



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**  
**ORIGINAL/ORIGINAL**  
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TRANSCRIPT OF TRIAL PROCEEDINGS

CONFIDENTIAL

Case File N° 002/19-09-2007-ECCC/TC

2 May 2013  
Trial Day 174

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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KHIEU Samphan

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SENG Bunkheang  
Dale LYSAK

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**List of Speakers:**

Language used unless specified otherwise in the transcript

<b>Speaker</b>	<b>Language</b>
MS. GUISSÉ	French
MR. KIM MENGKHY	Khmer
MR. KOPPE	English
MR. LIM SAT (TCW-389)	Khmer
MR. LYSAK	English
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. PICH ANG	Khmer
MR. SENG BUNKHEANG	Khmer
MS. SIMONNEAU-FORT	French
MR. SON ARUN	Khmer
MS. YE	English

1

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

2 (Court opens at 0900H)

3 MR. PRESIDENT:

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

5 During today sessions, the Chamber will hear the testimony of

6 TCW-389.

7 The Chamber has already informed the parties that the

8 Co-Prosecutors and Lead Co-Lawyers for the civil parties will

9 have the whole morning today and a session in the afternoon.

10 Court officer is now instructed to report to the Chamber the

11 current status of the parties to the proceedings today.

12 [09.02.06]

13 THE GREFFIER:

14 Good morning, Mr. President and Your Honours.

15 All parties to the proceedings today are present, except Mr. Kong

16 Sam Onn, the national co-counsel for Mr. Khieu Samphan, who is

17 absent due to his personal commitment.

18 Mr. Nuon Chea is present in his holding cell and this based on

19 the decision by the Trial Chamber. He is allowed to observe the

20 proceedings downstairs due to his health concerns.

21 TCW-389 is the witness today. The witness is present in the

22 waiting room. This witness has confirmed that to the best of the

23 witness's knowledge, the witness is not in a relationship with an

24 accused or a civil party in this case file.

25 This witness also took the oath on Tuesday the 30th of April

2

1 2013.

2 The witness is assisted by duty counsel Mam Rithea.

3 There is no reserve witness today.

4 Thank you, Mr. President and Your Honours.

5 [09.03.55]

6 MR. PRESIDENT:

7 Thank you.

8 Court officer is now directed to call the witness and the duty

9 counsel into the courtroom, please.

10 QUESTIONING BY MR. PRESIDENT:

11 Good morning, Mr. Witness.

12 Q. What's your name, please?

13 MR. LIM SAT:

14 A. I am Lim Sat.

15 Q. Mr. Lim Sat, how old are you?

16 A. I am 54 years old.

17 [09.05.42]

18 Q. Mr. Lim Sat, where do you live?

19 A. I live in Pursat province, Boeung Bat Kandaol commune.

20 Q. Mr. Lim Sat, please be reminded that before you respond to

21 questions, observe some pause. Wait until you see the red light

22 being activated on your mic before you proceed to respond to

23 questions, otherwise your messages could not be conveyed

24 properly. AV Unit will automatically activate your mic so you

25 don't need to worry about this button and only when you see the

3

1 red light that you can proceed to respond.

2 What do you do for a living?

3 A. I am a rice farmer.

4 Q. What's your parents' name?

5 A. My father is Tea. My mother is Naim.

6 [09.07.29]

7 Q. What's your wife's name and how many children do you have?

8 A. My wife is Chin. I have seven children; four daughters, three  
9 sons.

10 Q. Thank you, Mr. Lim Sat.

11 According to the report by the greffier of the Trial Chamber, to  
12 the best of your knowledge, you are not in the relationship with  
13 an accused or a civil party in this case; is that true?

14 A. Yes, it is true, Mr. President.

15 Q. Thank you. According to the same report, you already took the  
16 oath. You took the oath on the morning of Tuesday, the 30th of  
17 April 2013 in this Court complex; is that true?

18 A. Yes, it is.

19 Q. Thank you.

20 Now, the Chamber would like to notify you of your right under  
21 Rule 28, rights against self-incrimination of witnesses.

22 [09.09.14]

23 As a witness, you may object to making any statement that might  
24 tend to incriminate you. In other words, you have the right not  
25 to incriminate yourself. During these proceedings, the Chamber

4

1 have assisted with the WESU unit to make sure that you have a  
2 duty counsel where you can consult with. For example, when you  
3 feel your responses may be self-incriminating and you can enjoy  
4 this right, fully and as the witness, the testimony that you are  
5 to give shall relate to what you had knowledge of; and that you  
6 have to respond to all questions by the Judges of the Bench, all  
7 parties to the proceedings except questions that may - that you  
8 may feel that in your responses the content of which would be  
9 self-incriminating. And as the witness, you shall tell the  
10 truth, the whole truth, nothing but the truth based on your  
11 knowledge and experiences.

12 Mr. Lim Sat, have you ever given interview or any interview to  
13 the Co-Investigating Judges of the Office of Co-Investigators? If  
14 so, where have these interviews been conducted and how many times  
15 did you give such interview?

16 [09.11.23]

17 A. I had given interviews to them on three occasions.

18 Q. Three occasions or two occasions?

19 A. They went there on three occasions when I gave the interviews.

20 Q. Do you still remember where these interviews took place; did  
21 they take place at the same time, sorry the same place?

22 A. They took place at two different places.

23 Q. Where did these interviews take place?

24 A. I have not taken the record of the dates, but it was at the  
25 Thkaol Office and also at my home.

5

1 Q. Before you appear before this Chamber, have you read or  
2 reviewed or been read out the statements you gave before the  
3 co-investigators of the Office of Co-Investigating Judges to  
4 refresh your memory?

5 [09.13.30]

6 A. Yes, I still remember the statements I provided.

7 Q. Have you read or reviewed the statements you once gave to the  
8 Co-Investigating Judges? You have been here a few days already;  
9 my question to you is whether you have read the statements again,  
10 or not?

11 A. Yes, I have briefly, Mr. President.

12 Q. To the best of your recollection, are the statements or the  
13 accounts in the statement you have just reviewed consistent with  
14 those you gave to the investigators back then?

15 A. I remember some of the accounts and I forget some because it  
16 was a long time ago and I have not paid attention to take note of  
17 these statements.

18 Q. Thank you, Mr. Lim Sat.

19 During today proceedings, as the Chamber has already informed  
20 you, the WESU unit has provided you with a duty counsel, Mr. Mam  
21 Rithea, who is now sitting next to you so that you can consult  
22 with him and we have received information from the WESU unit  
23 through the greffier that you have some problem with hearing.  
24 And, in other words, you have hearing aid, so to assist you so  
25 with this, we need to readjust the volume of the headsets so that



6

1 you can hear the message very clearly.

2 [09.16.02]

3 And we also note that you have some health concerns and we have  
4 discussed this to make sure we can assist you and you indicated  
5 that you may need to visit the toilet rather often. That doesn't  
6 matter. The Chamber doesn't mind you requesting it, so that you  
7 can go to the bathroom to relieve yourself because that's what  
8 the Chamber can assist you. So just tell the Chamber whenever you  
9 would like to go to the bathroom, then you will be allowed to go  
10 there immediately. And the session will not be very long. We hope  
11 you will be released soon.

12 Now, we would like to hand over to the Co-Prosecutors to put  
13 questions to this witness first. You may now proceed.

14 [09.17.12]

15 QUESTIONING BY MR. SENG BUNKHEANG:

16 Thank you, Mr. President, and good morning to you, Mr. President  
17 and Your Honours, and good morning to parties to the proceedings,  
18 and good morning to you, Mr. Lim Sat.

19 I am Seng Bunkheang, a National Co-Prosecutor at the Office of  
20 Co-Prosecutors along with my colleague, Mr. Dale Lysak. We have  
21 some questions and the questions are meant to ascertain the  
22 truth, the events that happened during the period of Democratic  
23 Kampuchea.

24 Q. Mr. Lim Sat, in the statements you gave before the  
25 Co-Investigators, your first interview in particular, you

7

1 indicated that you were a soldier since 1971 until 1975 in  
2 Platoon 202. I'm referring to document E3/364 – Khmer ERN  
3 0242422; English, 00250759; French ERN 00282197.

4 Mr. President, with your leave, we would like this document to be  
5 handed over to the witness for examination.

6 MR. PRESIDENT:

7 You may proceed.

8 And Court officer is now directed to bring the document to the  
9 witness.

10 [09.19.22]

11 BY MR. SENG BUNKHEANG:

12 Thank you, Mr. President.

13 Q. Mr. Lim Sat, can you tell the Chamber please, where were you  
14 based and what did your battalion do from 1971 until April 1975?

15 MR. LIM SAT:

16 A. From 1975 onwards, we were in Pursat and by 1975 when the  
17 country was at peace, we were stationed in Pursat.

18 Q. Mr. Lim Sat, my question was about you working during 1971 to  
19 1975; we would like to know where you worked or where your unit  
20 would be located?

21 A. We were stationed at Sector 7.

22 [09.21.17]

23 Q. Thank you. During 1971 and all the way to 1975, what did your  
24 unit do?

25 A. We engaged in the battlefields at the forefront at Sector 7,

1 that was our main task.

2 Q. Thank you. You said that you were engaged in the forefront,  
3 the battle front, the front battle; did you also engage in  
4 fighting with Lon Nol soldiers?

5 A. I engaged in the battlefields when we had to fight with the  
6 opponents along with our comrades from other zones.

7 Q. Thank you. If possible, can you tell the Chamber please, when  
8 did you engage in the fighting with the Lon Nol soldiers?

9 A. That started from 1972 all the way to 1975.

10 Q. During such fighting with the Lon Nol soldiers, were the  
11 soldiers on the opposing side ever been arrested? If so, how were  
12 they treated?

13 A. Yes, we arrested some of them, but we did not do anything to  
14 them. We had to send them back to the rear. We even helped treat  
15 the wounded by helping inject some medicine to cure them.

16 Q. You said that people would be sent to the back, or to the  
17 rear; so can you be more specific on this, which rear you were  
18 referring to?

19 [09.24.25]

20 A. When I said they were sent to the rear, I would like to say  
21 that they were sent to the village, rather to the heads of the  
22 districts who were in charge of the rear and where these people  
23 could be received and treated.

24 Q. Thank you.

25 Now, I would like to ask you about the chain of command. You

1 worked in the Northwest Zone. Can you tell the Chamber how orders  
2 were received or how people communicated?

3 A. In terms of orders, for example, if we had to attack the enemy  
4 in any particular location then we would receive orders from the  
5 Upper Echelon to the Zone who rendered these orders to our unit.  
6 So we received order from our superior and then our superior  
7 would render the orders to us, then we carried out the orders.

8 [09.26.01]

9 Q. In your statement before the Co-Investigating Judges, you also  
10 mentioned that from 1971 to 1975, Ta Khy was the Zone Military  
11 Chairman, and I am referring to the same document, document  
12 E3/364 and ERN in Khmer, 00242422; and English ERN 00250759;  
13 French ERN 00282197.

14 Who did Ta Khy report to?

15 A. He reported to the Centre.

16 Q. Were you aware whether - or how the communication would be  
17 channelled from the Zone to the Centre and from the Centre to the  
18 Zone?

19 A. Our orders were received through the leaders of the Khmer  
20 Rouge.

21 Q. To the best of your recollection, when you started working as  
22 a soldier in 1971 to 1975, did you know who were the leaders of  
23 the Khmer Rouge?

24 A. I did not know very much, but I believe that the senior  
25 leaders were - include Mr. Khieu Samphan, who was in charge of

10

1 the military in Cambodia.

2 Q. Can you please be more precise; did you say that Mr. Khieu  
3 Samphan was in charge of military in Cambodia; what did he do at  
4 that time?

5 [09.29.30]

6 A. I don't know his roles very well, but I am aware that he was  
7 in charge of the military.

8 Q. Apart from Mr. Khieu Samphan, were you aware of other people  
9 who were the senior leaders of the Khmer Rouge?

10 A. I don't know because in 1975 it was the time that I learned  
11 about Khieu Samphan and that after all - after that period I knew  
12 that he remained the person in charge of the army.

13 Q. When the Khmer Rouge Revolutionary Army attacked cities during  
14 the war between 1971 and 1975, how were people treated in the  
15 areas affected by the fighting?

16 A. On the 17th of April 1975, I knew that people in Phnom Penh  
17 had to be evacuated and they had to be transferred to the  
18 countryside,

19 [09.31.32]

20 Q Thank you for answering this question, but I would like to know  
21 the period in which you were engaged in the force from 1976 -  
22 from 1971 to 1975. Did you ever know that the Khmer Rouge could  
23 capture any city or village at that time, to your knowledge?

24 A. From 1971 to 1975, I was in Pursat in Leach district, and they  
25 actually captured Leach district to my knowledge. And in

11

1 Battambang province, they captured Koas Krala and Kuoy Chik Dei.  
2 These were the locations I know that the Khmer Rouge had  
3 captured.

4 [09.32.55]

5 Q. To your knowledge, when you – did you observe whether or not  
6 markets were in operation at that time? In other words, did the  
7 Khmer Rouge allow people to sell things in the market?

8 A. No, markets were closed at that time.

9 Q. Can you elaborate further? My question to you earlier was that  
10 whether the Khmer Rouge allowed people to open market following  
11 its capture?

12 A. No, all markets were closed immediately after the Khmer Rouge  
13 captured those locations.

14 Q. How about the locations under the control of the Khmer Rouge;  
15 were there any places or locations where the Khmer Rouge forced  
16 people to assemble in any particular location or join  
17 cooperatives?

