



“Morally, I Take the Responsibility”: Nuon Chea Responds to Civil Parties

By Mary Kozlovski¹

On Thursday, May 30, 2013, four more civil parties testified at a third consecutive victim impact hearing in Case 002 at the Extraordinary Chambers in the Courts of Cambodia (ECCC). The civil parties made statements about the harm they suffered under the Democratic Kampuchea (DK) regime, either before or after being questioned by their lawyers.

Prosecutors and defense lawyers were allowed limited time to question civil parties about facts in Case 002. Both defendants responded to some questions from civil parties during the proceedings. The civil parties who testified were Nou Hoan, Sophan Sovany, Yin Roum Doul, and Po Dina. An additional impact hearing will be held on Tuesday, June 4, 2013.

On May 30, 2013, 600 students from Kampong Cham province attended the hearing. Khieu Samphan was present in the courtroom, while Nuon Chea observed the hearing and responded to civil parties' questions remotely from a holding cell due to his health issues.

First Civil Party Called to the Stand

Civil party Nou Hoan, 79, told the court he was born in Prey Veng province's Preah Sdach district and currently lived in Austin, Texas, in the U.S. He told Trial Chamber President Nil Nonn that his wife died in 1998 and that he has three children. After brief confusion about the order of the civil party's statement and examination by his lawyers, National Civil Party Co-Lawyer Sam Sokon asked him to describe his experiences during the evacuation of Phnom Penh in April 1975.

Nou Hoan Describes Evacuations under Khmer Rouge

¹ Cambodia Tribunal Monitor's daily blog posts on the ECCC are written according to the personal observations of

The civil party testified that during the evacuation, in the middle of the dry season heat, a huge crowd of shocked people moved along; many had few belongings, some wore banana leaves on their feet instead of shoes, and some lost their children and families. Mr. Hoan said the situation was chaotic: they did not know where to obtain food, flies swarmed and there were no toilets, so people had to relieve themselves in the forest. Some people died along the road, and those who were sick were forced by Angkar to keep moving, with certain people leaving their ill family members behind, he recalled.

Mr. Hoan described how his family traveled along National Road 1 toward Prey Veng and Svay Rieng provinces – from where some crossed into Vietnam – and suffered from a lack of food and medical supplies. He told the court he lost one of his daughters, after she stayed with other family members – a group of eight altogether including his in-laws², their children, his daughter, and an elderly mother – during the evacuation and they went in a separate direction. Mr. Hoan recollected being told at a Buddhist ceremony near O’Russey market³ in 1979 by a distant relative who was in the same cooperative that they went to Kampong Speu province. He said he heard that after one of the children fell sick and received a pellet of rabbit droppings, they were taken away at night and executed.⁴

After a black-and-white photograph of several children was displayed on the screen for the parties and the public, Mr. Hoan identified his daughter in the image, saying she wore a flowered shirt and was nine or 10 years old at the time of the evacuation. The civil party still wondered why his daughter and other family members were killed and, though he had other children, he regretted losing his daughter. He added that his younger brother’s family was also lost. Angkar dismantled their house near Neak Loeung⁵, in an area controlled earlier on by Khmer Rouge forces, Mr. Hoan recollected. Families from that area had to either evacuate from their native villages closer to Neak Loeung or take refuge in Phnom Penh, and his family lost their documents, including birth certificates, medical records, and photographs, he said.⁶

When asked how he felt about testifying, Mr. Hoan replied that he was grateful for the opportunity to speak in front of the chamber regarding his personal suffering. On the issue of reparations, Mr. Hoan stated that there were so many victims he could not imagine financial reparations, though even these would not offset the suffering. He reaffirmed that he appreciated the opportunity to speak in court and to the Cambodian people about his suffering and hoped that the chamber would be able to find justice, so that the souls of victims and their family members could feel at peace.

Co-Accused Respond to Civil Party’s Queries

At this point, Mr. Hoan posed two questions to defendants Khieu Samphan and Nuon Chea. He stated that during the course of proceedings, the accused have argued that they knew nothing about what occurred during the DK period. If certain DK leaders were executed when they were in power, Mr. Hoan inquired, did the accused know who was responsible? Secondly, Mr. Hoan

² These in-laws were later identified as Mr. Hoan’s brother-in-law and his family.

³ O’Russey market is located in Phnom Penh.

⁴ This section of Mr. Hoan’s testimony was unclear in the English translation.

⁵ Neak Loeung is a town in Prey Veng province along the Mekong River.

⁶ This section of Mr. Hoan’s testimony was unclear in the English translation.

noted that the defendants asserted that they sacrificed their personal happiness to protect the nation: how could they claim to defend the national interest if they killed their own people, including intellectuals?



Rising from his seat, Khieu Samphan commented that Mr. Hoan's testimony described another tragedy that befell a family, alongside other civil parties' stories. He said he wished to apologize to Mr. Hoan and the Cambodian people that during the DK period he was unaware of their great suffering. As he told other civil parties over the previous two days, Khieu Samphan affirmed that he did not know what was going on during DK because he was not an effective regime leader but a highly educated intellectual who was considered then to be not of "a firm stance." "They only wanted us to know about good things, about progress in the country, and about the atrocity or bad thing that had happened in the country, I was not informed of," the defendant averred.

