministry of Foreign Affairs,
6 Witness, were you told certain foreign countries or international
7 institutions had offered the representatives of Democratic
8 Kampuchea either financial or food assistance for the population
9 of Cambodia? Were you ever told about offers of this nature?

10 A. It was in 1975. The OPEC organization are first to assist
11 Cambodia in the amount of 5 million U.S. dollars, and that is a
12 grant without a condition, but I cannot recall clearly. At the
13 Ministry of Foreign Affairs, Ieng Sary said there is no politics
14 involved because OPEC comprises of member countries who were
15 rich, so we could actually accept that financial offer.

16 But as far as I know, we did not -- or we reject that financial
17 offer.

18 [10.22.11]

19 Q. Was it accepted?

20 A. As I said, we did not accept it because Pol Pot rejected it.

21 Q. Witness, do you know if, during this period, human rights
22 defence bodies such as Amnesty International were in contact with
23 the leaders of Democratic Kampuchea?

24 A. I do not know. If there was a contact it could be through
25 Paris or New York. So, again, I say I do not know about whether

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1 they contacted the representative or not. It's not a part of my
2 duty.

3 Q. Within your responsibilities, were you in contact with Office
4 870? And what kind of contact did you have? And who were your
5 counterparts there?

6 [10.23.55]

7 A. There was no such contact because we were two separate bodies.
8 One was the Party and one was the administration.

9 Q. So you never sent any documents to Office 870, you never sent
10 any articles to Office 870, you never sent any translations to
11 Office 870?

12 A. The documents could have been sent to Office 870 under my
13 section, but I personally did not send documents to that office,
14 it could be my subordinates, because it's going to go through a
15 chain of command.

16 Q. Who did you report to -- who did you hand your work in to?

17 A. My superior back then was Ieng Sary.

18 Q. So everything that you prepared was sent to Ieng Sary and to
19 nobody else?

20 A. That depended on a specific task. Some tasks were directly
21 given to me or to my section by Pol Pot. So, if that was a case,
22 then nothing would go through Ieng Sary.

23 Q. So how did you manage when you were transmitting your
24 documents to Pol Pot?

25 A. The transmission went through the secretariat, and Madam Saur

1 Se was the head in that secretariat. She was also the Party
2 Secretary.

3 [10.27.02]

4 Q. In your work in the Information and Propaganda Service in the
5 Ministry of Foreign Affairs, were you meant to undertake reviews
6 and analyses of foreign press, especially when there were
7 articles about Democratic Kampuchea or about the leaders of
8 Democratic Kampuchea?

9 A. There was a magazine or a pictorial magazine, but it was not
10 made by my section. It could be other cadres from the Ministry of
11 Foreign Affairs participated in its publication, but it was not
12 within my section.

13 Q. In your view, when Ieng Sary was interviewed abroad, did he
14 ask his services to check what was published after the interview?

15 [10.28.39]

16 A. No, if he interviewed with a journalist the text of that
17 interview would not be published in the country. If the -- if
18 there was such a publication it would be done elsewhere, not
19 within my section.

20 Q. No, I don't think you understood what I was saying, Witness.

21 Basically, I am asking when Ieng Sary was interviewed by a
22 reporter outside the country, and then that interview was
23 published in a paper outside the country, did Ieng Sary ask his
24 services to check and possibly send to him the contents of the
25 article as published? Is that clear?

1 A. As I said, it did not go through my section. If the interview
2 was made overseas I would have known of that through the
3 publication in the newspapers.

4 Q. So, for example, articles that might have appeared in papers
5 such as "Der Spiegel" in Germany or "L'Espresso" in Italy, are
6 these articles that you might have been informed about?

7 A. No, I was not informed.

8 JUDGE LAVERGNE:

9 Well, thank you, Witness, for your patience and for the answers
10 you were kind enough to provide to us. I have no further
11 questions to put to you.

12 [10.31.05]

13 MR. PRESIDENT:

14 Thank you, Judge.

15 The time is now appropriate for an adjournment. The Chamber will
16 adjourn for 20 minutes, and we will resume at 10 to 11.00.

17 Court officer is instructed to facilitate the place for the
18 witness and his duty counsel to rest during the break and have
19 them back before us by 10 to 11.00.

20 The Court is now adjourned

21 THE GREFFIER:

22 All rise.

23 (Court recesses from 1031H to 1053H)

24 MR. PRESIDENT:

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

1 I now hand over to the defence team for Khieu Samphan to put the
2 question to the witness.

3 QUESTIONING BY MR. KONG SAM ONN:

4 Thank you, Mr. President, Your Honours. And good morning
5 everyone, and good morning, Mr. Suong Sikoeun. I thank you very
6 much on behalf of my defence team. Thank you very much for coming
7 to testify before the Court today. My name is Kong Sam Onn. I am
8 the national defence counsel for Khieu Samphan. I have some
9 question to put to you, and I look forward to receiving your
10 answers.

11 [10.54.50]

12 Q. Can you -- my first question: Can you explain the Court the
13 composition of the National United Front of Kampuchea, or FUNK? I
14 note that you were also a member of the Royal Government of the
15 National Union of Kampuchea -- GRUNK. Can you tell the Court
16 whether or not the composition of the FUNK or GRUNK were further
17 subdivided into groups, depending on their political trend or
18 factions?

19 MR. SUONG SIKOEUN:

20 A. In both FUNK and GRUNK, there were respective organizational
21 management.

22 As FUNK, it was a political organization. It had a central
23 committee, and above the central committee there was a Politburo
24 of the central committee. And Samdech Penn Nouth was the chairman
25 of this committee. And in each country, there was a cell of FUNK.

1 It was the appointment by FUNK.

2 [10.57.01]

3 And as for the political trend of FUNK, it was open. And this
4 movement was primarily led by Sihanouk -- Samdech Sihanouk, and
5 there were Sihanoukists who supported this movement as well, and
6 then it was later on broken down into FUNCINPEC. And this
7 movement gained a momentum at that time, and it had a wide range
8 of members.

9 And as for the leftist side, they also had a wide range of
10 members as well. The leftists were not the "Rouge People", and
11 they included dignitaries such as Chau Seng. He was once the
12 cabinet chief of the head of state -- Samdech Norodom Sihanouk --
13 and he was once the minister with the special mission portfolio.
14 And another faction -- it was called the "Rouge People", later
15 known as the Khmer Rouge -- led by Ieng Sary, Khieu Samphan, Hou
16 Youn, and Hu Nim, and Thiounn Mumm.

17 There was another faction, which were the old resistance force.
18 Following the Geneva Conference in 1954, those people were --
19 those people took refuge in North Vietnam. This group was led by
20 Keo Meas, Chea Sot, and others.

21 [10.59.58]

22 So there were -- was a large composition of different factions in
23 the FUNK, but there was no specific designation for them.

24 Q. Thank you. In your response to the Prosecution, in reference
25 to Sihanoukism and the names that you mentioned -- can you tell

1 us whether there was a base for such a tendency toward
2 Sihanoukism?

3 A. The term "Sihanoukism", as I mentioned, had a rather narrow
4 definition. It refers to the elite group who used to work Sangkum
5 Reastr Niyum regime and later on worked in the government under
6 Norodom Sihanouk. They were, namely, Huot Sambath, Chea San, and
7 Keo Meas, who was the ambassador to China, Mr. Peng Cheng, who
8 was the former cabinet chief of Samdech Norodom Sihanouk and the
9 father of Ms. Pung Chhiv Kek.

10 [11.01.56]

11 And there were a few other elites who was within the circle, but
12 they were not active namely General Duong Sam Ol, and a gentleman
13 who was the ambassador to North Korea, who was also rather famous
14 within Battambang province.

15 Q. Thank you. Let me confirm with you the term "Sihanoukism" was
16 not an organization with defined and official membership or
17 status. It merely shows the tendency toward -- or fondness toward
18 Norodom Sihanouk; is that correct?

19 A. Yes. There was no clear organization. It was under the
20 influence literally of Samdech Norodom Sihanouk, and it was
21 formed without a clear organization. However, I can say there
22 were active members -- or activists -- who were loyal -- that is,
23 a hundred per cent loyal -- towards the Prince.

24 As for the rest, they were kind of neutral, without any
25 particular political tendency, but they were influenced and have

1 huge respect and love for Norodom Sihanouk.

2 Q. Thank you. You just then talked about the leftists, but they
3 were not the "Red Khmer". Can you explain a little bit further
4 who they were?

5 A. When you talk about the Khmer Rouge during the time of my stay
6 in France, there were two separate organizations. There was a
7 Khmer Students' Union and they were the leftist. However, there
8 was another core organization within the Marxist-Leninist Circle
9 and we can say they were the red. And they loved and they liked
10 to use for example, the former Soviet Union as a model or China
11 or the People's Republic of Vietnam as a model. And that's how I
12 learn of it by listening to the radio -- that is, a broadcast --
13 the one that broadcast from Beijing.

14 [11.06.09]

15 This group was a group which sympathize the Communist, but they
16 were not within the organization. And in the country, there were
17 So Nem, Chau Seng, who was famous -- and they were part of this
18 group. As for other people, Chan Yourann, we can say he was part
19 of this group as well, but initially he was within the group of
20 Sihanoukism, even now he's still Sihanoukism. But he cooperated
21 with this group and had a close relationship, because they were
22 all elites who loved the country and who had the expertise.

23 Q. Thank you. In your statement, you talk about the participation
24 in the FUNK or the GRUNK, and there were those overseas and there
25 were domestic resistance in the forest. You also told the Court,

1 when you were asked by Judge Lavergne regarding the purpose for
2 the establishment of GRUNK, which had the intention or the
3 purpose to liberate the country from the American imperialist and
4 the puppet regime and not to join the -- any aligned countries,
5 and to maintain the sovereignty of the country.

6 [11.08.15]

7 My follow-up question is the following: Did the two forces --
8 that is, the overseas force and the domestic force -- rely on one
9 another? Were they loyal to one another or trust each other and
10 cooperate fully with one another? Or whether they actually
11 exploited one another?

12 A. In the political arena at the time, when Marshall Lon Nol made
13 a coup d'état on the 18 of March 1970, the people demonstrated
14 throughout the country, namely in Kampong Cham and in various
15 other provincial town or cities. But those forces were not
16 organized, and at that time the forces were low in number. They
17 were kind of a special protection or core professional force of
18 the CPK. And the CPK actually gathered and combined those forces.
19 At that time -- of course, now we cannot deny the fact because it
20 was a historical context and there was a force from the South
21 Vietnam -- that is, the Viet Cong force -- and they were present
22 in quite a larger number in Cambodia. And they both raised the
23 flags of Samdech Sihanouk in order to gather the forces from the
24 people to join the Resistance Movement.

25 [11.11.14]

1 Q. Thank you. Can you tell us whether FUNK had the domestic force
2 who were Cambodians or who was the foreigners? And if they were
3 Cambodians, can you give us the estimation of the number of the
4 forces?