18 A. I know it – those people who evacuated – who were evacuated  
19 from Phnom Penh and arrived in Pursat province, they had to join  
20 cooperatives.

21 Q. Concerning the region where you stayed, do you happen to know  
22 when the cooperative was first established?

23 [09.35.16]

24 A. The cooperatives were first established in 1976.

25 Q. Thank you.

12

1 A bit earlier, you told the Court that there were evacuations. Do  
2 you know when Pursat was taken over by the Khmer Rouge?

3 A. They actually captured Pursat province on the 17 of April 1975  
4 too, but in my location they actually took control of it at  
5 around 11 o'clock in the morning.

6 Q. You said your location was captured by the Khmer Rouge by 11  
7 in the morning. Can you expand on that a little bit further? Once  
8 it was captured by the Khmer Rouge, did you know that there was  
9 any struggle, any fighting or resisting from the previous  
10 authorities in your location, and if there was such fighting, how  
11 long did it take to capture this location?

12 A. It took the Khmer Rouge some three to four years resisting  
13 back and forth before they captured the location where I stayed.

14 [09.37.18]

15 Q. Thank you.

16 To your recollection, do you know how many Khmer Rouge soldiers  
17 were involved in fighting to capture Pursat province?

18 A. I only knew the number in my sectors. It was the two  
19 battalions, Battalion 202 and 201, and they also joined with the  
20 Northwest Zone military as well. So - and there was a brigade  
21 joining my force as well.

22 Q. Do you recall Battalion 201? How many soldiers were in this  
23 battalion and who was the commander of this battalion?

24 A. Battalion 201, Muth was the commander; deputy commander was  
25 Tan.

1 Q. Thank you.

2 Is it fair to say then that if you observed the Khmer Rouge  
3 forces, do you know under whose command did the Khmer Rouge  
4 capture the city of Pursat?

5 A. It was under the command of the Zone. Ta Khleung was the  
6 commander from the Zone Committee.

7 [09.40.17]

8 Q. Prior to capturing Pursat province, do you know the - a fort  
9 by the name of Tuol Po Chrey?

10 A. Well, Tuol Po Chrey was the battlefield. It was a place where  
11 I struggled against the opposing force over there.

12 Q. So you were responsible over there as well in the battle  
13 according to your statement earlier. How many Lon Nol soldiers,  
14 to your knowledge, were positioned over there?

15 A. I do not know exactly how many there were from Lon Nol side. I  
16 can only guess that there could have been around 100 or a little  
17 over 100.

18 [09.41.41]

19 Q. Do you recall who the leader was in Tuol Po Chrey battlefield?

20 A. Well, under the Lon Nol side, to my recollection, Pel  
21 (phonetic) was the commander. He was with the rank of captain and  
22 Rum was his deputy. That's what I can recall.

23 Q. Thank you.

24 Now, I would like to focus your attention on Pursat provincial  
25 town.



14

1 Do you know what happened to the civilians in the Pursat  
2 provincial town once this city was captured by the Khmer Rouge?  
3 What happened to the civilians in the city centre?

4 A. It was 1976. I was transferred to a mobile unit. I was tasked  
5 to dig canals. I stayed with the mobile unit.

6 Q. Mr. Sat, actually, I would like to know when the Khmer Rouge  
7 troops took over the provincial town of Pursat? I would like to  
8 know whether or not you knew what happened to the civilians in  
9 the provincial town of Pursat?

10 [09.43.54]

11 A. When I first arrived in Pursat provincial town, people had  
12 already been evacuated. They had already left in different  
13 directions from the city centre.

14 Q. Can you make it clearer? Do you know how many days after the  
15 liberation were people evacuated from the provincial town? Can  
16 you please be precise on this?

17 A. Following the liberation in 1975, I think people were all  
18 evacuated out of the town within three weeks or so.

19 Q. To your knowledge, do you know who was in the authority to  
20 decide on the evacuation of people out of the provincial town at  
21 that time? Do you know?

22 A. It was the order from the Zone Committee and I believe that  
23 they also received the order from the authority in Phnom Penh.

24 Q. Do you know the reason why people were required to leave  
25 Pursat provincial town following the capture of this city by the

15

1 Khmer Rouge forces?

2 [09.46.09]

3 A. I learned from others that if people were to be kept in the  
4 city or in the markets, there would be some infiltrating forces  
5 among the civilians. That's why people were required to leave the  
6 city to different locations in the countryside.

7 Q. Thank you.

8 Do you know who was in the authority to execute the evacuation of  
9 people?

10 A. I do not know whether or not the military were involved. I  
11 only learned that there was order from the Zone and Sector  
12 Committees.

13 Q. So aside from the military involvement, do you happen to know  
14 who were involved in ordering the evacuation of people?

15 A. Ta Kan from the Zone and Ta Sot from the sector.

16 [09.47.59]

17 Q. How about your unit; were you tasked to execute this  
18 evacuation plan as well?

19 A. I was in the lowest rank - or my unit was in the lowest rank,  
20 rather, and the executions were handed down from the upper  
21 authority.

22 Q. Do you know whether there was any specific instruction given  
23 to you, your unit in particular, in relation to the evacuation of  
24 the people?

25 A. I do not know. It was the decision made at the upper level. I

16

1 was in the civilian force, so I do not know what the decision was  
2 at the upper level.

3 Q. A bit earlier you told the Court that your unit was the lowest  
4 in the rank in charge of that location. So were your unit armed?  
5 In other words, were you allowed to use weapons in order to make  
6 sure that people leave the city?

7 A. Yes, we were armed and we were actually armed, but when we  
8 were guarding people along the street.

9 [09.50.14]

10 Q. Do you know where the people were being evacuated to at that  
11 time?

12 A. Well, all people were evacuated out of Pursat provincial town,  
13 and then they went in different directions, particularly down  
14 south along National Road Number 5.

15 Q. Thank you.

16 So I would like to now turn to another topic in relation to Tuol  
17 Po Chrey. According to your statement with the investigator of  
18 the OCIJ, you mentioned about the meeting of the Khmer Rouge  
19 cadre and you received instruction in relation to the gathering  
20 of the police and soldiers of Lon Nol administration in Pursat  
21 province.

22 Concerning the first meeting, actually in question and answer  
23 number 4 of your second interview with the Office of  
24 Co-Investigating Judges, document D232/65, you made mention that  
25 the battalion - the chairmen of the companies, battalions and

17

1 regiments were invited to join the meeting led by Ta Nhim, the  
2 Zone Committee, and Ta Sot, the Sector Committee. And you said  
3 that the substance of the meeting was to advise the commanders of  
4 the Khmer Rouge that the soldiers and police from Lon Nol  
5 soldiers, those who are bearing certain ranks, they would be  
6 killed. We could not keep these people; otherwise, they would be  
7 rebelling against us in the latter date. So that is what you told  
8 the investigator of the OCIJ.

9 Mr. President, I would like to seek your leave to have this  
10 document handed over to the witness.

11 [09.52.55]

12 MR. PRESIDENT:

13 Court officer is now instructed to bring the document to the  
14 witness for his examination.

15 BY MR. SENG BUNKHEANG:

16 Thank you, Mr. President.

17 Q. Mr. Witness, in this particular meeting, who said that  
18 soldiers and policemen from the Lon Nol administration had to be  
19 killed? Do you recall?

20 MR. LIM SAT:

21 A. It was the order from the Zone Committee.

22 Q. Do you know the name of the person from the Zone Committee?

23 [09.53.54]

24 A. Kan was. Ta Nhim and Ta Kan were.

25 Q. Did both of them mention anything concerning the authority or

18

1 instruction they received from any level in the authorities that  
2 the policemen and soldiers from the Lon Nol administration had to  
3 be executed?

4 A. No, they never told us about that.

5 Q. Again, in your statement with the Office of Co-Investigating  
6 Judges, you also mentioned a man by the name of Ta Sot. Which  
7 sector was Ta Sot in charge of?

8 A. He was in charge of Sector 7.

9 Q. Can you tell the Court, in Sector 7, how many districts  
10 subordinate to this sector?

11 [09.55.38]

12 A. There were three districts: Krakor was one of them; Kandieng  
13 district and Preah Mlu district.

14 Q. Thank you.

15 Do you recall how many regiment commanders or battalion  
16 commanders were present during the meeting?

17 A. I only knew that there were attendance or presence of people  
18 from the Zone and the Sector.

19 Q. In your first interview with the Office of Co-Investigating  
20 Judges, document E3/364 - ERN in Khmer, 00242422; English,  
21 00250759; French, 00282197 - you said:

22 "On about 19 or 20 April 1975, I received orders to assemble the  
23 soldiers and policemen from low to high rank who had connections  
24 to the Lon Nol era and kill them at Tuol Po Chrey in Kandieng  
25 district."

19

1 Was that mentioned in the meeting chaired by Ta Sot and Nhim? Was  
2 it during this meeting that you received the instruction that the  
3 policemen and soldiers from Lon Nol era be killed at Tuol Po  
4 Chrey? Did you hear that discussion during that meeting?

5 [09.58.38]

6 A. Actually, at that time, they assembled those soldiers and  
7 policemen, and I did not realize that those people were destined  
8 to be killed. I was actually guarding along the street. I was  
9 with the trucks at that time on the street.

10 Q. Well, I'm going to delve on this matter later on, but let me  
11 follow up a bit on this issue.

12 Who instructed that Tuol Po Chrey was to be the location to  
13 assemble Lon Nol soldiers and policemen? Who issued this order  
14 that this particular place was the assembly place for soldiers  
15 and policemen of the Lon Nol era?

16 A. The order was rendered from the Zone Commander.

17 [09.59.52]

18 Q. Thank you.

19 I would like you to now tell the Chamber the time at which the  
20 meeting was convened under the chairmanship of Ta Nhim. In your  
21 first interview before the co-investigators, document E3/364 -  
22 under Khmer ERN 00242422; English ERN 00250759 and French ERN  
23 00282197 - you state you received order on about 19 or 20th of  
24 April 1975 and that in your same statement - rather the second  
25 statement under document D232/65, and question and answer number

20

1 4, you said:

2 "This meeting was held three days before – rather, after the  
3 liberation of 17th of April 1975, just about four to five days  
4 after the liberation of Phnom Penh and Pursat."

5 Now, in that meeting, you mentioned that order was rendered by Ta  
6 Nhim. We would like to know how soon was – this area was captured  
7 by the Khmer Rouge after that meeting?

8 [10.02.16]

9 A. Pursat was captured a week after that meeting.

10 Q. Now, I would like to ask you a few questions concerning the  
11 police and soldiers of Lon Nol who assembled. And you stated this  
12 before the co-investigators. My question to you is: How former  
13 Lon Nol officials and soldiers were identified in that meeting?

14 A. We were told that the soldiers and officials would be gathered  
15 to attend a study session, and after the session, people were  
16 allowed to resume their functions. For example, whatever they did  
17 in the past, they would then resume the same tasks.

18 Q. Do you know when this meeting when Lon Nol soldiers and  
19 officials gathered took place?

20 A. I don't remember this very well. It happened a long time ago,  
21 but I can say that it was about one or two weeks after the 17th  
22 of April 1975.

23 [10.04.37]

24 Q. So that everyone is clear, can you please explain to us a  
25 meeting chaired by Ta Nhim and Ta Sot and another meeting where

21

1 former Lon Nol and officials attended? Because we believe that  
2 your explanation will be very helpful. Can you tell the Chamber  
3 when was this meeting – where Lon Nol soldiers and officials met  
4 – took place?

5 A. It was about one or two weeks after the liberation, after the  
6 17th of April 1975 when the meeting was convened.

7 Q. That was the meeting where former Lon Nol soldiers and  
8 officials attended. What about the meeting chaired by Ta Nhim and  
9 Ta Sot, where did that meeting take place?

10 A. That meeting was convened after the liberation of 1975. A few  
11 days after that, this meeting was convened.

12 Q. Thank you.

13 I would like to also refer to your statement in your first  
14 interview before the investigators, document E3/364 – Khmer ERN  
15 00242422; English, 00250759; and French ERN 00282197 – in that  
16 you said you were ordered to wait for the trucks where people  
17 could be gathered to the provincial hall. All people were  
18 gathered across Pursat province and there were about 30 to 40  
19 trucks of people at that place.

20 Now, my question to you: Were you or your colleagues at the  
21 provincial hall when these Lon Nol soldiers arrived?

22 [10.08.00]

23 A. I was not at the provincial hall. I was at a different  
24 location.

25 Q. You said you were at a different location. Can you say



1 precisely how far were you from the provincial hall?

2 A. It was about five kilometres from that place.

3 Q. You said there were 30 to 40 trucks. Did you see those trucks?

4 A. Yes, I was seeing the trucks because I was on guard, on duty  
5 along that road when the trucks passed.

6 Q. How big were the trucks?

7 A. They were the military trucks. They were somehow like any kind  
8 of GMC truck. The truck can accommodate at least 30 people.

9 Q. Thank you.

10 Now, on the same topic concerning the trucks, do you know whether  
11 these trucks were the same trucks that transported the soldiers  
12 to the provincial hall and then brought them to Tuol Po Chrey?

13 [10.10.46]

14 A. Yes, indeed, these were the same trucks, the trucks that  
15 transported those people to Tuol Po Chrey.

16 Q. Again, to be clear, were these trucks used to transport them  
17 to the provincial hall?

18 A. Yes, they were the trucks that transported them from  
19 provincial hall all the way to Tuol Po Chrey.

20 Q. Thank you.

21 I would like to refer to your interview, again, this second  
22 interview of yours, document D232/65, question and answer number  
23 3. You mentioned about the meeting – that the meeting was  
24 convened at provincial hall where Lon Nol military and policemen  
25 were convened. You said that Ta Nhim and Ta Kan, the Northwest

1 Zone's committees - rather, Ta Kan, the Northwest Zone's  
2 Committee and Ta Sot, the Sector Committee, held a meeting in  
3 provincial hall with Lon Nol military and policemen who were just  
4 liberated from Pursat province. And the content of this meeting  
5 was that the Zone Committee stated that all people with ranks had  
6 to go to study first, and upon returning from the study, Angkar  
7 would allow them to wear the same ranks as they did before.

8 [10.13.04]

9 And under another document, E3/364 - Khmer ERN 00242422, English  
10 ERN 00250759 and French ERN 00282197, you also say this:

11 "These people were cheated. They were tricked as they were  
12 promised to obtain their previous ranks in the meeting."

13 My question to you is: Did you attend that meeting personally?

14 A. No, I didn't.

15 Q. Thank you.

16 You were not in the meeting. How could you know about the content  
17 of this meeting?

18 [10.14.23]

19 A. I learned this from my commander, the commander of my  
20 regiment.

21 Q. What did he tell you?

22 A. I was told that the police and soldiers were gathered to  
23 attend the meeting because they're afraid that these police and  
24 soldiers would revolt against the Khmer Rouge.

25 Q. Can you tell the Chamber the name of the man behind the

1 Regimental Committee?

2 A. He was Mr. Huon and his deputy was Mol (phonetic).

3 Q. Commander Huon, as you said the commander of the regiment,  
4 told you about this, but did he mention any names of the soldiers  
5 or policemen who would be allowed to resume their previous ranks  
6 in the meeting?

7 A. I learned that people who were at the level of the Centre  
8 would be allowed to resume these ranks.

9 [10.16.45]

10 Q. Were you aware whether this meeting convened in the complex of  
11 the provincial hall or was it held outside?

12 A. The meeting was conducted in the Pursat provincial hall.

13 Q. How many people of the former Lon Nol police and soldiers  
14 attended this meeting? Do you know about this? If not, say so.

15 A. I don't know.

16 Q. Thank you.

17 The next question is about the transportation of these former Lon  
18 Nol police and soldiers to Tuol Po Chrey. Indeed, they were told  
19 earlier on that they would be attending a study session.

20 How were these people transported from the provincial hall?

21 [10.18.20]

22 A. When I was at that place, I saw them being loaded onto the  
23 trucks. Two trucks would be allowed to leave the place at a time.

24 Q. During the course of transporting the soldiers and the police,  
25 where was your unit stationed?

1 A. We were stationed in Kandieng district, three kilometres from  
2 that place, but about 10 kilometres from Tuol Po Chrey.

3 Q. You said from the place you were stationed it was about 10  
4 kilometres, I mean, as compared to Tuol Po Chrey, and three  
5 kilometres from the place you were stationed, but I would like to  
6 be more precise. Can you tell us how far it was from the place  
7 you stationed to Tuol Po Chrey?

8 A. From the place we were stationed, was about three kilometres.  
9 I mean, from the provincial hall to my place was about three  
10 kilometres, but from my place to Tuol Po Chrey, it was about 10  
11 kilometres.

12 [10.20.22]

13 Q. You said you were about three kilometres from provincial hall  
14 of Pursat. In which commune were you in at that time?

15 A. It was in Kandieng district, Ta Chnauk (phonetic) commune.

16 Q. The reason I ask this question to you, because a few days ago  
17 a witness before the Chamber testified – Mr. Ung Chhat stated  
18 that Lon Nol soldiers who were transported from provincial hall  
19 were transported to Po village before they were transported to  
20 Tuol Po Chrey. Does this account reflect your memory of what  
21 happened in those days?

22 A. Yes, it does, because Po commune (sic) was on the same road  
23 leading to Tuol Po Chrey.

24 Q. Was Po commune – rather, district and the place where you were  
25 stationed was in the same commune?

1 A. They were in the same commune.

2 [10.22.22]

3 Q. Was the unit stationed in Po village the same unit as yours?

4 A. There was only one unit, my unit alone that was stationed in  
5 this vicinity.

6 Q. Thank you.

7 I would like to cite your statement in your interview before the  
8 co-investigators under document D232/65, under question and  
9 answer number 5. You said you received orders from radio  
10 communications from Tuol Po Chrey that more people had to be  
11 transported to Tuol Po Chrey.

12 My question now is: How did you communicate through radio  
13 communications with the Khmer Rouge soldiers at Tuol Po Chrey?

14 A. People at Tuol Po Chrey fort communicated through radio  
15 communication to us, asking us that more truckloads of soldiers  
16 and police had to be transported there.

17 Q. Were you the person who was operating these radio  
18 communications with the Khmer Rouge soldiers at Tuol Po Chrey or  
19 were you hearing or heard these conversations when your  
20 colleagues were on radio communication?

21 [10.24.51]

22 A. My commander was talking on the radio communication and I  
23 heard this.

24 Q. So in general, it was your commander who was operating this  
25 radio communication, talking to the Khmer Rouge soldiers at Tuol

1 Po Chrey, and you overheard the conversation. Is that my  
2 understanding of your statement?

3 A. That is correct.

4 Q. Were you aware of who was in charge of operating the radio  
5 communication at Tuol Po Chrey and what was his rank?

6 A. He was from the Zone. He was in the Zone Committee.

7 Q. When you referred to Zone Committee, do you remember his name?

8 A. He was Ta Khheng. He was the military commander for the Zone.

9 [10.26.39]

10 Q. Was Ta Khheng the commander of soldiers at Tuol Po Chrey or  
11 was he subordinate to other commanders?

12 A. He was in charge of the Zone Committee Commander and he was  
13 there on behalf of the Zone.

14 Q. How many people were there at Tuol Po Chrey at that time on  
15 the Khmer Rouge side?

16 A. I am not quite sure I know the exact number of them, but there  
17 were roughly 50 to 60 people.

18 MR. SENG BUNKHEANG:

19 Mr. President, should we observe some break or should we  
20 continue?

21 [10.27.53]

22 MR. PRESIDENT:

23 Thank you, Mr. Co-Prosecutor and witness.

24 It is appropriate moment already for the adjournment. The Chamber  
25 will adjourn for 20 minutes and the next session will be resumed

1 by 10 to 11.00.

2 Court officer is now directed to assist the witness during the  
3 adjournment and have him returned to the courtroom by 10 to  
4 11.00.

5 The Court is adjourned.

6 (Court recesses from 1028H to 1050H)

7 MR. PRESIDENT:

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

9 And we now would like to hand over to the Co-Prosecutor to  
10 continue putting questions.

11 BY MR. SENG BUNKHEANG:

12 Thank you, Mr. President and Your Honours.

13 Q. Mr. Witness, I will have a few more questions please, and I  
14 will also be citing your statement before the Co-Investigating  
15 Judges again, in particular your statement in the first  
16 interview, E3/364, under Khmer ERN 00242422; English ERN 00250759  
17 through 60; French ERN 00282197 through 98. You mentioned about  
18 the radio communication with people at Tuol Po Chrey – that the  
19 people who had affiliation with the Lon Nol regime had to be  
20 transported to the Tuol Po Chrey for execution.

21 [10.52.32]

22 "They were shot to death, and I knew about this because Khmer  
23 Rouge soldiers, through communication, told one another about  
24 this. And that one of the destined people to be executed could  
25 escape. One was escaping."

1 My question to you: How did you know about the executions of the  
2 soldiers at Tuol Po Chrey?

3 MR. LIM SAT:

4 A. I knew these soldiers were executed at Tuol Po Chrey through  
5 radio communication, and I also heard through the same radio  
6 communication that one person could manage to escape.

7 Q. What else did you hear from that radio communication?

8 A. No, I didn't hear anything else.

9 [10.53.41]

10 Q. You said Lon Nol soldiers were executed at Tuol Po Chrey. Did  
11 you hear gunshots at that time?

12 A. The Tuol Po Chrey location was more than 10 kilometres from  
13 the place where I worked. It was too far to hear the gunshots.

14 Q. Through radio communication, did you hear gunshots in the  
15 background?

16 A. Yes, I could hear the gunshots in the background in that radio  
17 communication.

18 Q. Thank you. What else can you tell the Chamber about the  
19 soldier - Lon Nol soldiers who could escape?

20 A. I did not hear anything else.

21 Q. Thank you. In the same document, document D232/65, on question  
22 and answer number 5, you said that the trucks returning from Tuol  
23 Po Chrey were empty trucks. Can you tell the Chamber where were  
24 you when you saw these empty trucks?

25 A. I was still at the location where I was supposed to be, on the



1 road, when the trucks passed.

2 Q. How many times did you see trucks - empty trucks - coming back  
3 from Tuol Po Chrey?

4 A. I saw these trucks on three or four occasions before we were  
5 allowed to move back to our barracks.

6 [10.56.25]

7 Q. Were any of your colleagues driving one of the trucks to Tuol  
8 Po Chrey?

9 A. No. None of us was engaged in driving the trucks. The trucks  
10 were driven by the drivers from the Zone.

11 Q. Do you know where or which unit these trucks belonged to?

12 A. These trucks were private trucks that were collected to  
13 transport the soldiers.

14 Q. In D234/65 question and answer number 7, you said this:

15 "These people - the transportation of those military and  
16 policemen - started from the end of the meeting in the provincial  
17 hall at around 9:00 a.m. to around 4:00 to 5:00 p.m."

18 [10.58.05]

19 My question to you: Did you know whether these soldiers were  
20 transported in just one day, or did it happen on another day as  
21 well.

22 A. This happened on the same day only. Just on one day.

23 Q. Thank you. Under the same document, question and answer number  
24 7, you also said:

25 "A few days after the execution, "Asauny" bulldozers were sent to

1 bury all the corpses."

2 When exactly were these bulldozers sent to that location at Tuol  
3 Po Chrey?

4 A. At that time, I only saw them when they returned from Tuol Po  
5 Chrey - I mean, when the bulldozers returned from Tuol Po Chrey.

6 Q. Do you know who was behind the instruction to send these  
7 bulldozers to Tuol Po Chrey?

8 A. It was the Zone Committee.

9 Q. Thank you.

10 To the best of your recollection, please give us the closest  
11 estimation of the number of trucks that transported police and  
12 soldiers from the provincial hall to Tuol Po Chrey. How many  
13 trucks were there?

14 A. There were about 10 to 15 trucks.

15 [11.00.40]

16 Q. Can you give the rough estimate of the soldiers, the Lon Nol  
17 soldiers who were transported there?

18 A. I can say perhaps it is - it was close to 2,000 people.

19 Q. I would like to ask you a question regarding the execution at  
20 Tuol Po Chrey. You state this before the investigators; you said  
21 you continued working in the military until 1976.

22 What did your military unit do in 1975 after the event that  
23 happened at Tuol Po Chrey?

24 A. We were made to transplant rice.

25 Q. After this massacre that happened at Tuol Po Chrey, did the

1 CPK try to locate or to find civilians or officials who were  
2 former officials and soldiers of the Lon Nol regime?

3 [11.02.55]

4 A. Can you repeat that question, Mr. Co-Prosecutor?

5 Q. Of course, yes. After the execution that happened at Tuol Po  
6 Chrey, did the CPK attempt to find out more former Lon Nol and -  
7 officials, during that time?

8 A. At that time, more search was underway to find out who were  
9 former Lon Nol soldiers and officials. And if they could find  
10 them they could bring them there.

11 Q. You said they could be brought there. To which location do you  
12 believe that they could have transported these people?

13 A. I don't know where they would be taken to, but wherever these  
14 people were brought to, they just disappeared.

15 Q. According to your best knowledge, did the CPK or the Khmer  
16 Rouge manage to identify or find more former Lon Nol soldiers and  
17 officials?

18 A. To the best of my knowledge, they were trying to find out who  
19 were the former soldiers, students, and teachers.

20 Q. Based on your experienced and what you saw, were you convinced  
21 that these people could find a lot of number of the former  
22 soldiers, students and teachers of the regime?

23 [11.05.37]

24 A. I cannot say exactly how many people were found, but I lived  
25 in different cooperatives. Nonetheless, these people had to be

1    hunted down.

2    Q. How could you know these people were taken away?

3    A. I heard that these people were asked to attend study sessions.

4    That's all I know.

5    Q. In your unit, were you and other soldiers asked to write your  
6    own biography?

7    A. Everyone in the military was asked and obliged to produce  
8    their biographies. And anyone who was found out to have relatives  
9    in the military in the Lon Nol regime would then be removed.

10   Q. Can you please be more precise? You say that people whose  
11   relatives were in the army would be removed. Why? Why had they  
12   been removed?

13   [11.07.35]

14   A. When I say "removed" here, I mean these people had to be sent  
15   back home or to cooperatives.

16   Q. What about people who were the evacuees in your location? Were  
17   they obliged to also produce their biographies?

18   A. Yes, they were. They were all obliged to write these  
19   biographies.

20   Q. Do you know where or what these biographies would be used for?

21   A. The biographies, so far as I know, would be used for some  
22   purposes. For example, if a husband was a soldier, then the wife  
23   would then be purged.

24   Q. To be more precise, you said "purged". What do you mean by  
25   purging?

1 A. People who had affiliation with the Lon Nol soldiers had to be  
2 rid of.

3 Q. I think my question to you was that – you just testified that  
4 people were purged. So, what do you mean by purge?

5 A. Purge here means they were executed.

6 Q. Thank you for responding to my questions. I will have a few  
7 more questions regarding the evacuation on the second phase – the  
8 second phase evacuation.