5 A. I cannot know it clearly since I was overseas back then. I
6 know that in 1970, there was a rebellion in Samlaut by the
7 peasants. And in 1968, the Communist Party of Kampuchea decided
8 to rise in the form of a riot to confiscate weapons from the
9 enemy throughout the country. But these armed forces were in
10 small number and they would be gathered to form a force of the
11 Front. And the Viet Cong force inside the country also gathered
12 and organized that force in the name of the Prince Norodom
13 Sihanouk.

14 Q. Thank you.

15 My next question is related to the Communist Party of Kampuchea.
16 You made a previous statement that you became a Party's member in
17 1971 in Beijing.

18 The question is: Do you know when the CPK was established?

19 [11.13.54]

20 A. I do not know it clearly back then. And officially I became a
21 Party's member in Beijing in 1971 as I had gone through the
22 preparatory stage for quite a long time. In 1955, I became a
23 member of the Democratic Party and then I joined the Popular
24 Movement or Populist Group at that time, Mr. Bophann and Keo Meas
25 were the one who led that group. And later on, when Ieng Sary

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1 returned from France in 19 -- in early 1957, I secretly became
2 the core person of the Party in light of the preparation for my
3 membership, and that's how it first started.

4 Q. Thank you. Can you tell us the reason for a confidential or
5 secret preparation for membership of the Party?

6 A. At that time, the Communist Party of Kampuchea or the Worker's
7 Party had the goal to be a socialist country toward a communist
8 party. And I can clearly recall that when I became a secret core
9 person for the preparation to become a member, during a meeting I
10 thought that I would never return back to my home, because I did
11 not know what would be the risk along the way from my place to
12 the meeting point. It was not as easy as that compared to the
13 situation for example, in the United States.

14 [11.17.18]

15 Q. Thank you. Can you tell the Court briefly regarding the
16 mission of the CPK?

17 A. I can say to the extent of my knowledge that the Party bears
18 the name of Communist and Kampuchea, so the ultimate aim of the
19 Party was to build a communist regime in Kampuchea. And what does
20 a "communist regime" means? It means everyone was equal,
21 everything was communal. So that's the essence, the core meaning
22 of that. But as I understand, not everything was communal or
23 common. For example, in China or in Vietnam, there would be a
24 common kitchen, common farm and that would be long-term objective
25 of the CPK.

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1 But the urgent measure by the CPK in the 1970s were to liberate
2 the country from the grip of the old and new oppressed regime, of
3 colony, as well as the puppet regime of the foreign country. And
4 that would make a people's revolution, national revolution.

5 [11.19.45]

6 Q. Thank you. Can you tell us about the responsibility of the CPK
7 toward FUNK? Was there a division of responsibilities between the
8 two bodies?

9 A. I do not know clearly, but it is my understanding that
10 domestically the armed struggle was to be led by the Communist
11 Party of Kampuchea. And overseas everything else would be under
12 the leadership of Prince Norodom Sihanouk, who was the head of
13 FUNK and also the head of -- the official head of state at the
14 time.

15 Q. Thank you. Can you tell us which organization had more
16 influence?

17 A. I can say that the two organizations joined forces as one.
18 However, when you refer to individual, it seems Prince Norodom
19 Sihanouk had more influence overseas and he still has the
20 authority inside the country.

21 As for the influence of the CPK, although -- it may develop or
22 evolve under the flag of the Prince Norodom Sihanouk.

23 [11.22.20]

24 So it is difficult to say which body had more influence, as both
25 bodies cooperated with one another and they both have a respect

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1 for Prince Norodom Sihanouk. And they also carried arms or
2 weapons inside the country in order to achieve the common goal of
3 the FUNK as well.

4 Q. Thank you.

5 My apologies, as I need to pause for the translation -- for the
6 interpretation to French concludes.

7 In relation to administration at the bases or the military
8 command, did FUNK have the authority at the base or at the
9 battlefield?

10 A. I cannot tell you regarding this point as I was overseas back
11 then. I only know that the domestic force was divided into the
12 armed forces of the CPK and the armed forces of Viet Cong -- that
13 is, the Front Movement of Vietnam. They were armed, trained and
14 also lead the armed forces belonging to Norodom Sihanouk.

15 [11.24.45]

16 Q. Thank you.

17 My question is related to the role of Khieu Samphan in GRUNK. You
18 already stated that Khieu Samphan was the deputy prime minister
19 and the commander in chief of the National Liberation Force. Can
20 you tell us during the period of the resistance, did you know the
21 actual role and function of Khieu Samphan in the said roles -- in
22 the said functions?

23 A. At that time, I was overseas, so I could not tell you
24 regarding the functioning inside the country. However, I can tell
25 you that as a commander in chief of the National Liberation

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1 Force, I could say Khieu Samphan was in a figurative role, he did
2 not have any real power. And I learned of that at a later stage,
3 but I could conclude that at that time his role was only
4 figurative. It was other people who actually had the real power
5 to issue commands for the military.

6 [11.27.01]

7 Q. Thank you. Can you actually tell us, who were the actual
8 commanders?

9 A. I do not know. In general -- at that time, I did not even know
10 who was the Party Secretary. While I was in Beijing, I could
11 never imagine that Pol Pot, whose original name was Saloth Sar,
12 was actually the Secretary of the Party. We all thought that
13 Khieu Samphan or Ieng Sary was the Party Secretary, but we never
14 thought that it was Pol Pot. So I cannot say for sure and respond
15 completely to your question.

16 Q. Thank you.

17 Now, I move to the period of the 17 April 1975, again regarding
18 the role of Khieu Samphan. You already told the Court that Khieu
19 Samphan was the head of the -- the president of the State
20 Presidium.

21 My question is: Regarding the role and function of the president
22 of the State Presidium, were you aware of such roles during the
23 DK period?

24 [11.29.05]

25 A. The State Presidium comprised of three people there was the

1 president, and the first deputy president, and the second deputy
2 president or vice-president, that's all I knew. But I do not know
3 where the office of that State Presidium was, and this applies to
4 other ministries as well. It only existed on paper.

5 Q. Can you give us some examples of the ministries where they
6 existed only on paper and there was no real existence or location
7 of those ministries?

8 A. Let's say the Ministry of Public Works where Touch Phoeun was
9 the minister. It seems there was no actual ministry. And another
10 one is the Ministry of Commerce. The actual appropriate
11 ministerial structure was only the Ministry of Foreign Affairs
12 with a proper systematic organization.

13 As for other ministries, for instance the Ministry of Propaganda
14 and Information, there were a kind of an organization but it was
15 not full. So I repeat, there a proper Ministry of Foreign
16 Affairs, there was also a Ministry of Propaganda and Information
17 which kind of have a sort of an organization. As for the Ministry
18 of Health, Thiounn Thioeunn was the minister, but he was aloof,
19 by himself.

20 [11.31.35]

21 So many other ministries only existed on paper with no proper
22 organization and we could understand the issue or the context.
23 Because after the war and during the period of reconstructing the
24 country, and pursuant to the theory of the CPK, we shall not
25 maintain anything on paper as it could be used as the enemy and

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1 we should try to maintain the secrecy and that's how it was
2 practiced back then.

3 I would like to add one thing for the information of the Chamber.
4 Mr. President, I would like to ask for your leave to add this
5 point, I simply would like to clarify it. For example, if I was
6 an interpreter and this morning I was assigned to interpret for
7 the meeting with the ambassador of Albania who went to present
8 the credential to Mr. Khieu Samphan and that ambassador was a
9 close friend of mine, and then in the evening the wife of the
10 ambassador fell sick. Then the doctor to be sent from the -- who
11 was to be sent from the ministry to attend to the wife of the
12 ambassador of Albania to Cambodia, so I went to his residence in
13 the embassy, then he stared at me, I'm speechless, he did not
14 talk to him, not even a single word. He was a close friend to me
15 but he did not say anything to me, not even a word, then I was
16 wondering why.

17 [11.34.05]

18 Then, when I returned back home, they told me that the
19 interpreter for the president of the State Presidium was somebody
20 who had privilege, he or she was supposed to interpret for only
21 the president. He was not supposed to interpret for ordinary
22 conventional circumstance like that. But for me, I did not mind
23 that, I could do whatever assignment that was required for me to
24 do.

25 Q. Thank you.

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1 Yesterday you testified to the Court -- I would like to extract
2 from page 19 in Khmer, in the morning at 10.09, at 10 hours and 9
3 minutes -- and you mentioned that there was no translation into
4 other language. I would like to read it out - quote:

5 "I said already earlier on that Mr. Khieu Samphan was like me at
6 that time, in that specific circumstance, but because he was
7 senior, he was appointed the president of the State Presidium.
8 But actually we were in the same situation. And that was the
9 arrangement of the communist administration then."

10 [11.35.56]

11 Do you still recall that testimony yesterday?

12 A. Yes, I simply said that, before the Communist Party of
13 Kampuchea, by virtue of the principle of the Party as well as the
14 actual implementation of the policy, it was so, because no one
15 was permanently important to the Party.

16 For example, between Mr. Khieu Samphan and I, I observed that the
17 position that was designated to him was because he met certain
18 criteria which were absent with me.

19 [11.36.59]

20 For example, he was senior and he possessed higher qualification.
21 He was a person of maturity. He was more -- much more mature than
22 I was at that time. But in terms of authority, I don't think that
23 he had more authority than I did. That was in the capacity of the
24 president of the State Presidium in Cambodian context. I did not
25 refer to the context of the state -- of the presidential State

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1 Presidium in other countries. And of course, he did not have any
2 authority to sign or authorize anything. I am saying this not
3 because I am in favour of him or am trying to mitigate him, but
4 that was the actual situation on the ground. I witnessed myself.
5 And I am not trying to have the Judges believe that what I am
6 saying is all correct and accurate, but I only describe the
7 situation back then. And I may not have understood the situation
8 very well at that time either.

9 I can bring up another example: Medical Doctor Thiounn Thioeunn.
10 He was designated with the Ministry of Health portfolio. But he
11 was a conventional -- he was an ordinary medical doctor. He did
12 not have the ministry or office to work with. He was the only
13 minister and doctor to that ministry.

14 [11.38.59]

15 MR. PRESIDENT:

16 Representative of the prosecutor, you may proceed.

17 MR. DE WILDE D'ESTMAEL:

18 Thank you, Mr. President. I would like you to remind the witness
19 that he shouldn't speculate.

20 He has been drawing personal conclusions for several answers
21 without us exactly knowing what are the real reasons for these
22 conclusions. And you reminded him several times that he is not an
23 expert. So I wish him only to testify on what he knows precisely.

24 MR. PRESIDENT:

25 Yes, Counsel, you may respond to this objection.

1 [11.39.56]

2 MR. KONG SAM ONN:

3 I wish to respond briefly to the objection by the Prosecution.

4 Actually, this witness before us was the one who had great

5 knowledge because he was involved by himself. He was involved in

6 the revolution preceding the Democratic Kampuchea period, so his

7 evaluation and assessment of the situation is very useful and

8 conducive to ascertaining the truth.

9 I know that in his testimonies he may made up certain things, but

10 it would be conducive to the whole proceedings. And so I would

11 like to now continue with my line of questioning.

12 BY MR. KONG SAM ONN:

13 Q. I would like to expand a little bit on this particular point

14 of testimony. You said that you were one of the intellectuals.

15 You said that you did not have to fall in line with whatever

16 political line of the Party was or the order from the Party

17 leadership. And you also said that your thoughts would make a

18 difference and it would differ from other Revolutionary People or

19 Resistance People.

20 [11.41.15]

21 Could you please elaborate on that point? Why did you have to

22 abandon your personal perception concerning the lack of freedoms

23 or so? Why did the intellectuals at that time who were in the

24 Communist Party of Kampuchea not use their intelligence in order

25 to deal with the situation at that time? Can you please elaborate

1 on this?

2 MR SUONG SIKOEUN:

3 A. Mr. President, it does not mean that I don't want to respond
4 to this question. But if I do, then the Prosecution may object
5 saying that I am not an expert. I can elaborate on this point if
6 I am so allowed, because I lived in that system, in that regime.
7 I could explain it myself. And I came across it myself in my
8 life, so I could explain it.

9 [11.42.46]

10 MR. PRESIDENT:

11 Witness, you do not need to respond to this question. Your own
12 assessment amounts to your conclusion or supposition, unless the
13 defence counsel ask specific questions of the experience you came
14 across yourselves. But the questions put just now was meant to
15 elicit your conclusion or subjective assumption to the situation.
16 So you are now testifying in the capacity as a witness, so you
17 are not supposed to draw any conclusions.

18 BY MR. KONG SAM ONN:

19 Thank you, Mr. President.

20 [11.43.40]

21 Q. I would like to rephrase my question: Through your experience
22 participating in the Movement -- well, before the liberation of
23 1975 until the country was liberated in 1975, were there any
24 principles imposed by the Communist Party of Kampuchea on the
25 mobilization of the intelligence or skill of intellectuals?

1 MR. SUONG SIKOEUN:

2 A. I can respond to this question based on my personal
3 experience.

4 First, I got used to living in a foreign country and particularly
5 a country with a strong capitalist system, and the country that
6 once colonized Cambodia. And our education, as well as our frame
7 of mind, was attached to that. And we wanted to serve the
8 revolution, the Communist Party of Kampuchea with which I was a
9 member. So what I had been trained and acquired overseas was
10 consider the impediment to my participation in the Movement.
11 To put it simply, the precondition -- the precondition was that I
12 had to abandon whatever I acquired from my overseas training
13 because it were not only the burden but the obstacle of my
14 participation in the Movement. And I had to refashion myself. I
15 had to rebuild my personal view in line with the line as well as
16 the principle of the Communist Party of Kampuchea.

17 [11.46.40]

18 So whatever the Party decided, whether it be the political lines
19 or tactical lines or strategic lines as well as practical lines,
20 we had to adhere to. The mere fact that we started to question it
21 erases the question of our trust in the Party. So that posed the
22 question on us that we did not have the trust in the Party. So
23 what we had to endeavour to do at that time is to rebuild
24 ourselves and refashion ourselves. But we still had our own
25 thinking. But we did not question whether or not the line was

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1 correct. That's what we understood at that time.

2 [11.47.40]

3 From my experience, we were in a situation like we were being
4 lured to concede to them. In other words, we were persuaded and
5 we would follow them completely and blindly. For example, the
6 elimination of private ownership.

7 Actually, the story is very long-winded, but if I want to
8 elaborate on that, I have to bring up examples. Of course, I do
9 not want to waste the Court time unless you are -- unless the
10 President allows me to do so. Otherwise, I cannot elaborate
11 further. Because, if I have to bring up an example concerning the
12 theory and practice at that time, it requires example as well to
13 elaborate.

14 [11.48.48]

15 Q. Thank you very much for endeavouring to respond to my
16 question.

17 A. There were plenty of examples. For example, we were required
18 to give up our personal belongings and property. For example, we
19 thought that if we were entitled to have only one back sack with
20 us to keep our properties that would be proper. But in 1979, I
21 was in charge of a group of refugees. Then, in the evening, when
22 I met those refugees, I also met with some of the Thai
23 businesses, and they asked us whether or not we had anything to
24 exchange, anything valuable to exchange with us. for example the
25 jewellerys or things like that that were tradable. But I told

1 them that we had nothing because we came from the socialist
2 country. We did not have any belongings of value. But they were a
3 bit irritated with us because they did not believe that it was
4 the case. But then there were some of the refugees who could hide
5 some of their belongings, for example diamond rings or gold rings
6 or so, and then they offered it voluntary to me just in exchange
7 for tins of cooked fish. And then, when those Thai businesses
8 witnessed that, then they realized that, oh, that was the case of
9 socialism in Cambodia.

10 And it recalled me -- it recalled my memory when I first came to
11 Phnom Penh back in 1975. I saw jewelleries or some valuable items
12 scattered in different places, but nobody bothered to keep them.
13 But when the situation was pressing over there, we could use for
14 exchange of food to eat.

15 [11.51.35]

16 MR. PRESIDENT:

17 You may pause here, Mr. Witness.

18 BY MR. KONG SAM ONN:

19 Q. Can you explain to the Court the principle of solidarity
20 during the Democratic Kampuchea period?

21 MR. PRESIDENT:

22 Counsel, please rephrase your question.

23 If you use the term "explain", it means that you are putting the
24 question to the expert, because the explanation entails the
25 description of something. So these questions should be avoided.

1 He is now testifying in his capacity as the witness, not an
2 expert witness.

3 MR. KONG SAM ONN:

4 Thank you, Mr. President. I have no further questions. Thank you.

5 [11.52.52]

6 MR. PRESIDENT:

7 I note the defence counsel. You may now proceed.

8 QUESTIONING BY MS. GUISSÉ:

9 Thank you, Mr. President. Good morning, Mr. Son Sikoeun. My name
10 is Anta Guissé and I am Mr. Khieu Samphan's international defence
11 counsel. I am going to put a few questions to you, now. Questions
12 of clarification regarding what you just said, whether it be in
13 regard to what you said before the Tribunal, or whether it
14 regards what you said to the Co-Investigating Judges.

15 [11.53.39]

16 Q. My first question focuses on an issue that you discussed
17 during our hearing of 6 August, when you explained that in the
18 context of your training, or of your education, you had to combat
19 the enemy within yourselves in order to foster a new mentality.
20 So my question is the following: As an intellectual, were you
21 considered as having more trouble fighting this enemy within
22 yourselves as a peasant, for example, or as a worker?

23 MR SUONG SIKOEUN:

24 A. This issue concerned the private ownership too. Both in
25 theories and reality, it was normal that once we were from a high

1 pedigree, then the elimination of private property posed an
2 issue, because if -- the reality was that it was not really
3 reflected the classes but in terms of the Marx doctrines that
4 people are normally bothered by private property. For example,
5 friends may enter into arguments because of the property. So,
6 private property posed a problem.

7 But as for myself, I did not have any problem with the abandoning
8 of private property. It was my own nature. I am someone who is
9 open-minded. I can say that about myself. I am not trying to say
10 that I am a good people but I am generous. Whatever people ask
11 for it from me, then, if I can offer, I would do it happily. And
12 once they ask me if I was that kind and generous, if they ask me
13 for my life, would I be willing to offer? And I told them that it
14 depends on who asks me for my life. Oh, well -- this is -- I'm
15 not trying to say that it is my personal goodness of that, but it
16 was true.

17 [11.57.17]

18 Q. Witness, thank you for your answer.

19 I would like to insist on the necessity of speaking a bit more
20 slowly, because we are having trouble getting the full -- the
21 totality of your answer, at least in French. And furthermore, I'm
22 going to try to put you specific questions, so if you could
23 therefore answer these questions precisely.

24 [11.57.49]

25 So my following question before we break for lunch is -- well,

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1 you said often -- or you mentioned often the mistrust that people
2 had towards intellectuals who were educated abroad. And my
3 question, therefore, is to know how this mistrust came across
4 clearly on a daily basis during your daily activities.

5 A. With regard to mistrust, actually it prevails with all
6 aspects. During the Democratic Kampuchea we were under the
7 Communist regime, so we lived collectively and everything was
8 connected and mutually influencing. So mistrust was everywhere.
9 There were minor issues that I do not want to dwell on, but for
10 communication -- the communication between intellectuals, for
11 example, or communication between me and senior leaders, as well
12 as the Secretary of the Party, I was not so afraid and inferior
13 to them, because I knew them very well. That was my personal
14 characteristic at that time. But with others whom I did not know
15 well, I dare not say anything about them, because I did not know
16 them that well.

17 MR PRESIDENT:

18 Thank you, Counsel, and thank you, Witness.

19 The time is now convenient for the lunch adjournment. The Chamber
20 will adjourn from now until 1.30 this afternoon.

21 But before we adjourn for lunch, we would like to ask Witness
22 Suong Sikoeun whether or not, based on your assessment of your
23 state of health as of now, will you be able to testify before the
24 Chamber this afternoon, or you wish to request for the rest this
25 afternoon, and you will resume tomorrow morning.

1 [12.01.30]

2 MR SUONG SIKOEUN:

3 Thank you, Mr. President. Due to my state of health at the
4 moment, I am of the opinion that I cannot continue testifying
5 this afternoon. And I would also like to request the Chamber and
6 the President to take a rest the whole day tomorrow as well,
7 because I observe that my health condition is degenerative and I
8 know myself that I am bothered by different kinds of diseases and
9 ailments. Vascular disease is one of them.

10 So I would like to request the Chamber that I be allowed to rest
11 this afternoon as well as tomorrow. Then I will be able to resume
12 on Monday next week.

13 MR. PRESIDENT:

14 I note just now that the defence counsel for Khieu Samphan was on
15 her feet just now. Do you have any matter to raise?

16 MS. GUISSÉ:

17 Mr. President, no, it was simply to know if the witness was
18 planning to testify this afternoon, and you beat me to it, sir.

19 [12.02.57]

20 MR. PRESIDENT:

21 The International Defence Counsel for Mr. Nuon Chea, you may
22 proceed.

23 MR. PAUW:

24 Thank you, Mr. President.

25 I do not want to speak out of order, but before I miss my

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1 opportunity, I want to state that Nuon Chea would like to follow
2 the afternoon's proceedings from the holding cell, as he is
3 suffering from a headache, back pain, and a lack of
4 concentration.