9 [11.10.10]

10 Do you know more evacuees were sent to the Northwest Zone by late  
11 1975 and early 1976?

12 A. I knew only what happened in 1978, 1979 – the last move of  
13 this period.

14 Q. Were you aware that people were transported by train or other  
15 means of transportation to Pursat province?

16 A. Yes, I was aware that people were transported through – or by  
17 train.

18 Q. When did that happen? When did people travel on the train?

19 A. The final batch was in 1979, when people from Svay Rieng were  
20 transported through train.

21 Q. You said that was the last leg. Can you tell the Chamber  
22 whether you knew anything about the transportation of people by  
23 train of early 1976 or late 1975, as well?

24 [11.12.20]

25 A. In 1976, people in Phnom Penh were transported by train.

1 Q. Do you still remember how many people could have been  
2 transported through trains?

3 A. I don't remember this, because the evacuees would then be  
4 transferred to different cooperatives.

5 Q. Can you tell the Chamber if you knew how the people who were  
6 transported through trains - or by trains were like? What they  
7 were like? The situation, their condition, in other words.

8 A. They were treated like the other evacuees when they were  
9 transferred - evacuated from Phnom Penh.

10 Q. Did you receive any instructions from the District Committee  
11 or Zone Secretary or the leaders of the CPK regarding how these  
12 evacuees would be treated?

13 A. We haven't had any communication, or we did not receive any  
14 orders regarding this, because other teams were tasked with  
15 carrying out these orders.

16 Q. Did anyone ever tell you why these people had to be sent to  
17 the Northwest Zone?

18 A. No one told me about this, but I knew that Angkar sent them  
19 there.

20 Q. Thank you. I think I move to another topic regarding the study  
21 sessions - the political education sessions.

22 [11.15.12]

23 During the time when you were the head of the military unit in  
24 the Northwest Zone or the leader of the mobile unit, did you ever  
25 attend meetings, including political education sessions or any

1 trainings?

2 A. No, I never attended any trainings at the zone level. But I  
3 did attend some trainings at district level.

4 Q. Where did these meetings you attended take place?

5 A. The meetings took place at Kandieng district, at a school by  
6 the name of Svay Lhong.

7 Q. Do you still recall how many days each meeting would last?

8 [11.16.32]

9 A. A meeting would last for three days.

10 Q. Who chaired the meetings?

11 A. The meetings would be chaired by the secretary - deputy  
12 secretary of the Zone and also the District Committee.

13 Q. In general, in such meetings, what would be the subject matter  
14 of discussion?

15 A. They were talking about digging canals, building dykes and  
16 dams.

17 Q. Thank you. I may now cite the testimony you gave before the  
18 Co-Investigators regarding the meetings you attended - the  
19 meetings convened in early 1976. You said that Mr. Nuon Chea was  
20 present. Can you tell the Chamber whether this was the Zone  
21 meeting, or a political education session?

22 A. The meetings were political education sessions.

23 Q. Can you also tell the Chamber please; did you often attend the  
24 meetings chaired by - or attended by Nuon Chea? Or on how many  
25 occasions did you attend such meetings, where Nuon Chea was

1 present?

2 [11.19.07]

3 A. I was present only in one meeting.

4 Q. Do you still recall where the meeting took place?

5 A. The meeting took place nowhere else other than in Pursat  
6 province.

7 Q. How long was that meeting?

8 A. It was a two-day meeting.

9 Q. Do you still remember the attendees in the meeting? How many  
10 people you remember attended this meeting?

11 A. There were people from the zone and sector: the people from  
12 the zone committee and sector committee - a few of them.

13 [11.20.52]

14 Q. I would like to quote your testimony before the  
15 Co-Investigating Judges. I would like to refer to document  
16 E3/364, under Khmer ERN 00242423, English ERN 00250760, French  
17 ERN 00282198. You said this:

18 "As early as 1976, there was a meeting to purge people. The  
19 meeting attended by zone committee, sector committee, district  
20 committee, and also chiefs of cooperatives and heads of units."

21 Was this meeting convened before you were promoted as the head of  
22 the mobile unit?

23 A. It was when I was promoted as the head of the mobile unit  
24 already.

25 Q. Did Mr. Nuon Chea lecture during the meeting? Or did he give



1 any presentation at all?

2 A. He was the one who chaired the meeting. He talked about  
3 something.

4 Q. Can you please be more precise? What did he say?

5 A. He talked about building dams, digging canals.

6 Q. Do you still remember how long Mr. Nuon Chea had to speak  
7 during that meeting?

8 A. He was very brief. He talked about half an hour, but I don't  
9 remember the wordings of his speech.

10 [11.24.13]

11 Q. Indeed, these things happened a very long time ago.

12 Nonetheless, I would like to refer you to the statement you gave  
13 to the co-investigators under document D232/65 under question and  
14 answer number 8, you were asked this question:

15 "What did Nuon Chea say?"

16 And you answered that "from what I remember, he talked about the  
17 goal of creating socialism by not allowing - having markets. If  
18 the markets existed, internal enemies would exist. Only the  
19 evacuation of people from markets to the base could have to -  
20 help find the internal enemy."

21 My question to you is: How could people - identified as internal  
22 enemies?

23 A. What I learned from the meeting is that there would be  
24 internal enemies.

25 [11.25.48]

1 Q. Do you still remember what else Mr. Nuon Chea discussed, apart  
2 from evacuation of the population and the internal enemies? Did  
3 he tell you the reasons behind this?

4 A. I don't remember having heard him say any other things.

5 Q. In your first interview before the Co-Investigating Judges -  
6 document E3/364; ERN in Khmer, 00242423; English ERN 00250760;  
7 French ERN 00382198; you said - with reference to the meeting -  
8 that:

9 "I saw Nuon Chea chair the meeting. The meeting about purging the  
10 internal enemies, including the military and commandos who were  
11 affiliated with the Lon Nol regime. And these purges had to be  
12 carried out two to three times in 1976. The plan to purge  
13 internal enemies was to place spies in the units, districts,  
14 sectors, teams, and units, with approximately 10 to 15 spies  
15 inside each district." End of quote.

16 What else can you remember about the speech Mr. Nuon Chea made  
17 regarding the soldiers and commandos?

18 A. I am afraid I don't understand your question clearly. Can you  
19 repeat it?

20 [11.28.30]

21 Q. Yes, sure. And I would like to read your statement again. You  
22 said this - I quote:

23 "I saw Mr. Nuon Chea convene those meetings to prepare plans to  
24 purge internal enemies, like the soldiers and commandos with  
25 connections to the Sangkum Reastr Niyum and Lon Nol era. Purge

40

1 meetings were held two to three times during 1976. The plan to  
2 purge internal enemies was to place spies in the units,  
3 districts, sectors, teams, and units, with approximately 10 to 15  
4 spies in each district."

5 My question to you is: What do you remember about this meeting?

6 What did Mr. Nuon Chea say?

7 A. He said that all internal enemies had to be purged.

8 Q. Thank you. You also state, regarding the purge meetings that  
9 were conducted on two or three occasions in 1976 – did you attend  
10 such meetings? Or did you attend any of the meetings?

11 [11.30.26]

12 A. I attended only one meeting.

13 Q. You said you attended the meeting only on one occasion. How  
14 did you know about the other meetings that took place? Were you  
15 told about them?

16 A. No, I don't know about them. No one told me about them.

17 Q. Well, I would like to clarify the question. You told the  
18 investigator of the OCIJ that, in 1976, there was a meeting  
19 concerning the purge. And this meeting was held two to three  
20 times. And you told the Court earlier that you yourself attended  
21 only once in this meeting. How about the other two meetings? How  
22 did you know about these two meetings? Who told you about the  
23 other meetings that you did not attend?

24 A. I learned it from the sector.

25 [11.32.10]

1 Q. Did the sector level tell you that Nuon Chea was present  
2 during those two meetings?

3 A. Yes, they did.

4 Q. Thank you.

5 In your first interview, document E3/364 – ERN in Khmer,  
6 00242425; English, 00250762; French, 00282201 – when they asked  
7 you why you knew that Nuon Chea issued the order to purge, and  
8 your response was that:

9 "I knew it because Nuon Chea came to attend meetings with the  
10 zone, sector, and district committees, and those district, zone,  
11 and sector committees told me that Nuon Chea was the one who had  
12 staged these plans."

13 So, you told the Court already about the meeting – the one  
14 meeting you attended. And you also said that in that particular  
15 meeting, Nuon Chea also discussed the purge – the internal purge.  
16 I would like to ask you to enlighten the Court; after you heard  
17 from the district committee, where did they tell you exactly  
18 concerning the meeting chaired by Nuon Chea, who issued the order  
19 to conduct the internal purge?

20 [11.34.28]

21 A. They actually came to my unit, and they told us directly.

22 Q. So, the district committee came to tell you. Who else was  
23 there when they came to tell you such a thing?

24 A. Those who were with me at the time were aware of this matter,  
25 because they listened to what they told us.

1 Q. How about the man who came to tell you this thing? Do you  
2 recall his number – his name, rather?

3 A. Khy and San were the representatives from the district  
4 committee.

5 Q. Do you recall what they told you, exactly, on the instructions  
6 they received from Nuon Chea?

7 A. I do not recall it very well, but as far as I can recall, they  
8 told us that we had to build dykes and dig canals. But aside from  
9 this work, we had to also look for the infiltrating enemy. They  
10 told us to keep our eyes on the internal enemy.

11 Q. Can you clarify a bit further on this issue? What, exactly,  
12 did they tell you to do at the time?

13 A. They told us that they – the enemies could be seen by a simple  
14 gesture. For example, if they broke a pair of chopsticks, then  
15 they would be someone who may be against us.

16 [11.37.37]

17 Q. Well, I now turn to the report communication – report line –  
18 report and communication line within your area.

19 In your statement to the Office of Co-Investigating Judges,  
20 document E3/364 – ERN in Khmer, 00242422; English, 00250760;  
21 French, 00282198 – you said that:

22 "In 1976, Sector Committee Sot and Bakan District Committee Khy  
23 transferred me from the military unit to a mobile unit."

24 And when you were transferred, you bore the position of mobile  
25 unit chief, and you controlled people in Sya sub-district,

1 Kandieng district, and at that time you had people dig canals and  
2 put up the dykes at the orders of the district committee.

3 [11.39.02]

4 Could you tell the Court – Bakan and Kandieng district – under  
5 what sector were these two districts in?

6 A. Well, these two districts were in Sector 7, Pursat province.

7 Q. So, to your recollection, in the Northwest Zone, how many  
8 sectors were there?

9 A. I – in Pursat province, there were Sector 7, Sector 2, and  
10 Sector 4. In the west of Pursat, close to Battambang, it's –

11 Q. Thank you.

12 Concerning the communication regime; when you were appointed the  
13 mobile unit chief, in Chia (phonetic) sub-district, when you were  
14 supposed to report to your upper authority, how did you do it and  
15 who did you report to?

16 A. I report to Kandieng district.

17 [11.40.55]

18 Q. Thank you. Can you clarify further the secretary of Kandieng  
19 district? Was he Set (phonetic) or Khy?

20 A. Khy was the Kandieng district committee. And Set (phonetic)  
21 was actually in charge of youth in the district.

22 Q. In your interview with the Office of Co-Investigating Judges,  
23 document E3/364 – ERN in Khmer, 00242423; English, 00250760;  
24 French, 00282198 – you said you received orders, and sometimes  
25 Sot came and gave orders directly to have people in the mobile

1 units put up paddy dikes or canals.

2 Sometimes I was called to attend meetings in Kandieng district  
3 which was located in the – currently the Svay Lhong School and  
4 the Sector Committee led the meeting or chaired the meeting, and  
5 the District Committee, Sot also attended, and each meeting spoke  
6 only about work plans.

7 [11.43.10]

8 Q. So you say that Sector Committee led the meetings. Who did you  
9 refer to as the Sector Committee?

10 A. Ta Sot was the District Committee or Sector Committee.

11 Q. Thank you.

12 In the meeting with which you attended with the Sector Committee,  
13 did the Sector Committee make mention where the order originally  
14 came from?

15 A. They said that they received this order from the Party.

16 Q. Can you expand on this a little bit further? When you said the  
17 order was received from the Party, who was the Party and how was  
18 it handed down to the District Committee?

19 A. I actually heard that it was from the Party and I also heard  
20 the word "Angkar", but I did not know who it was, and I did not  
21 know where the Party was either.

22 [11.45.09]

23 Q. You were the chief of a mobile unit in Sya sub-district. When  
24 you were in charge of this mobile unit, did you observe that  
25 there were New People, the so-called 17 April People?

1 A. Yes, they were all people, the 18 or 17 April People.

2 Q. Can you clarify further? You said "the 18 and 17 April  
3 People." Who are you referring to as 17 April People and who were  
4 the 18 April People?

5 A. The 18 April People - or, rather, it's - they are - they were  
6 the 18 March 1970 People and the 17 April People where the 17  
7 April, following the liberation of the country in 1975.

8 Q. Can you tell the Court how many people were considered the 17  
9 April People in your location and how many families were there?

10 A. People from the Pursat provincial town were considered the 17  
11 April People. So they - so long as they were from the Pursat  
12 province, they were called 17 April People.

13 [11.47.17]

14 Q. You were responsible for the mobile unit over there. I would  
15 like to know, in your location where you governed, how many 17  
16 April People were there?

17 A. The entire commune - the entire commune - Sya commune,  
18 Kandieng district.

19 Q. Thank you.

20 How about the New People, the 17 April People? Did you ever  
21 receive any order from the District Committee or Sector Committee  
22 or leaders of The Communist Party of Kampuchea to handle them?