5 So I'm not sure if this was the proper moment to raise it.

6 But for your information, we have prepared the waiver.

7 [12.04.07]

8 MR. PRESIDENT:

9 Mr. Suong Sikoeun, you have indicated your status of health at
10 the beginning of the testimony, and the Chamber has already
11 advised parties and members of the public concerning the fragile
12 health of you.

13 And you -- the Chamber grants you the request to take rest this
14 afternoon and tomorrow the whole day, and you will be called to
15 testify before the Chamber on Monday next week.

16 And the Chamber wishes to advise parties and members of the
17 public that following this testimony by the witness this
18 afternoon, we will resume the questioning of another alternative
19 witness whom we already heard him half-day yesterday afternoon.

20 So, Mr. Suong Sikoeun, you are called to appear before the
21 Chamber again on Monday next week, and please make sure that you
22 arrive at the Court before 9 o'clock in the morning.

23 Duty counsel is also invited to accompany the witness as well.

24 And court officer is instructed to facilitate the travel and
25 arrangement for the accommodation for the witness and make sure

1 that the witness be brought before the Chamber before 9 o'clock
2 in the morning, on Monday next week.

3 [12.06.38]

4 On a separate matter, noting the request by Mr. Nuon Chea through
5 his defence counsel to follow the proceedings through
6 audio-visual means for the remainder of the day today due to his
7 health reasons, the Chamber grants the request for Mr. Nuon Chea
8 to follow the proceedings remotely from the holding cell through
9 audio-visual equipment for the remainder of today's proceeding
10 and Mr. Nuon Chea has expressly waived his right not to be
11 present directly in this courtroom.

12 The defence team for Nuon Chea is required to submit to Chamber
13 immediately the waiver of Mr. Nuon Chea that he would not -- he
14 is willing not to be present directly in this courtroom, and this
15 waiver shall be some printed or signature by Mr. Nuon Chea.

16 AV assistant is instructed to connect the audio-visual equipment
17 for Mr. Nuon Chea so that he can follow the proceeding from a
18 holding cell downstairs for the remainder of today's proceedings.

19 [12.07.45]

20 And security guards are instructed to bring Mr. Nuon Chea and
21 Khieu Samphan back to the holding cells downstairs. And this
22 afternoon, Mr. Nuon Chea is to remain in the holding cell, where
23 he can follow the proceeding by audio-visual equipment. And Mr.
24 Khieu Samphan is to be brought back to this courtroom this
25 afternoon, before 1.30.

1 The Court is now adjourned.

2 THE GREFFIER:

3 All rise.

4 (Court recesses from 1208H to 1332H)

5 MR. PRESIDENT:

6 You may be seated. The Court is now back in session.

7 For this afternoon session and for tomorrow's proceeding, we will

8 continue to hear the testimony of Witness Ong Thong Hoeung. And

9 for this afternoon, he will be questions by the Prosecution.

10 Before I hand the floor to the Prosecution, I'd like to inquire

11 with the Prosecution and the Lead Co-Lawyers that they shall

12 allocate the time amongst themselves to conclude the session with

13 this witness for this afternoon and tomorrow morning session. So

14 please consult amongst yourselves in trying to use the time

15 allocated to both parties.

16 MR. DE WILDE D'ESTMAEL:

17 Thank you, Mr. President. Good afternoon, Your Honours. To

18 clarify the question of the distribution of time, I'm thinking of

19 using this afternoon to ask questions to the witness and to leave

20 some room for the civil parties tomorrow morning. I'm hoping to

21 be able to finish by 4 o'clock. Thank you, Mr. President.

22 [13.34.22]

23 MS. SIMONNEAU-FORT:

24 Good afternoon, Mr. President. Good afternoon to all. As far as

25 we are concerned, one morning will be more than adequate. We

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1 might even be finished before the morning is finished tomorrow.

2 MR. PRESIDENT:

3 Thank you.

4 [13.34.47]

5 The Prosecution, you may proceed.

6 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

7 Thank you, Mr. President. Thank you, Witness, for your patience
8 and for coming again this afternoon. And thank you very much as
9 well for coming all the way from Brussels to assist us in finding
10 the truth.

11 Q. I have some follow-up questions that I'd like to ask you in
12 connection with what you were saying yesterday to my colleague,
13 and then we will resume your narrative, which I think came to a
14 close at D-2.

15 Please also bear in mind is that what we are interested in is
16 what you knew at the time, rather than what you may have learned
17 afterwards by, for example, reading S-21 confessions. So please
18 do take great pains to make that distinction between what you
19 heard at the time and other things.

20 So my first question concerns the Khmer Students' Union: The
21 Khmer Students' Union -- was it more pro-Soviet or more
22 pro-Chinese in the days when you were a member?

23 MR. ONG THONG HOEUNG:

24 A. As far as I know, from the inception of the Khmer Students'
25 Union in France -- it did not have the same tendency as that of

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1 the French student unions. The Khmer Students' Union was formed
2 with the assistance of the French students union and that of the
3 Soviet Union.

4 [13.37.23]

5 So we can say that the Khmer Students' Union -- kind of having a
6 tendency towards the Soviet Union.

7 Q. Thank you. How long did the KSU go on functioning from the
8 days when you were a member, in the 1970s?

9 A. The exact date of the dissolution of the association was not
10 clear to me. However, I can remember that it was dissolved at the
11 instructions of Ieng Sary. However, I'd like to expand it a
12 little bit further for ease of understanding.

13 After the contradictions regarding the ideology between the
14 Soviet Union and the revisionists within the Communist Party of
15 Soviet and the Communist Party of China, the situation within the
16 Khmer Students' Union in France was also in the contradictory
17 stage.

18 [13.39.06]

19 In particular, those young students who recently arrived in
20 France at the time were mainly bent towards China, and they had
21 that kind of tendency since they were in Cambodia. And as far as
22 I knew, the Khmer Students' Association, led by Phouk Chhay at
23 that time in Cambodia, followed the tendency -- or were closely
24 related to China than to Soviet.

25 Q. Thank you.

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1 Yesterday, you also talked about the office of the FUNK or GRUNK
2 mission in Paris. And it was the second most important FUNK
3 office. It was run by Ok Sakun, who disseminated the FUNK
4 bulletin in Paris. Now, did you get a copy of this bulletin at
5 home, or were you by any other means able to read this bulletin?

6 A. Not only I read the bulletin, but I also assisted in the
7 production of the bulletin as well, as I was student as part of
8 the FUNK back then.

9 Q. Mr. President, I would like to show the witness a document.
10 It's IS 12.3, also carrying code E3/113. It's a bulletin that is
11 disseminated by the information bureau of the FUNK, entitled
12 "News of Cambodia: Kampuchea Information Agency".

13 [13.41.36]

14 And I just want to take one issue, number 693, from the 4th of
15 April 1974. And if I may, I'll show the French original to the
16 witness and also bring it up on the screen in the Khmer version,
17 if I may.

18 MR. PRESIDENT:

19 Yes, you may proceed.

20 Court Officer, could you take the hard copy for the witness
21 examination?

22 (Short pause)

23 BY MR. DE WILDE D'ESTMAEL:

24 Q. I'll let you consult the document, Witness. I'm not so
25 interested in the content as in the appearance of it.

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1 [13.42.50]

2 Can you tell us if this type of bulletin was the one that you
3 regularly read in Paris, when you were there?

4 MR. ONG THONG HOEUNG:

5 A. Yes, that is correct.

6 Q. If we look at the first page, you can see the kind of content,
7 just by looking at the titles of the article which are contained
8 inside. There's an article about "crimes committed by Phnom Penh
9 traitors against pagodas, bonzes--" And then there's another part
10 of the issue that concerns a trip by Mr. Ieng Sary and Khieu
11 Samphan to China. And the third part is about the military
12 situation at home.

13 Would you say that that is the kind of article that you would
14 normally find in this FUNK bulletin at the time, or are there
15 aspects that seem to be missing in this particular issue?

16 [13.44.06]

17 A. I can confirm that this document has a similar content to the
18 content of the documents that I read back then.

19 Q. You told us that the mission office was very active. Did they
20 distribute other materials such as government communiqués or
21 declarations and statements by ministers of the GRUNK government?

22 A. When I talked about the mission by FUNK to Europe -- were the
23 most important missions, compared to that -- to Peking. Because
24 it only -- it had the biggest office in Paris. And in relation to
25 the dissemination of information in the bulletins or in the major

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1 newspapers, then it would mean the information would be spread
2 throughout the world. So it became the biggest centre for FUNK
3 overseas, besides the one in Peking.

4 Q. In the information bulletins which you read in those days --
5 or other communications from FUNK were you used to seeing
6 references to "super-traitors" before the fall of Phnom Penh?
7 Does that ring a bell, from what you read at the time?

8 A. At that time, although I myself did not like to use such a
9 violent word, I did not have any reaction against it.

10 [13.47.15]

11 Q. Remaining for one moment with the meeting that you may have
12 attended when Ieng Sary was in Paris with the Khmer student
13 community in Paris -- I'd like, Mr. President, to read an excerpt
14 from the witness's transcript, and then ask him some questions.
15 I'm talking about D141/1 or E3/97, and in French its page 4, page
16 4 in English, and pages 6 and 7 in Khmer. I'd like to project it
17 onto the screen, and I'd like to ask the witness if he prefers to
18 see the French or the Khmer version.

19 MR. PRESIDENT:

20 Please display in the Khmer language. You may proceed,
21 Prosecutor.

22 Court Officer, could you deliver the copy to the witness?

23 BY MR. DE WILDE D'ESTMAEL:

24 Q. Thank you. Pages 6 and 7 in the Khmer language.

25 [13.49.00]

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1 So, I will read the extract here -- I quote:

2 "Ieng Sary came to Paris several times with delegations. For
3 example, while travelling to conferences of non-aligned countries
4 as Minister of Foreign Affairs. We were informed of such visits,
5 and like everyone else I used to go and listen to what he had to
6 say. He always carried the same message, consisting in justifying
7 the country's policies and asserting that all was fine and that
8 life in Cambodia was good".

9 [13.49.52]

10 And then, lower down:

11 "I know that Ieng Sary even addressed the United Nation's General
12 Assembly, where he stated that his country had never been more
13 prosperous and happier over the last 2,000 years." End of quote.

14 So, Witness, I need to clarify a point here. You said that Ieng
15 Sary came to Paris several times. But you personally -- how many
16 times did you see him and go and listen to him speak at these
17 sorts of meetings with students and intellectuals in Paris --
18 once, twice, several times? Please tell us.

19 MR. ONG THONG HOEUNG:

20 A. I can say it is more than two or more than three times.

21 Q. Would this have been after the victory of the 17th of April,
22 when he was already Minister of Foreign Affairs, or prior to
23 that?

24 A. I had met him prior to the victory, and also met him at least
25 once after the victory. I did not meet him personally, but I met

1 him during the meeting.

2 Q. After the victory, when you'd seen him at least once, was he
3 welcomed as a hero of the revolution?

4 [13.52.05]

5 A. I remember that he was not really received as a hero, but the
6 status was much larger than that.

7 Q. So did he have particularly significant prestige with the
8 Khmer community in Paris and the students at the time?

9 A. At the time, yes, he had a great influence over the
10 intellectuals and students over there, primarily because he had
11 many of his friends, who was there as the core group, and those
12 core group actually educated us -- the younger groups as well.

13 Q. Yesterday, you quoted the names of In Sopheap and Suong
14 Sikoeun. Did you have other people -- did you notice other people
15 from these circles accompanying him on this visit after the 17th
16 of April? And I'm thinking, in particular, of So Hong.

17 A. Among those who accompanied Ieng Sary, I had the great
18 impression with So Hong, as I met him in person and I actually
19 had a chat with him.

20 [13.54.35]

21 He was the one who came from inside the country, and I was away
22 from the country for more than 10 years. So I tried to talk -- to
23 speak with him to learn about the situation back home, and his
24 name actually stuck out.

25 Q. At these meetings, in order to convince people to go back to

1 the country, did Ieng Sary evoke patriotism and nationalism to
2 convince them to come back to rebuild the country or what sort of
3 terms did he use to put this message across?

4 A. He mainly talked about nationalism, patriotism, self-mastery,
5 self-dependence, and he repeatedly emphasized on the point that
6 Cambodia was not an umbrella country to Vietnam. It means that
7 Cambodians, wherever they lived, would like to hear about that.

8 Q. Did he also talk about the difficulties the country was going
9 through after the liberation of Phnom Penh, in the immediate
10 aftermath? Did he say that the situation was difficult?

11 A. He did not talk about this issue as I recall, but he gave an
12 example of those who tried to return to the country, mainly Suong
13 Sikoeun, and that they were happy joining the struggle with the
14 people.

15 So we were so anxious upon hearing that to return to the country
16 and to perform the tasks, as the ones that did -- by Suong
17 Sikoeun.

18 [13.57.21]

19 Q. Did the people who were close to Ieng Sary at these meetings
20 tell you that as an intellectual, you would have to go through a
21 re-education process when you got back to the country?

22 A. I know that he talked about the self-rebuilding, but we didn't
23 know that we had to starve ourselves, to engage in hard labour as
24 we did. We could never imagine of such a situation or perhaps we
25 did not pay much attention to that. Probably what we thought at

1 the time was to rebuild ourselves in order to accustom to the way
2 the local people were living in the country.

3 Q. What about the appeals that were made at these meetings,
4 especially after April 1975? These appeals to you all to go back
5 to the country, were they acted upon by the student community and
6 by the intellectual community in Paris?

7 A. It had a great influence because Cambodians, at the time --
8 even some of them that had their foreign spouses, they had to
9 sacrifice and leave their family behind, sold their house or
10 properties in order to contribute to the rebuilding of the
11 country, together with the Cambodian people inside the country.

12 [13.59.47]

13 Q. Can you provide us with names of friends or of people who were
14 attending these meetings and who decided, following the meetings
15 with Ieng Sary, to return to Cambodia?

16 A. I cannot recall them all, but to my recollection, one of them
17 was Tiev Chin Leng, he was a former engineer. Mr. Ieng Sary told
18 him that Ieng Sary needed Tiev Chin Leng because he was an
19 engineer. And Mr. Tiev Chin Leng was also a renowned person in
20 France, and he lived in a -- with the - a decent family in France
21 as well, and he had his -- he left his wife and his children
22 behind in France. And his children in France -- he left his
23 family and his wife in France.

24 Ly Nay Sim and Pen Try Van were also two of them who were called
25 to come. Ly Nay Sim was a medical doctor. He brought along with

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1 him his small kid. He sold his house and he donated money to the
2 organization.

3 There were many other friends who resided in France and decided
4 to -- left France in order to come to Cambodia. But
5 unfortunately, those people have already passed away.

6 Q. Thank you. Between the liberation of Phnom Penh and when you
7 returned to Cambodia, do you know how many people back then, how
8 many Khmer people living abroad returned to Cambodia to
9 participate in its reconstruction?

10 A. (Microphone not activated)

11 [14.02.24]

12 MR. PRESIDENT:

13 Witness, please observe the light on the microphone; make sure
14 that it is on before you respond.

15 MR. ONG THONG HOEUNG:

16 A. According to my research and according to my knowledge of the
17 situation at the time as well as the document collected at the
18 "école française", the total Cambodian returnees who returned to
19 Cambodia accounted for 1,700 of them and only 200 of them
20 survived. And I could recover some of the names of those
21 individuals who died when they returned to Cambodia. I could only
22 recover some of those people's name.

23 BY MR. DE WILDE D'ESTMAEL:

24 Q. Thank you.

25 I simply wish to return now to what you said yesterday when you

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1 stated that Ieng Sary, before you returned to Cambodia of course
2 but during the UN General Assembly, gave a press conference
3 during which he said the evacuees from Phnom Penh would return
4 back home.

5 Was this kind of information on the part of Ieng Sary something
6 that helped you feel more comfortable about the situation in
7 Cambodia?

8 [14.04.23]

9 A. Yes, those words encouraged us to believe that those national
10 compatriots who resisted to -- in Cambodia were intellectual
11 people. I never believed that they would do anything that killed
12 their own nation.

13 MR. DE WILDE D'ESTMAEL:

14 President, I would like now to show another document to the
15 witness, document E3/550, which is also indexed as IS 20.4. This
16 is an excerpt of an interview that Ieng Sary provided to
17 "Newsweek" on 8 September 1975. And we would like to look at page
18 2 in the Khmer version. English, the first page; and French, it
19 is the second page.

20 And with your leave, I wish to provide a French paper copy of
21 this document to the witness and to display on the screen the
22 Khmer translation.

23 [14.06.14]

24 MR. PRESIDENT:

25 You may proceed.

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1 Court Officer, please obtain the document from the Prosecution
2 and hand it over to the witness.

3 BY MR. DE WILDE D'ESTMAEL:

4 Q. So this is what Ieng Sary answers to a question from James
5 Pringle from "Newsweek Magazine".

6 The question is the following: "Is Phnom Penh still deserted of
7 its population?"

8 Answer: "No, about 100,000 people have returned and others are
9 returning little by little. Schools, hospitals and factories have
10 gradually resumed their activities. People can go back to Phnom
11 Penh if they wish or they can stay in the countryside. All of our
12 people are working day and night to rebuild the country. Cambodia
13 is like a giant workshop."

14 So, in relation to what you told us yesterday, Witness, regarding
15 the fact that the evacuees were supposed to return home or would
16 come back home, does this segment here of the interview
17 correspond to what you heard Ieng Sary say about the return of
18 the evacuees?

19 [14.07.44]

20 MR. ONG THONG HOEUNG:

21 A. This is an article which I have read, and my response is based
22 on this article.

23 Q. Thank you.

24 Now, I would like to return to your departure and in your book
25 reference D151/1.2, you mentioned on pages 31 and 32 in the

1 French version, and in Khmer the ERN is 00831090-91, and you said
2 that before leaving Paris for Cambodia, your group of fellow
3 travellers had signed a statement which they provided to the
4 press. Who wrote out this statement?

5 A. That, I do not know. It must have been somebody who was close
6 to Ieng Sary but I had no idea who he was.

7 [14.09.32]

8 Q. And what was the statement about that was produced just before
9 you left France?

10 A. This statement -- the statement was about the assertion by the
11 Cambodian returnee that they were willing to return to Cambodia,
12 and the motivation for their return was because they did not
13 believe in the news that was run by media controlled by the
14 imperialist.

15 Q. And what were the media controlled by the imperialists already
16 saying about Cambodia? Were there already any allegations against
17 the regime in Cambodia by the media controlled by the
18 imperialists?

19 A. There were some allegations about the atrocity committed in
20 Cambodia and there were news articles published by French
21 newspaper and newspapers in other country reporting about the
22 atrocity, heinous crimes committed during the Democratic
23 Kampuchea. And later on Father François Ponchaud also published a
24 book entitled "Cambodia: Year Zero".

25 Q. So, before packing up to leave for Cambodia, were you given

1 any recommendations about what you should bring along with you or
2 not bring along with you?

3 [14.12.03]

4 A. The main advice for us at that time was that we should bring
5 along with us only one package or one back sack because we came
6 to Cambodia in order to help to reconstruct the country, so we
7 did not have to bring anything much with us.

8 Q. And did Ieng Sary ask you whether directly or indirectly to
9 bring something to Cambodia?

10 A. Indirectly, the returnees received a document from the
11 Diplomatic Mission of Cambodia based in Paris, but I cannot
12 recall or I don't know the content of that document.

13 Q. Thank you.

14 Now, let me return briefly to K-15 and ask you a few more
15 questions in regard to those that were put to you yesterday. You
16 said that you were growing vegetables at K-15. But were you told
17 who would be receiving these vegetables?

18 A. Generally, we were not given instruction as to where the
19 vegetable would be supplied to but generally, we were told that
20 we had to cultivate or grow vegetable in order to be
21 self-sufficient.

22 [14.14.39]

23 Q. So you arrived at K-15 a few months after your wife did and
24 after a few other people had returned to Cambodia. But did other
25 intellectuals continue arriving at K-15 during the three months

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1 you were there? And would they settle there?

2 A. When I was talking to the official of this Court, I stayed in
3 B-15 for -- I came to B-15 - no, rather, I stayed in B-15 for six
4 months, not for three months. And when I was staying there, in my
5 observation, I witnessed that a large number of Cambodian people
6 who stayed there were taken to Ta Lei. I did not know its
7 whereabouts in Phnom Penh, but it was somewhere out in the
8 outskirts of Phnom Penh. And they also took away some of the -- I
9 also noticed that there were soldiers who took some of us away as
10 well.

11 Q. Maybe I did not express myself clearly, Witness. What I wanted
12 to know was whether other intellectuals were still arriving after
13 you returned to Cambodia, therefore would come straight from the
14 airport and travel straight to K-15. Were there several waves of
15 intellectuals who travelled to K-15 in the weeks following your
16 return to Cambodia?

17 [14.16.47]

18 MR. PRESIDENT:

19 Are you talking about K-15 or K-5? Because I heard from the
20 translation sometime you refer to K-5, and at other times you
21 refer to K-15. So can you please clarify whether or not you are
22 referring to K-15. Mr. Prosecutor, please repeat your last
23 question because, through the translation, I heard K-5 was
24 mentioned, and the other times K-15 was mentioned. So please
25 clarify your last question so that the witness can respond to it

1 appropriately.

2 BY MR. DE WILDE D'ESTMAEL:

3 Yes. Thank you, Mr. President. It is indeed K-15 -- that is to
4 say "one-five".

5 Q. So my question was: Were there other waves of intellectuals
6 who were returning to Cambodia voluntarily, travelled to K-15
7 after you had already arrived there?