23 A. No, I received nothing from them. I only received the  
24 instruction that these people were supposed to build canals and  
25 dykes.



1 Q. So did you know at the time why people had to be segregated or  
2 divided into 17 People April or the 18 March '70 People?

3 A. It's difficult for me to answer this question because at that  
4 time there was a clear designation for them. The 18 March 1970  
5 People were considered Old People and the 17 April People were  
6 considered New People. So there was a clear division of these two  
7 groups of people at the time.

8 [11.49.30]

9 Q. Well, my question really is that, why were certain groups of  
10 people were considered the New People or 17 April People? Were -  
11 was there any different treatment for them? That's why they were  
12 called 17 April People? Do you know something to this effect?

13 A. No, I do not know. I do not know.

14 MR. SENG BUNKHEANG:

15 Mr. President, I do not have any further question.

16 I thank you, Witness, for endeavouring to answer all the  
17 questions I asked, and I would like to cede the floor to my  
18 esteem colleague to continue our line of questionings.

19 [11.50.27]

20 MR. PRESIDENT:

21 Yes, you may proceed.

22 QUESTIONING BY MR. LYSAK:

23 Thank you, Mr. President.

24 Good morning, Mr. Lim Sat. My name is Dale Lysak and I have not  
25 too many questions for you, some follow-up questions. I will ask

1 you a few questions this morning and then maybe five or 10  
2 questions in the afternoon – five to 10 minutes of questions in  
3 the afternoon, before I turn it over to the civil parties.

4 Q. Let me go back. You indicated in your – the very first answer  
5 of your first OCIJ interview, which is document E3/364 – in your  
6 very first answer, where you were discussing your position from  
7 1971 to '75, you stated that you were the commander of Company  
8 82, in Battalion 202. The first question is, I wanted to confirm,  
9 were you – did you have that same position, company commander, as  
10 of April 1975?

11 [11.51.56]

12 MR. LIM SAT:

13 A. Yes, I held that same position until the date.

14 Q. And in April 1975, can you tell us how many soldiers were in  
15 your company and how many soldiers were in Battalion 202?

16 A. In battalions, there were 360 soldiers and 30 were in platoon,  
17 and 100 soldiers were in the company.

18 Q. And were you commander of the company or commander of the  
19 platoon?

20 A. I was commander of a platoon comprising of 30 members.

21 Q. I want to turn now to clarify something about the – a first  
22 meeting that my colleague asked you about this morning.

23 Specifically, this was a meeting held shortly after the

24 liberation at which Ta Nhim and Ta Sot provided some

25 instructions. And I want to read to you question number 4 from

1 your second OCIJ interview, which is document D232/65, and in  
2 that interview, in answer number 4, you made the following  
3 statement - quote:

4 [11.54.42]

5 "There was invitation, at that time, of chairmen of companies,  
6 battalions and regiments to join the meeting at Pursat provincial  
7 hall presided over by Ta Nhim, the Zone Committee and Ta Sot, the  
8 Sector Committee. The meeting was held three days before another  
9 meeting with Lon Nol military and policemen. It was after the  
10 liberation of 17 April 1975 and just about four to five days  
11 after the liberation of Phnom Penh and Pursat. In the meeting,  
12 Khmer Rouge chairmen were told that all dignitaries, both  
13 military and policemen from Lon Nol regime had to be killed. If  
14 we kept them [alive], there would be resistance in the later time  
15 so they all had to be executed. "

16 What I wanted to clarify, were you personally present at this  
17 meeting or did you hear about the meeting later, after it took  
18 place?

19 A. The regiment commander told me.

20 Q. When was it that the regiment commander told you that, about  
21 the meeting where Ta Nhim and Ta Sot had provided these orders  
22 regarding the execution of Lon Nol military?

23 [11.56.46]

24 A. It was in 1975, but around three to four days after the 17  
25 April 1975. After the liberation of Phnom Penh on the 17 of April

1 1975, a few days, three to four days after that, they convened a  
2 meeting.

3 Q. Just to be clear, Mr. Lim Sat, what I'm interested in is not  
4 the dates or when the meeting took place that was chaired by Ta  
5 Nhim and Ta Sot, but when it was that your regiment commander  
6 passed on to you or your unit the instructions they had received  
7 at that meeting?

8 A. Immediately after they left the meeting, they disseminated  
9 that information.

10 Q. And do you remember where it was that the regiment commander  
11 disseminated these orders?

12 A. I only recall some of the events at that time. It could have  
13 been around three days following the meeting.

14 Q. Yes, my question is where - where was it, the location where  
15 you were at, where the regiment commander communicated these  
16 instructions to you and your unit? Where were you at the time?

17 A. I was still at Kandieng district of Pursat province.

18 [11.59.31]

19 MR. LYSAK:

20 Mr. President, I'm about to turn to another line of questioning,  
21 if this is a good time for the break?

22 MR. PRESIDENT:

23 Thank you, Mr. Co-Prosecutor, and thank you, everyone.

24 It is now appropriate moment already for lunch adjournment. The  
25 Chamber will adjourn for lunch and the next session will be

1 resumed by 1.30 p.m.

2 Court officer is now directed to assist the witness and his duty  
3 counsel during the adjournment and have him returned to the  
4 courtroom by 1.30 p.m.

5 Security personnel are now directed to bring Mr. Khieu Samphan  
6 downstairs and have him returned to the courtroom before 1.30  
7 p.m.

8 The Court is adjourned.

9 (Court recesses from 1200H to 1330H)

10 MR. PRESIDENT:

11 The Court is now back in session.

12 We now would like to hand over to the Co-Prosecutors to continue  
13 putting questions. You may now proceed.

14 BY MR. LYSAK:

15 Thank you, Mr. President. Good afternoon, Mr. Lim Sat.

16 Q. I have just a few questions to ask you regarding the events at  
17 Tuol Po Chrey. Can you tell us, were there any soldiers from  
18 sector battalions 201 or 202, who are assigned to Tuol Po Chrey  
19 on the day of the executions, or were all the soldiers there from  
20 the zone military?

21 MR. LIM SAT:

22 A. Soldiers from the zone who were sent to their battlefield.

23 Q. Thank you, Mr. Lim Sat, and I just wanted to confirm, were  
24 there any soldiers from sector battalions 201 or 202 who were  
25 there, to your knowledge?

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1 A. These people from 204, 202, were only tasked with guarding the  
2 road. But soldiers from the zone were assigned to that place,  
3 Tuol Po Chrey.

4 Q. Thank you for clarifying that. This morning you indicated, or  
5 you estimated that there were 10 to 15 trucks that you witnessed  
6 transporting Lon Nol soldiers and policemen to the Tuol Po Chrey  
7 site. Can you clarify for us whether this is your estimate of the  
8 number of trucks that were sent from your unit's location to Tuol  
9 Po Chrey?

10 [13.34.06]

11 A. These trucks were leaving the provincial hall, and because I  
12 was standing guard on the route to Tuol Po Chrey, these trucks  
13 passed us and I knew that the number of trucks.

14 MR. LYSAK:

15 Mr. President, I'd now like to play for the witness an excerpt  
16 from the same video that was used the other day. That is E186.1R,  
17 number B00800935. This is the Thet Sambath film titled "One Day  
18 at Po Chrey" and there is a 3 and a half minute excerpt I would  
19 like to play which runs from seven minutes and 53 seconds to 11  
20 minutes and 16 seconds of the video. With your leave, the  
21 audio-visual booth is ready to play that excerpt.

22 [13.35.35]

23 MR. PRESIDENT:

24 You may proceed.

25 And AV Unit is now instructed to play this video clip as per

1 requested.

2 (Presentation of audio-visual document, no interpretation)

3 [13.39.28]

4 BY MR. LYSAK:

5 Q. Mr. Lim Sat, my first question for you. Can you tell us

6 whether you recognize or know any of the men who were shown in

7 this film clip? Either the three men who were sitting together on

8 the ground, or the man with the glasses who said he was one of

9 the truck drivers; do you recognize or know any of these people?

10 MR. LIM SAT:

11 A. No, I don't.

12 Q. The men in this clip referred to a preventive unit and a

13 smashing unit that were at the Tuol Po Chrey site. They also made

14 reference, one of them, to units 18 and 19. Are you able to tell

15 us what part of the army any of those units belonged to?

16 A. I do not remember this very clearly because we were in

17 different regiments. Even in my own unit I can't even remember my

18 colleagues. So it is possible that I do not know these people

19 from, for example, regiment 201.

20 [13.41.31]

21 Q. Thank you very much, Mr. Lim Sat for your time today answering

22 our questions.

23 Mr. President the co-prosecutors have no further questions at

24 this time.

25 MR. PRESIDENT:

1 Thank you.

2 Next the Chamber would like to hand over to the lead co-lawyers  
3 for the civil parties to put some questions to this witness.

4 [13.42.02]

5 MR. PICH ANG:

6 Good afternoon, Mr. President and Your Honours. Counsels Kim  
7 Mengkhy and Beini Ye will be putting some questions, with your  
8 leave.

9 MR. PRESIDENT:

10 You may proceed.

11 QUESTIONING BY MR. KIM MENGKHY:

12 Good afternoon, Mr. President and Your Honours; and good  
13 afternoon, Mr. Lim Sat. I am Kim Mengkhy, counsel for the civil  
14 parties and my colleague Beini Ye will be putting some questions  
15 after me to you.

16 Q. You mentioned before the co-investigators in this courtroom  
17 this morning already, regarding your roles and functions. But I  
18 have a few more questions for clarification. You said you were in  
19 charge of five collectives of people - rather, you were in charge  
20 of five collectives. Could you describe to the Chamber the names  
21 of these collectives - or cooperatives, rather?

22 [13.43.43]

23 MR. LIM SAT:

24 A. I was in charge of cooperative in Sya, Thlok village, Kbal  
25 Chheu Puk village. There were several villages in one commune and



1 I was in charge of these cooperatives in this commune.

2 Q. Thank you. I have a question also regarding the 17th of April  
3 people, those who were evacuated from Phnom Penh to your area.  
4 Were people classified into the old or the new people, and how  
5 were the people, or the evacuees, treated?

6 [13.44.43]

7 A. People were living together in cooperatives. They ate in a  
8 communal hall, and with regard to the food rations, they were not  
9 different. They ate the same food equally. But there were  
10 different people, the 18 of March and the 17 of April.

11 Q. Were the new people provided with some proper shelters?

12 A. Additional shelters were built to accommodate these new  
13 people.

14 Q. Were statistics ever been made regarding the new people  
15 arriving at that vicinity or were they registered?

16 A. At the sector level they would ask that a report regarding the  
17 number of the people in the villages made to the sector level.

18 Q. Thank you. Who ordered how people, in particular new people,  
19 be treated?

20 A. We received orders from different levels, for example, from  
21 zone to sector, sector to district, and to sub-district.

22 [13.46.53]

23 Q. Thank you. On the same topic of new people, you already  
24 testified that people were transferred also from Svay Rieng  
25 province.

1 A. Do you still recollect what happened in Svay Rieng that made  
2 them be transferred from there to your location?

3 A. That was in 1979, and that year people from Svay Rieng were  
4 evacuated to Pursat.

5 Q. How did you know they were from Svay Rieng?

6 A. I talked to them. I asked them some questions as they lived in  
7 the same cooperative with us, and these people would then be made  
8 to stay in different cooperatives. I asked them where they were  
9 from. They said they were sent from Svay Rieng.

10 Q. Thank you. Apart from telling you that they were from Svay  
11 Rieng, did you identify them based on their appearance or other  
12 signs that make them unique, for example, wearing a checked  
13 scarf?

14 [13.48.58]

15 A. We could identify them easily. They were wearing the same  
16 clothes as we were, but they were also seen wearing blue checked  
17 scarves, and also they were seen carrying some luggage, some  
18 belongings on their shoulders.

19 Q. Thank you. I have a final question, please. What kind of  
20 assignments or tasks were these people assigned when they were  
21 transferred to your area? I'm referring to the evacuees from Svay  
22 Rieng.

23 A. Immediately upon arrive it was the rainy season, rather the  
24 rice transplant season. So these people would then be made to  
25 transplant rice immediately.

1 MR. KIM MENGKHY:

2 Thank you, Mr. Witness. I have no further questions. But with  
3 that I would like to cede the floor over to Counsel Beini Ye to  
4 continue putting questions to you. Thank you.

5 QUESTIONING BY MS. YE:

6 Good afternoon, Mr. President. Good afternoon, Your Honours. Good  
7 afternoon to everyone in and around the courtroom. Good afternoon  
8 to you, Mr. Lim Sat. My name is Beini Ye, I am one of the  
9 international civil party lawyers, and I just have a few follow  
10 up questions on what you've said this morning.

11 [13.50.43]

12 Q. First, I want to talk about the time around the 17th of April  
13 1975. You've mentioned that around that time Lon Nol soldiers and  
14 policemen were taken to Tuol Po Chrey and executed there. Now, I  
15 would like to know, if you know, what happened to the families of  
16 these soldiers and policemen who were taken to be killed?

17 MR. LIM SAT:

18 A. Now, you are asking me about the families of the soldiers? Is  
19 that your question, please?

20 Q. Yes. I'm asking about the families of the Lon Nol soldiers and  
21 policemen who were taken to Tuol Po Chrey.

22 A. I don't know about this because I lived in a separate location  
23 where they lived. I do not know what happened to their families.

24 Q. And do you know if the families of those former Lon Nol  
25 soldiers and policemen were taken to Tuol Po Chrey? If they were

1 informed about the death of their husbands and their relatives?