8 [14.18.22]

9 MR. ONG THONG HOEUNG:

10 A. Yes, there were other waves of intellectuals arriving, as my
11 brother-in-law, Ros Sarin, and his family members, and other
12 Cambodian people also came to this office.

13 Q. Now, in terms of how K-15 was organized as well as the other
14 sites where you were sent to later on, did the Khmer Rouge cadres
15 nominate detainees among the intellectuals to run or to manage
16 the other prisoners? Did they use certain of the detainees, for
17 example, as relays to ensure discipline?

18 A. At K-15, Phum was the officer in charge and he had with him
19 several subordinates and then in this K-15, they divided the
20 returnees into different groups and they designated a team
21 leader. And the situation was like the Germans treating the
22 Jewish. They designated the team leader in order to supervise the
23 work of the team and report it to the officer in charge.

24 [14.20.20]

25 Q. Did this generate tension within the intellectuals who had

1 returned from abroad, the fact that there would be people who
2 were given this position and also maybe because you participated
3 in self-criticism and criticism sessions did all this result in
4 tension among you?

5 A. This working procedure, as you can well imagine, if we were
6 residing there and then we did not have access to food and other
7 necessity and then we did not have communication with outside,
8 but then with ourselves, we had somebody who was the team leader.
9 But then we did not have anything to eat or food -- or water to
10 drink. So you can well imagine if they offered only half a glass
11 of water, then we would try to snatch the water in order to
12 drink. So that can be well imagined that argument is very
13 fragile.

14 [14.21.50]

15 So, in that situation, even if they loved each other before but
16 argument was very likely. And those who were designated to be the
17 team leaders had to try to please people who were in charge over
18 there. So the atmosphere within K-15 was of mistrust.

19 And that was the tactics of Angkar. They wanted to re-educate and
20 they also encouraged us to self-criticize ourselves and we had to
21 criticize each other as well. For example, they would talk about
22 people back when they were in France, for example, and then in
23 that meeting, they discussed things such as these individuals
24 were former pro-Soviet Union and others were pro any political
25 trend also. So the conflict was looming actually in the teams and

1 people did not trust each other.

2 Q. Thank you. If I refer to your book and to your written Record
3 of Interview, after having gone through K-15 and D-2, you went to
4 a hospital and then you were sent to Takhmau; is that correct,
5 Witness?

6 A. That is correct.

7 [14.24.03]

8 Q. Can you tell us if the living and working conditions at
9 Takhmau were similar or better or worse than at K-15 or at D-2?

10 A. The condition was getting worse, particularly when we were
11 transferred to Takhmau, and then the situation was even worse
12 when we were in Boeng Trabek.

13 Q. Let's focus on Takhmau for the moment. Were you allowed to be
14 sick and what would happen if you fell ill, for example?

15 A. When we were in Takhmau we were not allowed to be sick and if
16 you were found sick or ill, our food regime would be reduced.

17 [14.25.39]

18 Q. And what kind of work did you have to perform at Takhmau, very
19 briefly speaking?

20 A. There were different targets of task. For example, we had to
21 clear bushes in order to make way for vegetable plantation and we
22 grow vegetables like in other camps as well. But when I was in
23 Takhmau what was noting was that the condition over there was
24 very bad.

25 Because before I left for the factory some Cambodians over there

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1 went to work in Angkor Chey and there were a lot of mistreatment
2 of people by the cadres over there, and they told us about the
3 life conditions at Angkor Chey. The starvation people had to
4 suffer and the ill treatment by the cadres over there. So we got
5 very annoyed at that time and then we found that if we discussed
6 about Angkor then we would be considered enemies and so we got
7 very irritated at the time.

8 [14.27.19]

9 Q. And during this period, did Khmer Rouge cadres speak to you
10 about this concept of enemy? What did this notion signify for the
11 Khmer Rouge back then? Who were the enemies?

12 A. The main enemies were the enemies within ourselves, the
13 enemies that was hidden in ourselves.

14 Q. And at Takhmau, were things like at 15 or at D-2, where you
15 were still considered people from the FUNK and not
16 revolutionaries?

17 A. Yes, that is correct. But at D-2 the chairman of the factory
18 was kind. He was not as cruel as the leader at Takhmau Camp.

19 Q. Why was it badly looked upon to be categorized as belonging to
20 the FUNK? Was it because you had joined the revolution a little
21 later on than others?

22 [14.29.43]

23 MR. PRESIDENT:

24 Defence Counsel, you may proceed.

25 MR. KARNAVAS:

1 Thank you, Mr. President. Again, I have been rather patient all
2 afternoon; the gentleman is leading.

3 Here again he asks a question and then he provides the answer,
4 and then he asks whether the gentleman can verify it. He's been
5 doing this repeatedly over, and over, and over again.

6 Now, I don't want to be objecting on every question because you
7 are professional Judges, but there has to be a limit.

8 He can ask a question and ask the witness to provide the answer,
9 not give the witness the answer and say: Is that the reason?

10 That's a classic leading question.

11 And if you, Your Honours, are going to be sustaining every single
12 objection that comes from the Prosecution, we expect for you to
13 sustain our objections when we raise the same issues. This is
14 incredible, this amount of leading.

15 [14.30.35]

16 BY MR. DE WILDE D'ESTMAEL:

17 Q. Let me cut the question in half then and start with the first
18 part. Why was it looked down on if you belonged to the category
19 of people from FUNK?

20 A. I do not have any response to this question, but personally
21 after I had a talk with my wife we considered how -- who we were
22 or what class we were in because we had nothing. We could not be
23 bourgeoisie or petty bourgeoisie as we only have a small bag with
24 us with a few clothes as the rest of the poor peasants and
25 workers. What was the difference between us and those people? And

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1 my wife said the difference was that we went to school but they
2 did not and I believe what she said was correct.

3 [14.32.03]

4 Q. Who was supervising the Takhmau site when you were there?

5 A. His revolutionary name was Yuth.

6 Q. And at the time, did you know what body or ministry Takhmau
7 site belonged to?

8 A. No, I don't because since my arrival from overseas, my only
9 reason was because I came at the request and appeal by Ieng Sary.
10 So, in my mind, I was thinking that it was under his supervision
11 but there is nothing to use as the evidence in -- to support my
12 thinking.

13 Q. Thank you very much. In Takhmau, did any of the intellectuals
14 or the people who were there try and run away from the camp?

15 [14.33.58]

16 A. Yes. There was one person, Chang Seng Nong -- that was the
17 name. He came from France and he flew with my wife, and when I
18 was at Takhmau I saw him and he was sick and he was not allowed
19 to stay at his house, but to stay under the house of the chief of
20 the camp. They isolated him and did not allow people to contact
21 him and one night -- or one day, soldiers rang the bell for us to
22 go to attend a meeting and they said that Chang Seng Nong tried
23 to flee from Takhmau and that he had fled, and they said that he
24 was a traitor and after that we were disbursed to return to work
25 and it became quiet after. But a few days later, there was a

1 rumour that he had been arrested, but we never saw him and the
2 situation became quiet again. But later on I saw the name -- his
3 name at S-21.

4 [14.35.57]

5 Q. Can you tell us how long you stayed, roughly, in Takhmau? And
6 where were you taken after that? If possible, without consulting
7 the book, if you could please answer the question, if you
8 remember.

9 A. It was in late 1976, probably in October or November. Yes,
10 around that. October or November, as I stayed there for about one
11 month or a little bit more than one month.

12 [14.37.00]

13 Q. And where did you go after that month?

14 A. After that our group was transferred to Boeng Trabek. We were
15 sent to Boeng Trabek but some members of the group that was sent
16 elsewhere. At that time, I didn't know where they were sent to
17 but later I learned that they were taken to S-21.

18 [14.37.50]

19 Q. Thank you. Let us briefly dwell on your first stay in Boeng
20 Trabek. When you got there did you meet up with a lot of friends
21 or intellectuals who you had known earlier and maybe even from
22 other camps such as K-15?

23 A. Yes, I knew when we arrived at Boeng Trabek, it was around
24 November that year and I learned that K-15 was closed and all
25 Cambodian people from overseas were gathered and sent to Boeng

1 Trabek.

2 Q. Were there a lot of people in Boeng Trabek?

3 A. There were more people than in Takhmau, but if you compare it
4 to the thousands of people coming from overseas, it was less than
5 that.

6 [14.39.18]

7 Q. Were the people in Boeng Trabek just intellectuals or were
8 there other categories of people?

9 A. There were other categories of people. There were a few Khmer
10 Rouge cadres whose names I cannot recall, and besides there were
11 Cambodians from overseas.

12 Q. When you say "Cambodians from overseas", precisely where did
13 they come from? Did they come from different places? Cambodians,
14 all of them of course, but were they from different countries?

15 A. Yes, they came from various countries but the majority came
16 from France, a small number were from Soviet. But there were only
17 a few of them as many of them had disappeared.

18 MR. PRESIDENT:

19 Thank you, Mr. Witness and the Prosecutor.

20 The time is now appropriate for a short recess, and we will take
21 a break and return at 3 p.m.

22 Court Officer, could you assist the witness during the recess and
23 have him return to the courtroom at 3 p.m.?

24 (Court recesses from 1441H to 1501H)

25 MR. PRESIDENT:

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

2 I hand over to the Prosecution to continue his line of
3 questioning. You may now proceed.

4 BY MR. DE WILDE D'ESTMAEL:

5 Thank you, Mr. President.

6 [15.01.47]

7 Q. Witness, we were discussing the moment -- the time you spent
8 at Boeng Trabek, and you said that you had arrived in November
9 1976, or around then. And did you see there people who had
10 travelled with you in the plane in which you travelled to Phnom
11 Penh?

12 You spoke about former servicemen who were coming back from the
13 United States. Did you see such people in Boeng Trabek -- or did
14 you see them again, rather?

15 MR. ONG THONG HOEUNG:

16 A. No, I didn't

17 Q. And at Boeng Trabek, back then, were there former diplomats?

18 A. At Boeng Trabek, back then, there were no diplomats returning
19 from overseas.

20 Q. Do you know Boeng Trabek's code name, or the code name it had
21 in 1976 and in 1977?

22 A. At the time, I did not know. And later on I was told of the
23 name of that place, but I cannot recall.

24 Q. What were your tasks? What was your daily work that you were
25 obliged to perform at Boeng Trabek, and why did you say, earlier

1 on, that the living and working conditions were so difficult
2 there?

3 [15.04.11]

4 A. The class struggle that -- the class struggle sentiment that I
5 had when I stayed in Takhmau, it accelerated. And it was the
6 sentiment that I had.

7 Q. Could you be -- could you specify what you mean by this
8 "feeling of class struggle"? How would this show itself
9 concretely speaking, in particular within the camp?

10 A. The struggle gained momentum, and at the time they told us
11 that it was in line with the Party's line, and we had to uncover
12 the enemy within ourselves. So it was in Boeng Trabek Camp that
13 we started to think of it.

14 When we were in Boeng Trabek, we knew that there were coconut
15 trees and coconut fruits over there, which were ripe, and some of
16 them fell down, but we were not allowed to pick them up and eat
17 those coconuts, because they told us that that was not in line
18 with the principle of liberalism, defined by the Party.

19 [15.06.52]

20 So the struggle that gained momentum over there led to the arrest
21 of people who simply picked up the fruit to eat. And they also
22 called them to a meeting or a rally in order to refashion them
23 concerning the class struggle.

24 So, in the rallies, they would arrest the people who arbitrarily
25 picked up fruits or so, and then others would criticize those

1 individuals. That was called the "class struggle wrath".

2 Q. As far as you know, during your first stay at Boeng Trabek how
3 was the camp organized? Were there different units? And what was
4 the hierarchical structure in this camp?

5 A. In reality, the hierarchical structure over there was divided
6 into different groups. And the assignment and designation was the
7 same as the camp we left from. They appointed the team leaders
8 and deputy team leaders also, so all of the intellectuals who
9 returned from overseas were designated to supervise different
10 teams. And they had to report to Angkar and upper authority. And
11 individuals who had the responsibility for each team had to
12 report to them.

13 [15.08.58]

14 So those who were responsible for each team had to regularly
15 report to the person in charge. In other words, the team leader
16 had to try to please their superior or people in the upper
17 authority. And consequently it created the atmosphere of mistrust
18 among friends and colleagues over there. And that was the
19 atmosphere over there. But what I can emphasize was that the
20 situation or the atmosphere over there was much more tense
21 compared to that in K-15.

22 Q. Who were the Khmer Rouge cadres running the Boeng Trabek Camp?
23 Can you provide us with names -- the names of these cadres? And
24 maybe can you provide us with the names of some of the
25 intellectuals they may have relied upon to run the camp?

1 A. I can recall one of them by the name of Savan. I cannot recall
2 any other cadres, unless I have the book with me. And my friends
3 from overseas was Try Meng Huot -- he was the Ph.D. holder in
4 chemistry -- and To Ti Pheak -- he used to study in Peking. He
5 was educated in France, but then he continued in Peking to get
6 his medical degree.

7 Q. Did you know back then, who was Savan's superior?

8 A. I only heard they mentioned "Angkar", but I had no idea what
9 "Angkar" was and who "Angkar" was.

10 [15.11.48]

11 Q. And during your first stay at Boeng Trabek, were people
12 brought away outside of the camp? And did this happen often?

13 A. Yes, they brought them away often. But I cannot recall the
14 names of those who were taken away. But I could say that it was
15 very often. It was the last camp we were sent to before we
16 dispatched to Dei Kraham.

17 [15.12.38]

18 They took away some of the people over there, but I can recall
19 only some of them, one of whom was Ros Sarin, who was my in-law,
20 Mr. Phung Ton, Chhouk Mao (sic), and others whom I cannot recall
21 from the top of my head.

22 Q. And they were taken under which circumstances? Were they told
23 where they were going?

24 A. To my knowledge, there was no information whatsoever
25 concerning the transfer out of those people. As for my relative

1 -- my brother, Ros Sarin -- I thought that he was transferred to
2 somewhere else, because he was the former director of the
3 Pochentong International Airport. And we, at that time, thought
4 that he would be transferred to another post, because of his
5 previous work background.

6 Q. And at Boeng Trabek, back then, was there anyone by the name
7 of Khuon David? Does that ring a bell?

8 [15.14.40]

9 A. Khuon David was one of my friends, but I cannot recall the
10 event very clearly. I have no idea whether or not he was taken
11 away from Boeng Trabek Camp or from the K-15. But what I learned,
12 later on, was that his name was in the list at S-21.

13 Q. And what about Mr. Krin Lean? Did you ever see him in one of
14 these sites or camps? Krin Lean.

15 A. Mr. Krin Lean -- when I was in Boeng Trabek Camp, I saw him
16 the last. And to my recollection, at that time Phum convened a
17 general meeting, somewhere in the Printing House near Boeng
18 Trabek. And following the general meeting, he was taken away. And
19 Phum came along with other two officers and he -- they took him
20 away. And I met him for the first and also the last time on that
21 day.

22 Q. And why did Phum convene a meeting? You said earlier on that
23 Savan was the person who ran Boeng Trabek. So why did Phum
24 convene a meeting when you were at Boeng Trabek?

25 A. I did not understand that either, but Phum was the one who was

1 in charge of supervising us at K 15. I have no idea why he
2 convened the meeting then, but to my recollection at that time,
3 Phum, during the meeting, said that the internal struggle of the
4 Party -- he himself was terrified. We recall of the -- avenging
5 the Hitler regime, when people had to kill each other at that
6 time.

7 [15.17.45]

8 Q. Thank you.

9 You said then that you travelled to the "Red Earth" -- Dei
10 Kraham. Can you tell us how long you spent there and where Dei
11 Kraham is located in Cambodia?

12 A. We left for Dei Kraham in late 1976 -- it was in December
13 1976, and I stayed there until -- two or three months prior to
14 the fall of the Democratic Kampuchea regime. I cannot recall the
15 exact date.

16 Q. So, if I understood properly, you were there from December
17 1976 until two to three months before the fall of the regime. Can
18 you tell us why you went to Dei Kraham? And what did they make
19 you do? What were you obliged to do once you were there?

20 A. When I got to Boeng Trabek, I stayed there for a short period
21 of time. And then they asked us to prepare our biography, and we
22 have to -- have our name in the list of people to be sent to Dei
23 Kraham. And when they asked us to list our names or register our
24 names, I did not know the reason why I was asked to do that.

25 [15.19.53]

1 But they told us that they wanted volunteers. And they also
2 convinced us that at Dei Kraham there were plenty of crops and
3 fruits over there. There were potatoes and cassavas and other
4 crops in Dei Kraham. So they appealed to us to volunteer.

5 And my brother, Ros Sarin, was the first one who volunteered to
6 register, and he asked me to also register my name in the list as
7 well. And I was very cautious at that time. And if they told us
8 with all the good stories as such, probably there might have been
9 something behind that agenda. I maintained that suspicion in my
10 mind. But eventually I registered my name together with others,
11 as well, in that list, to be transferred to Dei Kraham.

12 Q. And before we speak about your activities then, can you tell
13 us first where Dei Kraham was located -- in which region of
14 Cambodia?

15 A. We left at night, and those who were familiar with the
16 geographical location told me that it was somewhere in Steung
17 Trang. When we got to Dei Kraham, we had to drive across rubber
18 plantations, and then the next morning we found ourselves
19 arriving at Office "one-seven" -- or Office 17.

20 [15.21.47]

21 And then we met with the person by the name of Kan and others who
22 came to receive us.

23 They told us that they had known many senior leaders like Hou
24 Youn and minister of previous regimes or so who resided over
25 there. So I got to that location, and there were B-20 and B-17

1 over there. There were offices for cadres and there was another
2 office by the code name of B-18.

3 The location was actually in the forest. It was further beyond
4 the rubber plantation, but I did not have any idea of the exact
5 geographical location. I cannot respond to your question more
6 precisely than this.

7 Q. So, very briefly speaking, what did your work entail over
8 there?

9 A. Our first job was to clear the bushes and -- in order to plant
10 potatoes.

11 Q. And can you tell us what the discipline was like over there
12 and if people disappeared from Dei Kraham?

13 [15.23.45]

14 A. In Dei Kraham, in general, the living condition was a little
15 better because we had access to potatoes and other crops as well.

16 And the -- we could roam around the area, and we had access to
17 waters and streams -- things like that. So the living condition
18 overall was better than that in Boeng Trabek Camp.

19 And as for the Khmer Rouge cadres and officers over there -- were
20 more polite and treated us more friendly over there. And it was
21 the first time that we received that kind of hospitality or the
22 decent treatment there.

23 But on the first day of our arrival in Dei Kraham, they took away
24 some of the people over there. And one incident which I still --
25 can still recall was the nephew and -- two nephew and nieces of

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1 Ieng Sary or Ieng Thirith away; they took them out, and then Ham
2 Sokong was also taken away, but he was taken separately. So, in
3 only one week, they took away three people out of Dei Kraham. Ham
4 Sokong was the former engineer when he was in France. He was in
5 the international building and he, at that time, met me and said
6 goodbye to me when they took them away.

7 [15.26.09]

8 And then, after that, they took away other people as well. But
9 each time they took away the people, they asked us to prepare
10 food with chickens also, so that we can send them away. We offer
11 the good food to them with chickens and things like that for them
12 to send them away.

13 That was the symbol of good gesture, so -- and to my
14 recollection, there were approximately up to 100 people or so who
15 took away during the entire period of my stay over there. I did
16 not know where they took those people to.

17 Q. Do you know if Ieng Thirith and Ieng Sary's niece was among
18 the 100 people who disappeared or were they found later on?

19 A. When we left Dei Kraham we came to work in Tuol Sleng office.
20 We found some names of the Cambodian returnee from overseas. But
21 I did not find the names of those people who were sent out of Dei
22 Kraham. I was wondering as well where -- as to where they were
23 taken to. We knew that they had disappeared, but later on we
24 found out that only two of them survived, the nieces of Madam
25 Ieng Thirith who have survived to date, and the rest were dead.

1 [15.28.24]

2 Q. So, back then, you did not know; is that correct? At the end
3 of your stay at Dei Kraham, were you told that you had finally
4 been re-educated? After those long months, was your level of
5 re-education assessed or did you have to continue with your
6 re-education?

7 A. Let me clarify this a bit.

8 When we learned about the disappearance of people from Dei Kraham
9 in 1979 when I was transferred to work in Office S-21, there was
10 a former medical doctor who used to work with the Khmer Rouge.
11 He told us that my friends and associates had already been
12 executed in Prey Kong forest. I did not believe him, but actually
13 Prey Kong was some 30 minutes drive away from Dei Kraham, and I
14 wonder why they killed those people and I could hardly believe
15 it.

16 [15.30.17]

17 And then -- it was in 2000 -- I went with Henri Locard and
18 another photographer and my kids as well to go there again. And
19 then I asked the resident over there and they also told us that
20 Prey Kong was the place notorious for the execution of the
21 Cambodian people.
22 They show us some of the items, but I did not know the truth of
23 that. And I did not even know the exact location where the people
24 were executed. But of those who disappeared out of Dei Kraham
25 were all dead with the exception of two nieces of Ieng Sary. But

1 until today, I did not know where they were taken to or where
2 they were executed.

3 And you may ask the second part of your question, I cannot quite
4 catch your second part of your question.

5 Q. I wanted to know if at the end of your stay in Dei Kraham --
6 your work in Dei Kraham rather -- the Khmer Rouge cadres felt
7 that you were re-educated or rather that you needed to be moved
8 elsewhere to continue being re-educated?