2 A. These people were told about this about four to 10 days after  
3 the event.

4 [13.53.08]

5 Q. How do you know that they were told about this event?

6 A. I knew this because people in my neighbourhood, or soldiers in  
7 my unit, talked to me about the soldiers who had been executed  
8 earlier on. And after knowing this nothing happened. The people  
9 were just sad.

10 Q. Thank you. I would like to come to a new topic now. You  
11 mentioned earlier that on 17 April 1975 you knew that people had  
12 to evacuate from Phnom Penh and that they had to be transferred  
13 to the countryside. Can you tell the Chamber how you knew about  
14 this?

15 A. I just saw them being sent to Pursat province.

16 Q. And when they arrived in Pursat province, you stated earlier,  
17 that they had to join cooperatives. Can you tell us what they had  
18 to do in the cooperatives?

19 A. In cooperatives they were made to do farming, to dig canals,  
20 and built dikes. That's all they had to do.

21 [13.55.31]

22 Q. Thank you. I would like to come to a different period now. In  
23 your first interview with the investigating judges, document  
24 number E3/364 ERN English, 00250761; ERN Khmer, 00242423; and ERN  
25 French, 00282199, you mentioned that you were imprisoned at

1 Thkaol office, starting from September 1976. Now, during that  
2 time in the prison you observed that most of the people, of the  
3 prisoners, were people from Phnom Penh. My question is, were  
4 these people from Phnom Penh that you mentioned, that were  
5 imprisoned in Thkaol office, were these people the people who  
6 were transferred from Phnom Penh after the liberation?

7 A. Yes, they were. They were people who were evacuated from Phnom  
8 Penh after the liberation and the evacuation took place all the  
9 way from 1976, all the way to 1978.

10 Q. And can you tell the Chamber when these people from Phnom Penh  
11 arrived at Thkaol office?

12 A. People had to be evacuated from different places, not  
13 necessarily Phnom Penh. And that they would be made to live in  
14 the cooperatives. And that happened in 1976 and in 1977. And then  
15 they were moved to - some of them were moved to Thkaol office.  
16 And later on they were transferred to another office named  
17 Krakor.

18 [13.58.18]

19 Q. So just for clarification, do I understand it right that  
20 people who were evacuated from Phnom Penh were sent to  
21 cooperatives first, then imprisoned at Thkaol office and then  
22 later on release to another cooperative?

23 A. Yes, it is correct.

24 Q. Now, in the same document E3/364, under ERN English, 00250761;  
25 Khmer, 00242423; and French, 00282199, you stated that, at the

1 present Thkaol office there were light offence prisoners and  
2 serious offence prisoners and they were treated differently. My  
3 question is, the people from Phnom Penh that were imprisoned at  
4 Thkaol office, were they considered light offence prisoners or  
5 serious offence prisoners?

6 A. Even people in Pursat would be classified as the prisoners of  
7 serious offence. It depends on the offence they committed, not  
8 necessarily committed by people from Phnom Penh.

9 [14.00.14]

10 Q. And these people in Phnom Penh, were they treated differently  
11 in the prison from other prisoners, or were they treated in the  
12 same way?

13 MR. PRESIDENT:

14 Witness, please hold on.

15 Counsel Victor Koppe, you may proceed.

16 MR. KOPPE:

17 Thank you, Mr. President. I think we are moving outside of the  
18 scope here. The witness was in prison, not as an officer, or a  
19 member of the Khmer Rouge cadres, or however you want to call it.  
20 So he is now being asked questions, as somebody was imprisoned  
21 there, about the fate of other prisoners. And this particular  
22 prison is not part of scope one. So I think with this question we  
23 are moving outside of the scope.

24 [14.01.17]

25 MS. YE:

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1 May I respond to this objection? I'm focusing on the people who  
2 were evacuated from Phnom Penh, and the goal – the objective, of  
3 my question is to show the treatment that people from Phnom Penh  
4 received upon their transfer away from Phnom Penh, to Pursat.

5 MR. PRESIDENT:

6 Counsel, you may proceed.

7 MS. GUISSÉ:

8 Thank you, Mr. President, and good afternoon everyone, all the  
9 parties.

10 I have been hesitating to rise to object, but after hearing the  
11 response to the question put to the witness by my learned friend,  
12 I'm forced to rise.

13 The question is not whether they had a (inaudible) sent in Phnom  
14 Penh or whether they were treated differently. The question is  
15 whether at this stage in Case 002/1, we ought to talk simply of  
16 security centres. As you know, we are not in Case 002/1.

17 Questions were put on cooperatives, but if we want to talk of  
18 security centres and the Thkaol security centre, we are going out  
19 of the scope of Case 002/1. We may attach other things to the –  
20 what we are talking about, but we shouldn't talk about security  
21 centres, because that is not within the scope of what we are  
22 dealing with today.

23 MS. YE:

24 Yes, just a short reply to this. The reason why I'm not asking  
25 specifically on the conditions of Thkaol office of the prison, I

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1 am asking more in general about the people who were evacuated  
2 from Phnom Penh and their fate upon arrival in the provinces,  
3 which is the consequence of the forced transfer number 1, which  
4 is part of Case 002/01.

5 (Judges deliberate)

6 [14.06.08]

7 MR. PRESIDENT:

8 The objection and grounds for objection by the Defence, the two  
9 defence teams, concerning the scope of the facts being asked by  
10 the civil party lawyer to this witness, are appropriate and thus  
11 sustained.

12 Witness is instructed, therefore, not to respond to the last  
13 question posed by the civil party lawyer, and the Chamber takes  
14 this opportunity to, once again, remind the civil party lawyers  
15 that questions be asked within the scope defined the Trial  
16 Chamber for the first mini-trial.

17 BY MS. YE:

18 Very well.

19 Q. My last question for you, Mr. Witness, goes to the fate of  
20 people who were evacuated from Phnom Penh. Do you know if they  
21 were also killed like the prisoners from Thkaol Office?

22 MR. LIM SAT:

23 A. No, they did not kill them, but they were made to work and  
24 they also went hungry for a long period of time.

25 [14.07.50]



1 MS. YE:

2 Thank you, Mr. Lim Sat, for answering all my questions. I wish  
3 you a safe journey home.

4 MR. PRESIDENT:

5 Thank you.

6 Now, I hand over the floor to the defence team for Mr. Nuon Chea  
7 to put the questions to the witness. You may proceed.

8 [14.08.36]

9 QUESTIONING BY MR. SON ARUN:

10 Good afternoon, Mr. President. Good afternoon, Your Honours.

11 Good afternoon, Mr. Lim Sat. I am a national defence counsel for  
12 Mr. Nuon Chea. I have a few questions I would like to put to you.

13 Q. I would like to seek your clarification. You answered to the -  
14 in the interview, on three occasions with the Office of  
15 Co-Investigating Judges. The first one was on the 23rd of  
16 November 2008. At that time, you told the investigator that you  
17 were born in 1966.

18 On the second interview, on the 18 of November 2011 - 2009  
19 rather, you told the Office of Co-Investigating Judges that you  
20 were born in 1955.

21 And on - in your third interview on the 23rd of May 2011, you  
22 told the investigator that you were born in 1955.

23 So your year - your birthday actually has changed every time you  
24 provided the interview with the Investigating Judges. This is  
25 according to the written record of your interview, on the three

1 occasions. So what year were your born, really?

2 [14.10.49]

3 MR. LIM SAT:

4 A. I actually did not pay much attention to my birthday. I was  
5 born in the Year of Monkey.

6 Q. According to your three interviews, you did provide your date  
7 of birth differently in the three interviews. Do you recall  
8 whether or not you provided the real birth date then?

9 A. I knew that I made a mistake in answering the question at that  
10 time.

11 MR. PRESIDENT:

12 Mr. Prosecutor, you may proceed.

13 [14.11.43]

14 MR. LYSAK:

15 Thank you, Mr. President. I simply wanted an objection.

16 Counsel has slightly misstated the record. The witness, in his  
17 first interview, indicated 1965, but in the second and third  
18 interview, both times, said 1955. So it's not correct for Nuon  
19 Chea's counsel to represent that a different year was provided  
20 each time. In fact, the same year was provided in the second and  
21 third interviews.

22 MR. SON ARUN:

23 In your record of interview - I actually based my question on the  
24 written record of interview with Mr. Lim Sat, so we can refer to  
25 this document. I simply would like to ask the witness whether or

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1 not he stands by his statement concerning his birth date as  
2 indicated in the written record, or you want to emphasize -you  
3 want to make a definitive answer in relation to this question?  
4 This is the intention of this question.

5 MR. PRESIDENT:

6 It's rather confusing, Counsel. Your - which year are you  
7 referring to? According to the document, one was in 1955; the  
8 other one is in 1965. It's not - one was in 1950 - '65, and the  
9 other one was in 1955, and he also indicated, based on the  
10 Cambodian ways of counting age, he was born in the Year of  
11 Monkey.

12 [14.14.00]

13 BY MR. SON ARUN:

14 I confused it myself earlier on, but as the President indicated,  
15 it is correct. He provided two statements, one was in 1965 and  
16 the other two were in 1955.

17 Q. So I would like to ask you for a definitive answer now. Do you  
18 stand by the 1965 or 1955?

19 MR. LIM SAT:

20 A. 1955.

21 Q. Thank you.

22 Mr. Lim Sat, what was your level of education when you were in  
23 school?

24 A. Well, I did not attend any formal schooling. I attended study  
25 in pagoda. At that time, the school was too far from my place, so

1 I did not attend any formal schooling.

2 [14.15.29]

3 Q. You told the investigator that you joined military with the  
4 Resistance Force of the Khmer Rouge from 1971 through 1975. Do  
5 you stand by this statement?

6 A. Yes, I do.

7 Q. When you were joining the revolution, what was the rank you  
8 held?

9 A. No I did not hold any rank.

10 Q. When you joined the Revolution of the Khmer Rouge, then you  
11 command some 30 soldiers. Were you promoted to this command  
12 position immediately after joining the revolution?

13 A. It was - no, no, it was not until 1974 when I was promoted to  
14 command the 30 soldiers.

15 Q. When you were commanding a platoon, at that time, did you know  
16 your title, for example, as a commander in a platoon or so? Did  
17 you realize that you were holding that position?

18 A. At that time, there were three different ranks. Particularly  
19 in the platoon, there was one commander, deputy commander and  
20 member.

21 And deputy commander was in charge of politics, politics in the  
22 military rank, and he was also working as a commissar as well.

23 And as for the commander, he provided training on - tactical  
24 training on fighting, and we were also in charge of food supply.

25 So there were three sections: politics, food supply and training-

1 [14.18.14]

2 Q. May I interrupt you? I would like to know your role when you  
3 were the commander of a platoon of some 30 soldiers. Did you know  
4 what your title exactly was?

5 A. As I told you, no, I was the deputy. I was in charge of  
6 training soldiers and I also provided tactical training in order  
7 to combat in the wartime, and there was a person who was in  
8 charge of a commissariat and he was in charge of providing  
9 political training and indoctrination-

10 Q. I would like to interrupt you. I don't want to go into that  
11 much detail. I would like to only look at the document E3/364, on  
12 page 00242422 in Khmer and in English, 00250759; and French,  
13 00282197.

14 [14.19.41]

15 In the first question, the answer to the first question with the  
16 OCIJ, you told the Investigating Judges that you were a commander  
17 of Company 82 which had around 30 soldiers in Battalion 202. Do  
18 you recall the statement you made with the Office of  
19 Co-Investigating Judges?

20 A. When I was in charge of this company, there was another  
21 commander who was my direct superior and I had to report to him.  
22 A commander of a company was a different person, but I was, at  
23 that time, in Company 81.

24 Q. I would like to read out the question and answer at that time  
25 to refresh your memory.

1 Question - quote: "Can you please describe your history before  
2 1975?"

3 And your answer - quote: "I lived in a unit of the Khmer Rouge  
4 Army. I was a Khmer Rouge soldier in the Northwest Zone in  
5 Battalion 202. I was a commander of Company 82 which had 130  
6 soldiers."

7 This is the extract from your statement to the Office of  
8 Co-Investigating Judges. Do you recall saying that when you were  
9 being interviewed at the time?

10 [14.21.47]

11 A. No, it was actually Company 82. It was not 81.

12 Q. But I would like to know exactly whether or not you were a  
13 commander, a commander of Company 81 or 82?

14 A. I was commander of 82.

15 Q. You said you were the commander of this company. Can you  
16 describe, to your knowledge, what was this all about, this  
17 Company; can you clarify this?

18 A. Well, to clarify this matter, we had Company 81. It was  
19 comprised of 130 soldiers, and this is divided into three  
20 companies.

21 And Company 82 comprises 30 members and then these three  
22 companies would form into a regiment - battalion rather.

23 [14.23.35]

24 Q. Your commander, the commander of the battalion, what was his  
25 name?

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1 A. My commander at the time was Huon (phonetic), and he was in  
2 charge of politics, he was the Chair. And the deputy commander  
3 was Mel (phonetic). Sot (phonetic) was also deputy commander.  
4 And the chairman of this was in charge of politics, and deputy  
5 commanders were in charge of giving direction and training for  
6 soldiers. And another deputy commander was in charge of  
7 ammunition, food supplies, and military uniform.

8 Q. In your statement to the OCIJ, you told them that Sot  
9 (phonetic) died in 1971, and was the battalion commander.  
10 At that time, the zone military chairman was Ta Khy (phonetic).  
11 Do you recall giving this statement and do you stand by it?

12 A. Zones commander or chairman was Ta Khy (phonetic), and  
13 battalion commander was Ta Sot (phonetic).

14 Q. Can you make it as clear as possible. Just make it one by one,  
15 because I do not quite get your point.

16 [14.25.32]

17 A. In one battalion, there are three companies but there are  
18 three people in charge of a battalion. One was the chairman or  
19 the commander. The commander was in charge of politics, and  
20 deputy commander was in charge of training military. And the  
21 other deputy commander was responsible for economic affairs, in  
22 other words, for food supplies, clothing and - or so.

23 Q. How about the man by the name of Sot (phonetic)? You say that  
24 Sot (phonetic) was the battalion commander. Is that correct?

25 A. No, that is not correct. He is a deputy commander of the

1 battalion.

2 [14.26.20]

3 Q. So, your statement to the Co-Investigating Judges on 23rd of  
4 November 2008, you do not stand by this statement. Because your  
5 statement at the time and the testimony you are giving to the  
6 Court now is different.

7 So, do you maintain your statement with the OCIJ or you take the  
8 statement that you are giving to the Court now?

9 A. Actually, at that time, I did not pay attention to this issue  
10 that much. I did not even realize that I would one day be  
11 summoned to the Court and I did not actually care that much on  
12 this particular issue. And it has been many years now, and if you  
13 think that this is appropriate, then I take this one.

14 Q. I just want to get the accurate information to the Court. And  
15 you have already taken an oath before you provide testimony to  
16 the Court.

17 I would like to ask you once again whether or not you maintain  
18 your statement with the OCIJ or you take your statement now?

19 Because in the past you said that Sot (phonetic) was the  
20 battalion commander and now you are saying that he is a deputy  
21 commander.

22 So which one is your statement?

23 [14.28.02]

24 A. I only knew that one of them was the commander and the other  
25 was the deputy commander but of course after all, both of them



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1 were in the commanding post over there in this battalion.

2 Q. Thank you. I move on now-

3 MR. PRESIDENT:

4 The time is now appropriate for adjournment. The Chamber will  
5 adjourn for 20 minutes. We will resume at 10 to 3.00.

6 Court Officer is instructed to arrange the place for the witness  
7 and his duty counsel to rest during the break and have him back  
8 in this courtroom by 10 to 3.00.

9 The Court is now adjourned.

10 (Court recesses from 1428H to 1456H)

11 MR. PRESIDENT:

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

13 We now would like to hand over to counsels for Mr. Nuon Chea to  
14 continue putting questions to this witness.

15 [14.56.36]

16 BY MR. SON ARUN:

17 Q. Mr. Lim Sat, I have a few more questions, please.

18 Before we broke, you told the Chamber that you were the commander  
19 or rather the chief of a unit, Unit 82, and that there were 130  
20 people under your command. At the same time, you said Mr. Sot  
21 (phonetic), in your statement, was the commander of the  
22 battalion. Nonetheless, you just restated that Mr. Sot (phonetic)  
23 was the deputy commander of that battalion responsible for  
24 respective duties.

25 At the beginning, I asked you whether you became an ordinary

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1 soldier when you joined the army, and you wouldn't be promoted  
2 until 1974, the day when you were promoted to the head of Unit  
3 82. Is that correct?

4 [14.58.24]

5 MR. LIM SAT:

6 A. Yes, it is.

7 Q. Thank you. In 1975, you left the Khmer Rouge army. Is that  
8 correct?

9 A. Yes, it is. I was transferred to a mobile unit instead.

10 Q. After leaving the military and after leaving your post as the  
11 chief of the platoon, you became the person in charge of a mobile  
12 unit. Is my understanding correct?

13 A. Yes, it is.

14 Q. Do you still recollect the exact date when you changed to work  
15 for a mobile unit?

16 A. I'm afraid I don't remember the date. I remember the year.

17 [14.59.55]

18 Q. Thank you. Before the Co-Investigators, you said that about  
19 3,000 people were gathered and that they were transported on at  
20 least 30 to 40 trucks. How could you calculate the number of  
21 3,000 people who could fit in 30 to 50 trucks?

22 A. I didn't say that. I said about 10 to 15 trucks.

23 Q. Under document E3/364; Khmer, 00242422; English, 00250759;  
24 French, ERN 00282197, you said this, under Question No. 2,  
25 between the 17th of April 1975 and 1979, what you did and where

1 you lived. You said that it was on the 19th or 20th of April  
2 1975, you received order to gather police and soldiers of all  
3 ranks who had been affiliated with the Lon Nol regime to be  
4 executed at Tuol Po Chrey in Kandieng District.

5 You said you were asked to wait for the trucks that gathered  
6 these people. The people were then transported to the provincial  
7 hall. Altogether, about 3,000 people were transported on trucks  
8 from across Pursat province. At least there were about 30 to 40  
9 truckloads of people transported to this provincial hall.

10 But this morning, you say that there were about 10 to 15 trucks.

11 Which would be your statement please?

12 [15.03.09]

13 A. I will stand by my statement this morning when I said 10 to 15  
14 trucks.

15 Q. Then how many people would be gathered or picked up through  
16 the trucks to that provincial hall?

17 A. As I told you, I was not in charge of gathering the soldiers  
18 or police. People - other people were in charge of this.

19 [15.03.47]

20 Q. But in your statement before the Co-Investigators, as I  
21 already cited from that document, you said you were ordered to  
22 receive the trucks that transported these people and that the  
23 people were transported to the provincial hall. About 3,000  
24 people were picked.

25 So now, what I want you to be more precise, do you still stand by

1 this figure you stated earlier, the 3,000 people, or would you  
2 change your comment or statement?

3 [15.04.37]

4 A. That's a rough estimation. It's about 3,000 or perhaps a  
5 little over than 3,000; more or less 3,000 people.

6 Q. If your statement were correct, it would take several trucks  
7 to transport them, not just a few trucks as you said. Do you  
8 agree with me?

9 A. A truck could accommodate about 30 to 40 people at a time.

10 Q. If you say that a truck could accommodate 30 people, 3,000  
11 people would need 100 trucks. So do you still stand by your  
12 statement that only 10 to 15 trucks picked these people?

13 A. I don't think 15 trucks would be the correct statement.

14 Q. Mr. Witness, you are now before the Chamber under oath. Can  
15 you now say again, how many trucks did you believe you saw  
16 transporting the people at that time. How many people were there?

17 A. I did not pay great interest to the actual number of people  
18 gathered, and it was a long time ago. My memory does not serve me  
19 very well all along.

20 Q. I believe that my question gives you some headache. I would  
21 like to proceed to another one.

22 These thousands of people had gathered at the provincial hall  
23 before they were transported to Tuol Po Chrey.

24 [15.07.48]

25 And you said these people, upon arriving at Tuol Po Chrey, were

1   executed. Except one person who managed to escape, and you heard  
2   about this through radio communication.

3   Can you please tell the Chamber how could you hear this radio  
4   communication? Was this radio communication or – rather, a gadget  
5   of yours?

6   A. The radio communication device belonged to us, our unit.

7   Q. Were you carrying that radio at that time or was it carried by  
8   a member of your unit?

9   A. It was carried by a member who told me about this.

10  [15.09.02]

11  Q. Then, under the same document, you say this:

12  "People who were affiliated with the Lon Nol regime were executed  
13  and the executioners were also later sent to S-21 for execution  
14  because they were accused of revolting against orders by Nuon  
15  Chea."

16  I think I do not quite understand your statement when you say  
17  that the Khmer Rouge brought prisoners to Tuol Sleng and you say  
18  that they revolted against the Khmer Rouge regime.

19  Can you be more precise?

20  A. Simply speaking, these soldiers, the Khmer Rouge soldiers  
21  later on were accused to betraying Angkar. The soldiers in the  
22  North-West I'm referring to.

23  Q. You said that the zone betrayed Angkar. Did you hear this in  
24  person from someone or was it a rumour?

25  A. I learned that the remaining members of the soldiers of the

1 North-West and Battambang came to talk to me about this.

2 Q. When exactly did they come to tell you about this?

3 A. In 1977, they did this.

4 [15.11.26]

5 Q. Were you no longer a military or soldier or member of the  
6 mobile unit at that time? And please observe some pause.

7 A. Yes, I was no longer in the military or mobile unit.

8 Q. You also added that those people revolted against the Khmer  
9 Rouge regime under order from Nuon Chea. How did you know that  
10 such orders were rendered from Nuon Chea? Did you learn about  
11 this directly from Nuon Chea or did you hear from grapevine - or  
12 through grapevine?

13 A. I heard from the soldiers in the North-West who lived in  
14 Battambang at that time and told me.

15 [15.12.34]

16 Q. The soldiers of the zone told you about this. Can you tell the  
17 Chamber who they were, what ranks they were?

18 A. They were in charge of the platoon, as I was. They had to flee  
19 Battambang to Pursat.

20 Q. Do you still remember the names of these people who told you  
21 about this?

22 A. There was a man I remember by the name of Vanh.

23 Q. What did he tell you? Tell the Court what you remember what he  
24 told you.

25 A. He just told me that the soldiers of the North-West - there

1 was a report that soldiers of the North-West zone betrayed  
2 Angkar. That's why the soldiers were destined for execution at  
3 somewhere near Boeng Kok. I don't know where Boeng Kok was or is.

4 Q. You said you don't know the location, but you said before the  
5 Co-Investigators that the soldiers were sent to S-21. Do you  
6 remember having said this?

7 A. Yes, I do. I believe that when they were sent to Phnom Penh,  
8 the master had been detained at S-21.

9 [15.14.51]

10 Q. When you were in the army all the way to 1979, had you ever  
11 known S-21?

12 A. No, I hadn't. I read books and magazines and my deceased  
13 relatives - rather the magazines about our old popular singers,  
14 like Sinn Sisamouth and Ros Sereysothea. And I learned about S-21  
15 at that time when I read the magazines.

16 Q. So you learned about S-21 only when you left, or after the  
17 Khmer Rouge regime; is that my understanding of your statement?

18 A. I read some newspapers and magazines about Tuol Sleng at a  
19 later date, and I learned about the existence of this place at a  
20 very recent date. At that time, during the Khmer Rouge, I did not  
21 know where it was.

22 [15.16.35]

23 Q. When you said Nuon Chea ordered the purges, or how people  
24 would be treated by him was more or less things you heard from  
25 other people, and that after the Khmer Rouge troops fled to the

1 border area you learned more about the Khmer Rouge through  
2 reading magazines and newspapers. Is that correct?

3 A. I don't understand your question.

4 Q. I asked you this question: You said that senior leaders of the  
5 military were sent to S-21 or Tuol Sleng, and I asked you whether  
6 you knew Tuol Sleng yourself. And you stated that you heard of it  
7 and you read magazines bearing the names of Sinn Sisamouth and  
8 Ros Sereysothea, other old singers, and that you learned of this  
9 place at a later date through magazines, not through experience.  
10 Is that what your statement is about?

11 A. Yes, after the war was over, I learned about this. Because  
12 Sinn Sisamouth and Madam Ros Sereysothea were still alive at that  
13 time, before the war was waged during the period of 1975 to 1979.  
14 [15.19.05]

15 Q. In the same document, you said to the investigators, there  
16 were light offence prisoners though who stole some sweet potatoes  
17 and rice, and they were detained at Thkaol Centre. About 2,000  
18 people were detained along with their whole families.

19 Can you tell the Chamber please how could you come up with this  
20 number of people detained at Thkaol Office?

21 How did you know there were about 2,000 detainees? Did you see  
22 them in person or was that your pure speculation?

23 A. I was-

24 MR. PRESIDENT:

25 Witness, please hold on.



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1 Counsel for the Civil Parties, you may now proceed.

2 MS. YE:

3 Thank you, Mr. President. I would like to object to this  
4 question, precisely for the same reason that learned friends  
5 objected to my questions before; because it goes into the detail  
6 of the condition of the prison in Thkaol Office, and we agreed  
7 that this is out of the scope of Case 002/01.

8 [15.21.00]

9 BY SON ARUN:

10 I would like to move to a new question, then.

11 Q. In 1978, Khmer Rouge brought Kan and Ta Khin (phonetic) and  
12 Tchuk (phonetic) to be executed at Svay At office. How did you  
13 know these three people were executed by the Khmer Rouge at Svay  
14 At?

15 MR. LIM SAT:

16 A. I was at the centre and I knew they were detained at the  
17 location where I was at.

18 Q. You saw them being taken away from your office. Is that  
19 correct?

20 MR. PRESIDENT:

21 Witness, hold on.

22 International Lead Co-Lawyer for the Civil Parties, you may now  
23 proceed.

24 [15.22.32]

25 MS. SIMONNEAU-FORT:

1 It appears that for the same reasons, we object to say that. We  
2 are in 1978 regarding executions. So I object, and I say that  
3 this question is not relevant like the previous question, which  
4 we objected to.

5 MR. SON ARUN:

6 Q. I was asking that question because I would like to establish  
7 the fact as to whether the witness saw the event.

8 THE INTERPRETER:

9 The interpreters are experiencing some technical problems, and it  
10 is not possible for us to interpret what the parties are saying.

11 (Technical problem)

12 [15.27.20]

13 MR. PRESIDENT:

14 Counsel Son Arun, you may continue putting your questions to the  
15 witness but please be reminded that you should not stray away  
16 from the scope of the trial and that it was counsel for the  
17 Accused who took issue with the learned colleague on the other  
18 stage - across from the stage, who would be straying from the  
19 scope of the proceedings.

20 So since you started this, you should also make sure that you're  
21 following - you also not straying away from the scope.

22 BY MR. SON ARUN:

23 Thank you, Mr. President. And the document is 3/364, the same  
24 document.

25 Q. You testified before the Co-Investigators that you never saw

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1 any Khmer Rouge leaders, including Ieng Sary, Ieng Thirith, Duch  
2 visiting the base. You only saw Mr. Nuon Chea on one occasion.  
3 Do you still recollect having said this to the investigators?