9 [15.32.10]

10 A. As far as I know, at that time they said "Angkar needed you,
11 Brothers". So you had to return to Phnom Penh. That's how we were
12 told -- that is the remainder of us anyway -- and we were trucked
13 back to Phnom Penh. So I couldn't link that to whether we
14 actually concluded the study session or the re-education.

15 Q. And what happened in Phnom Penh? Where did they take you?

16 A. When we arrived in Phnom Penh after we disembarked from the
17 boat near the garden opposite the Royal Palace, we were taken to
18 a house where the Korean and the Japanese engineers had stayed
19 previously. It was located near Wat Phnom, and it was Cheap who
20 took us there. Cheap was the association of Ieng Sary and he told
21 us that Ieng Sary instructed him to take us to rest in that
22 location near Wat Phnom and it was late evening by then.

23 [15.33.57]

24 Q. Did you stay there until the time when the Vietnamese arrived
25 or was that a temporary stay and you continued elsewhere?

1 A. We stayed there only for one night. However, during that night
2 Ieng Sary came to meet us but I was asleep at that time, and he
3 met other people who later told me that Ieng Sary came to meet
4 us. He asked where we had been during the past few years and who
5 actually sent us to Dei Kraham and how the situation was like
6 back in Dei Kraham. Actually, it was a kind of chit-chat with
7 some of us. It was like brother to brother chatting.

8 Q. Thank you. After that night, where were you sent?

9 A. After that night we were sent to Boeng Trabek. First we were
10 asked to stay at B-30, and there were B-30, B-32 and B-31
11 sections within that Boeng Trabek compound.

12 Q. Did these appellations exist before or were they new? Who was
13 working in these three different sections, B-30, B-31 and B-32 at
14 the time?

15 [15.36.25]

16 A. The organization was a bit different from the time that I
17 stayed there earlier -- that is, before our going to Dei Kraham.
18 As I knew, we were told that our group was under the supervision
19 of Ieng Sary.

20 Q. And did they put you in B-30, 31 or 32? And with what category
21 of people were you put?

22 A. I was put in B-30 for a while and then I was moved to B-32
23 staying together with the former diplomats. At that time, I was
24 told that while I was at Dei Kraham I had re-educated myself, so
25 I was moved to be with the diplomatic -- diplomat group.

1 At B-30, sometimes people were moved to B-31 and then they would
2 be taken to work at B-4. It means that they had not yet
3 re-educated themselves.

4 Q. And what about the Khmer Rouge cadres who were running Boeng
5 Trabek? Were they in B-30, B 31 or B-32?

6 [15.38.38]

7 A. At that time, I cannot recall whether there were any other
8 Khmer Rouge cadres besides Ieng Sary and his associates.

9 Occasionally, he would bring fish and other food to us. So he
10 actually provided us with sufficient food and the work there was
11 much less intensive.

12 And the younger youth whose diplomats parents has been killed
13 were prepared to engage in study so that they could be later used
14 to receive the foreign guests coming to visit Cambodia. So the
15 situation at that time seems to change. We were not forced to
16 work as hard as we were, although we still engaged in labour, but
17 it was much less intensive.

18 Q. When you came back to Boeng Trabek, Savan, who was in charge
19 of Boeng Trabek before, was he still there?

20 A. I heard people talking about him, that Savan had been arrested
21 by Angkar when I arrived. It means that Angkar took him away,
22 that's how it was put.

23 Q. Did you attend meetings with Ieng Sary when you were in Boeng
24 Trabek?

25 [15.40.45]

1 A. I attended a meeting twice.

2 Q. All right. Let's start with the first. Where did it take
3 place? And about how long after you arrived in Boeng Trabek was
4 it held?

5 A. It was in one room in Boeng Trabek and it was a one-day
6 meeting, but I cannot recall the exact time of the day, but it
7 was a one-day meeting.

8 Q. And who was at that meeting? Was it all the people working in
9 B-30, B-31 and B-32?

10 A. The first meeting as I recall was a common meeting for all
11 people from B-30, 31 and 32 in order to hear his presentation.
12 And that was also the first time -- that is prior to my move to
13 B-32 -- that I saw former diplomats whom I knew earlier,
14 including Sarin Chhak, Chem Snguon, Hor Namhong, etc. I met them
15 in that meeting.

16 Q. Ieng Sary made a presentation. Can you remember what
17 particular subject he talked about?

18 [15.43.20]

19 A. The subject that I recall in the first -- in that first
20 meeting regarding the current situation in Cambodia and that we
21 had strenuous resistance against Vietnam. I remember that subject
22 clearly and he said that please feel at ease, that we will
23 definitely win.

24 Q. Did the question of security come up? Was there any talk of
25 traitors?

1 A. He spoke about traitors, but I cannot recall exactly whether
2 he spoke about that in the first or the second meeting. He talked
3 about security, about the arrests, and at that time he spoke
4 about To Ti Pheak -- before I went to Dei Kraham, this person was
5 a member of the Boeng Trabek committee -- and Van Piny, whom I
6 had known for a long time since I was in Paris -- he was
7 implicated in two documents -- and he said: In order to accuse
8 somebody, there shall be at least three implicated documents. But
9 at that time, I knew nothing about the implicated documents. He
10 also said that he would defend our comrades from overseas
11 because, he said, he did not believe all of us would be traitors,
12 and as always he would defend our group coming from overseas. He
13 said - he used the word "as always"; that's how I remember it.
14 [15.46.07]

15 Q. If I understood your last sentence, he said that all of the
16 intellectuals coming from abroad were not systematically
17 traitors; is that what I heard?

18 A. Ieng Sary did say so. He said that he always told them -- it
19 means other people -- that not everyone from overseas was a
20 traitor.

21 Q. What about Van Piny? You said that he had been incriminated in
22 several documents. Did Ieng Sary say if this person had been
23 arrested?

24 A. At that time, when I was in the meeting and -- at that time I
25 did not know of the existence of S-21, so I did not really

1 understand what it meant by that. I only knew Van Piny had been
2 incriminated in two documents. I did not know what the documents
3 were or what that meaning -- what that statement meant.

4 [15.47.58]

5 Q. Did Ieng Sary talk about any accusations against Sovan Piny,
6 saying what he was accused of, or did he not?

7 A. As I recall, Ieng Sary only said that there were two documents
8 incriminating him, but I cannot recall any other statements. As
9 for To Ti Pheak, he said To Ti Pheak was a member of the
10 Kuomintang.

11 Q. When you went from Boeng Trabek to "Terres Rouges", did you
12 ever hear Ieng Sary at the different meetings talking about Savan
13 and what happened to Savan?

14 A. As I recall, Ieng Sary said Savan was a traitor.

15 Q. Did he say what sort of traitor he was?

16 A. At that time, I did not want to know further and I did not
17 know that if a person was accused of being a traitor, that person
18 would be taken and killed. I could not grasp the situation and I
19 didn't know about the killing.

20 [15.50.23]

21 Q. At these meetings, did you hear Ieng Sary talking about Lean
22 Sirivut, for example?

23 A. I am not sure whether I heard it from friends or from other
24 people. I heard that Lean Sirivut was -- joined the CIA network.
25 But to me it seems rather exaggerating but I heard about that

1 accusation back then, but I could not say who actually told me
2 about that.

3 Lean Sirivut was accused of being a CIA agent, and Lean Sirivut
4 was actually a cousin of Suong Sikoeun. But I could not fully
5 grasp the situation back then. Before I went to S-21, I could not
6 grasp a lot of things or a lot of situations. I could never
7 imagine that they were taken and killed.

8 Q. Thank you. Yes, I was indeed asking you to distinguish between
9 what you heard Ieng Sary say and what you saw subsequently.

10 One last point concerning the subject of Vietnam: Can you
11 remember what Ieng Sary said at that meeting or at the subsequent
12 meeting on that subject?

13 [15.52.37]

14 A. Nothing else to add. As I understood at the time -- that we
15 had to engage in intensive battle with Vietnam. But I could not
16 add anything else, as I -- that's all what I can recall.

17 Q. And during that period after the time when you had to leave
18 Phnom Penh, did you continue working in Boeng Trabek?

19 A. In the evening of the 6 January -- or was it the morning? I
20 cannot recall clearly -- So Hong came to tell us to prepare
21 ourselves to leave Boeng Trabek. First, he said that the men will
22 go first for a temporary period. So we prepare ourselves for the
23 departure and on the night of the 6th, we came to the railway
24 station but there was no train, so we returned to Boeng Trabek.
25 And in the morning of the 7th, all of us came or left -- that is,

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1 the men and the wives and the family members -- and we were taken
2 to the Thai-Cambodian border. That's how I was told but along the
3 way, I heard the explosions back in Phnom Penh. Then the train
4 stopped on its track. We waited and waited, but in the end, the
5 train did not go any further.

6 So we were instructed to walk on foot and to live in the
7 cooperatives. So we were dispersed into various cooperatives. It
8 was near the railway track in Romeas Haek, but I cannot recall
9 the name of the location exactly.

10 [15.55.55]

11 Q. Thank you.

12 One last question, Mr. Witness: When you left Phnom Penh by train
13 and you went through these cooperatives, was Ieng Sary with you
14 or had he already left Phnom Penh?

15 A. No, there was no Khmer Rouge with us. There were only us -- I
16 mean, the Cambodians from overseas. There was no Angkar
17 representative or someone in charge of us. So we split ourselves
18 into smaller groups and went to live in various cooperatives,
19 just try to survive.

20 MR. DE WILDE D'ESTMAEL:

21 I am very grateful to you, Witness, for having answered all of my
22 questions.

23 Mr. President, that brings me to a close, and I shall therefore
24 pass the floor on to the civil parties for tomorrow morning.

25 Thank you very much.

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1 [15.57.26]

2 MR. PRESIDENT:

3 Thank you, Prosecutor. Thank you, Mr. Witness.

4 The time is now appropriate for today's adjournment. The Court
5 will adjourn and will resume tomorrow morning -- that is, the 9th
6 of August 2012 -- starting from 9 a.m. And we will continue to
7 hear the testimony of Ong Thong Hoeung, who will be questioned by
8 the Lead Co-Lawyers for the civil parties in the morning session
9 and then by the defence team; first, by Nuon Chea's defence.

10 Mr. Ong Thong Hoeung, the hearing of your testimony has not yet
11 concluded, and you are invited to return tomorrow for your
12 testimony.

13 Court Officer, could you assist in cooperation with the WESU unit
14 for the return of the witness and have him return tomorrow
15 morning, at 9 a.m.?

16 Security guards, you are instructed to take the three Accused
17 back to the detention facility and have them return to the
18 courtroom tomorrow morning, prior to 9 a.m.

19 The Court is now adjourned.

20 (Court adjourns at 1558H)

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