4 [15.29.04]

5 MR. LIM SAT:

6 A. Yes, I do. I never saw the other people, other than him on  
7 that one occasion.

8 Q. I may seek some clarification; you said you saw Mr. Nuon Chea  
9 on one occasion. Did you see him in person or you heard from  
10 others that he was there?

11 A. I saw him with my own eyes in Pursat province, when he was on  
12 his way from Pursat to Battambang.

13 Q. Where did you see him and what did he do; what was he doing  
14 when you saw him and when?

15 A. It was in 1979 in Battambang province.

16 Q. Where were you that made it possible for you to see him, and  
17 what did he do at that time?

18 A. He did nothing other than being on his trip.

19 [15.30.35]

20 Q. Where did you see him and what did you do or what was he  
21 doing; was he travelling, talking to people, sitting down?

22 A. He was on a vehicle travelling to Battambang.

23 Q. Did you know Nuon Chea before you saw him? You said when you  
24 saw him, you believed that it was Nuon Chea but did you know him  
25 before you saw him?

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1 A. Our troupes were stationed along these national roads and we  
2 were told who would be passing us.

3 Q. When you were told that the person in the car was Nuon Chea -  
4 or that person was Nuon Chea, was he in the car?

5 A. Yes, he was.

6 Q. Thank you. I would like to move on.

7 From 1971 through 1975, you were a military member of the Khmer  
8 Rouge. You were working with them. You came to know a lot of  
9 issues. Did you ever attend any training or meeting with any  
10 leaders in Pursat province?

11 [15.32.58]

12 A. No, I did not meet with leaders from the centre. I met only  
13 leaders at the sector. They convened a meeting and then after  
14 that, the sector leaders would pass on the information to people  
15 down below.

16 Q. When they were holding meetings at the provincial hall of  
17 soldiers and officials of Lon Nol administration, do you know who  
18 among the Khmer Rouge leaders were presiding or giving lectures  
19 or talked during that meeting?

20 A. Ta Kan from the zone committee and Ta Vanh also from zone  
21 committee. And then there were also representatives from the  
22 sector committee.

23 [15.34.43]

24 Q. How about yourself? Where were you at that time and in what  
25 capacity were you there; what did you do?

1 A. I was simply a security guard. I provided security protection  
2 around the province.

3 Q. I have only one more question for you. I'd just ask you for  
4 your clarification in relation to the military structure and then  
5 after this question, I'm going to cede the floor to my esteemed  
6 colleague.

7 You attended training. You must have understood the Khmer Rouge  
8 military structure from your level because you, at that time,  
9 were in charge of a platoon and you had around 30 soldiers under  
10 your supervision.

11 Can you tell the Court about the platoon; what was the  
12 hierarchical structure in the military rank, can you recall, at  
13 that time?

14 A. As far as the military administration or structure was  
15 concerned, we had a platoon comprising of 30 soldiers in a  
16 platoon. And in that platoon, there was a commander, deputy  
17 commander and member. And in a squad, there were 12 members and  
18 from squad then there would be a platoon.

19 Three platoons made up a company and three companies made up a  
20 battalion. And three battalions made up a brigade. And then there  
21 was the higher hierarchy above that.

22 MR. SON ARUN:

23 Thank you, Mr. President.

24 I thank you, Mr. Lim Sat. I do not have any questions. Now, I  
25 cede the floor to my colleague.

1 [15.37.32]

2 MR. PRESIDENT:

3 Mr. Koppe, you may proceed.

4 QUESTIONING BY MR. KOPPE:

5 Thank you, Mr. President.

6 Q. Mr. Witness, I apologize to go back to the question of your  
7 age but just to be clear. This morning, Mr. President asked you  
8 what your age was and you replied that you were 54. Is that  
9 correct?

10 MR. LIM SAT:

11 A. Yes, I did say that. I was 54 when I answered to the  
12 President's question.

13 [15.38.24]

14 Q. On a question from my colleague earlier this afternoon, you  
15 said that you were born in 1955, correct?

16 A. Yes. Yes, I did.

17 Q. Do you know what year we live in, Mr. Witness?

18 A. 2013.

19 Q. Are you sure you are 54 years old?

20 A. I am not sure because I have not done the calculation  
21 beforehand.

22 Q. You also said that you were born in the year of the monkey.  
23 Could it be that the year of the monkey was in 1956?

24 A. (No interpretation, inaudible for interpreter)

25 Q. Could you answer the question, Mr. Witness? Could it be that

1 the year of the monkey was in 1956?

2 A. I do not really know whether or not it was correct, but I only  
3 know that I was born in the year of monkey.

4 [15.41.45]

5 Q. I understand, Mr. Witness, that you joined the Revolution in  
6 1971. How old were you when you joined the Revolution?

7 A. Then, I was 21.

8 Q. Mr. Witness, you said earlier you went to the Pagoda school.  
9 How old were you when you left the Pagoda school to join the  
10 Revolution?

11 A. I stayed in the pagoda when I was around 15 or 16 years old  
12 then I joined the Revolution when I was 21, 22.

13 Q. When you were at the Pagoda school were you also taught how to  
14 make calculations?

15 A. I was only taught the Buddhist Dhamma. I did not study  
16 arithmetic or computing.

17 [15.43.47]

18 Q. Mr. Witness you were speaking about 15 trucks earlier and you  
19 were saying that there were 30, 40 people in a truck. How many  
20 people were there according to you totally in those trucks?

21 A. I actually did not pay attention I only could come up with the  
22 estimated number of people in the car. So it varied from car to  
23 car. It could have been 20, 30 in each car. I did not actually  
24 pay attention to counting the numbers of people because my duty  
25 was merely to guard the place.

1 Q. But if you're correct and there were 15 trucks with 30 people  
2 in the trucks, then how many people were there in total in these  
3 trucks?

4 A. As I said I did not do the counting.

5 Q. I will move on Mr. Witness. Could you tell the Chamber a  
6 little bit more about the fights and the battles that took place  
7 between the revolutionary army and the Lon Nol soldiers, before  
8 17 April 1975?

9 A. From 1971 through 1973 they actually declare the war. The  
10 upper authority had instructed the people in the lower rank to be  
11 prepared to go into war. That was in 1973. And in 1993 (sic) they  
12 waged war against the opposing war up until 1975.

13 Q. My question to you, Mr. Witness, was whether you yourself, and  
14 your platoon, engaged actively in combat with Lon Nol soldiers in  
15 the Pursat Province?

16 [15.47.07]

17 A. Of course my platoon was attached to Pursat Province. And we  
18 were on duty over there.

19 Q. But have you been fighting with Lon Nol soldiers? Have you  
20 been shooting your rifle? Have you -were you wounded maybe in one  
21 of the combat activities with the Lon Nol soldiers?

22 A. Yes we did fight in - with Lon Nol soldiers. And I got injured  
23 once; even now a shrapnel - a piece of shrapnel is inside my  
24 body. And if I work hard then I would see my body swollen because  
25 I was once wounded by shrapnel.



1 Q. And do you remember which year you were wounded – you got  
2 wounded?

3 A. It was in late 1974.

4 Q. And where was that in Pursat province, that you got wounded?  
5 [15.48.45]

6 A. Yes, I was wounded in Pursat province, just a bit way down off  
7 Pursat Province.

8 Q. Was that in combat close to the fortress of Tuol Po Chrey?

9 A. At the fort of Tuol Po Chrey before the 17th of April 1975 I  
10 was stationed over there. But when I was wounded it was somewhere  
11 else, it was not in that place. I actually – my duty station was  
12 from one position to – all the way to Moung district near  
13 Battambang. And we had to actually change our position from time  
14 to time.

15 Q. Were you ever engaged in an attack with the Revolutionary  
16 Forces on the fort of Tuol Po Chrey?

17 A. I was stationed there, and of course I was engaged in combat  
18 over there. My troop were fighting with them and I could not even  
19 retrieve the dead body of my soldiers because they had been  
20 killed when we were engaged in fighting. So two of our soldiers  
21 were dead during the combat.

22 Q. Mr. Witness you have testified earlier that you estimated that  
23 around 100 Lon Nol soldiers, soldiers from the Lon Nol regime,  
24 were stationed at the fortress of Tuol Po Chrey. Could you tell  
25 the Chamber how you got to this number of about 100 soldiers?

1 [15.51.25]

2 A. It was the number of soldiers who were stationed over there.  
3 They're were commandos and military.

4 Q. But had you ever heard in those years before 75 or in 1975  
5 that there were actually around 100 troops in that fortress of  
6 Tuol Po Chrey?

7 A. On the 17 of April 1975 I actually went through this area  
8 through Tuol Po Chrey all the way up to Pursat Province, so at  
9 that time I realize it.

10 Q. There were, according to you, 100 soldiers at Fort Tuol Po  
11 Chrey. Do you know how many soldiers there were stationed at  
12 Pursat province town respectively at Po?

13 A. I do not recall. There were many fortresses. From Pursat down  
14 to Tuol Po Chrey there were around six, seven fortresses: Po  
15 village fortress, Ka Kou (phonetic), Pothivong, and then the  
16 fortress in the provincial towns. And of course there were many  
17 other fortresses, there could have been hundreds or thousands of  
18 fortresses.

19 [15.53.55]

20 Q. Are you able to give an estimate to the Chamber how many  
21 soldiers the former Lon Nol regime were stationed in the province  
22 of Pursat?

23 A. There were so many soldiers, all the way from Moung to Krakor  
24 stream. There were so many Lon Nol soldiers I do not know. I am  
25 sure there is no reason I could know this because there were many

1 fortresses, and they're were so many soldiers of Lon Nol. And I  
2 did not even know how many soldiers there were in each fort. So I  
3 cannot know how many soldiers there were at the time from the Lon  
4 Nol administration.

5 Q. Mr. Witness, you have testified earlier about the commander  
6 and the deputy commander of the fort in Tuol Po Chrey. Commander  
7 Rel (phonetic) - Pel (phonetic) and Commander Run (phonetic) - Ru  
8 (phonetic), what do you know about this commander and his deputy  
9 commander?

10 A. I came along Tuol Po Chrey and at that time they told me the  
11 commander of Lon Nol soldier in Po Village, Pel (phonetic) was the  
12 commander. He was a captain at the time in Po Village. I actually  
13 left Tuol Po Chrey and I stay overnight in Po Village before I  
14 left for Pursat provincial town.

15 [15.56.21]

16 Q. So, Commander Pel (phonetic) was a captain. What else do you  
17 know about him? Was he, for instance, involved in the active  
18 combat with the revolutionary armed forces?

19 A. I did not know how many soldiers were subordinate to him. But  
20 when they convene the soldier to a meeting they actually organize  
21 it. And they actually told me as well who the commander was and  
22 who the deputy commander was. And as for the weaponry, they  
23 transported it to different location. I simply moved on from one  
24 location to another, all the way up to the provincial town.

25 Q. But do you know if Commander Pel (phonetic) or his deputy

1 commander Rum (phonetic) were involved in active combat with your  
2 platoon or other platoons from the revolutionary army?

3 A. On this issue it's a bit difficult. They were on one side and  
4 I was on the other side. I was among the Revolutionary Armed  
5 forces of the Khmer Rouge and they were the armies of Lon Nol.  
6 And we were actually confronting with one and another. So the  
7 situation was fragile and the fighting could erupt at any time.  
8 So, I did not know that much on the other side.

9 [15.58.26]

10 Q. Do you remember names of commanders of the Lon Nol army higher  
11 in rank than Commander Pel (phonetic) and Rum (phonetic) in the  
12 Pursat Province?

13 A. I do not know, I only saw their faces and I also saw the  
14 uniform. They had some military rank with them, for example I saw  
15 a person wearing a uniform with a captain rank, or with a major  
16 rank or so. But I do not know who was who, really. I only knew  
17 their fortress was in this location or in that location, but I  
18 did not know the details.

19 MR. PRESIDENT:

20 Thank you, Counsel.

21 I know that you have further question but may I ask you how much  
22 time do you envisage you will need to put questions to the  
23 witness?

24 Mr. Koppe, can you advise the Chamber as to how much time will  
25 you need to put the question to the witness?

1 [15.59.53]

2 MR. KOPPE:

3 Mr. President, I'm afraid we will be needing the full allotted  
4 time to us so I think we will finish lunch time tomorrow. Excuse  
5 me with 20 minutes, half an hour for the Khieu Samphan team.

6 MR. PRESIDENT:

7 Thank you.

8 It is now appropriate moment already for the day adjournment. The  
9 Chamber will adjourn now and the next sessions will commence  
10 tomorrow at 9 a.m.

11 For tomorrow's sessions the Chamber will begin by hearing the  
12 testimony of Mr. Lim Sat. Questions continued to be put by  
13 counsels for Mr. Nuon Chea and Defence team Mr. Khieu Samphan.  
14 Mr. Lim Sat, your testimony is not complete we would like you to  
15 return to the courtroom tomorrow by 9 a.m.

16 Court officer is now directed to assist with the WESU unit so  
17 that Mr. Lim Sat can be properly assisted during the adjournment  
18 and that he be returned to the courtroom tomorrow by 9 a.m.

19 Security Personnel are now directed to bring Mr. Khieu Samphan  
20 and Nuon Chea back to the detention facility and have them  
21 returned to the courtroom by tomorrow 9 a.m.

22 Mr. Nuon Chea is directed to be brought to his holding cell only.  
23 Where he can observe the proceedings from there through  
24 audio-visual link.

25 The Court is adjourned.

1 (Court adjourns at 1601H)

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