Continuing, Khieu Samphan said that he joined DK "virtually by accident" because he wished to help the country and mobilize national forces to fight the war. He asserted that when he joined DK, he did not do so to kill innocent people. Khieu Samphan told the court he strongly condemned the murderers who killed Mr. Hoan's family and wanted them to be brought to justice.

After Khieu Samphan finished speaking Nuon Chea, who appeared to be speaking from his holding cell while two security guards supported him, said he wished to reiterate that during the DK period he was deputy secretary of the Communist Party of Kampuchea (CPK), in charge of propaganda and education in the party. He added that he was in charge of "the chairman of the committee for the people's assembly." "In the executive branch, I had no power whatsoever," Nuon Chea asserted. He said he was aware of some things during the DK period but not others:

I am not trying to evade justice, or I am not trying to evade my responsibility, but I am telling you the truth. And I, of course, was the one of the leaders of this government. I am not rejecting my responsibility; I share the responsibility as the leader of this regime but my role, as I told you, that I had no role in the executive branch of the government.

Nuon Chea said that Vietnamese troops arrived to invade Cambodia before he chaired the national assembly. Before sitting down, the defendant expressed his condolences for Mr. Hoan's loss and for his own family members who died.

Nou Hoan Makes Final Statement

Following the accused's responses, Mr. Hoan expressed his gratitude to the UN and the Cambodian government for establishing the tribunal and to the international community for supporting it. "I hope that this tribunal will achieve its mandate and the court will be able to bring justice to the victims," he said. "I am one of the victims who are waiting for the justice." Mr. Hoan added that he hoped his contribution would assist the court.

The civil party said he believed the “organization”⁷ was brutal, wanting Cambodian people to live in a sovereign state with territorial integrity but with policies that did not fit all people. He asserted that the organization was dictatorial and authoritarian in forcing people to abide by its policies and not allowing them to express dissatisfaction. Mr. Hoan said the Khmer Rouge spoke of goals they could not accomplish, such as wanting Cambodia to develop through a “Great Leap Forward.” Rhetorically, he asked how the country was supposed to develop if the Khmer Rouge killed intellectuals. Mr. Hoan recalled that in the 1960s he heard through news and word of mouth that Khieu Samphan was “clean” – an intellectual who was not corrupt, whom he believed would defend the country. He continued, “In Cambodia, there is a saying that goes: if a rotten apple is among other apples in the basket, then the whole basket of apples is considered rotten. And I feel very sorry for you [Khieu Samphan] for having participated with them.”

Finally, Mr. Hoan said he hoped the court would adjudicate the case based on the evidence and the testimony of survivors to find justice for victims and the DK leaders.

Prosecution Questions Nou Hoan

After Mr. Hoan’s statement, National Deputy Co-Prosecutor Seng Bunkheang inquired whether Mr. Hoan went from Phnom Penh to Prey Veng out of choice or because he was ordered. The civil party replied that he and his family were heading toward the eastern side of the city and the soldiers told them to keep walking. He said it took them about a month to reach that destination and they heard that Khieu Samphan would be coming to reorganize the country. Mr. Hoan confirmed that there were Khmer Rouge soldiers along the road they traveled on and he observed some people dead and bodies decomposing. He recalled that some people walked up and down the road searching for their families and his family received some rice from two Khmer Rouge soldiers before crossing the river to their native village.

Under questioning from the prosecutor, Mr. Hoan recollected witnessing writing on a blackboard⁸ directing public servants, police officers, and military officials to register their names to be returned to Phnom Penh, so that Angkar could reorganize the country. He told the court that some people wrote their names but he did not believe it was true and only death awaited them because Cambodian law at that time was “rather strict.” Mr. Hoan mentioned that he had read some “communist doctrines” and observed some Lon Nol soldiers being taken aside as they traveled, which he believed was an indication of danger. Some people told him that they thought those people were being taken away and killed, he added.

Pressed about his reference to Khieu Samphan returning to Phnom Penh to “reorganize,” Mr. Hoan stated that some families travelling toward Prey Veng who knew Khieu Samphan stated that he would return to Phnom Penh and invite former civil servants to come back.

The civil party recalled that upon reaching his native village, the Khmer Rouge searched their belongings, confiscating medical equipment like syringes, though not taking away medicine. He told the court he only remained there for a week because people formerly from the village returned after liberation and his family was sent to another village about three kilometers away.

⁷ This is believed to be a reference to “Angkar,” which means “organization” in Khmer.

⁸ The location was unclear in the English translation.

Around May, Mr. Hoan recollected, he attended a study session at the Preah Sdach office⁹ with about 300 people – including his uncle and younger brother – where they had to sleep on the ground and there was no food except red corn, watery soup, and a bit of salt.¹⁰

Defense Teams Cross-Examine Civil Party

Firstly, National Co-Lawyer for Nuon Chea Son Arun inquired about Mr. Hoan's educational and professional background. The civil party replied that he left primary school in 1953 and went to study at a college in Svay Rieng province, after which he passed the exam to become a health department employee. He stated that he worked in many positions in the health ministry between late 1958 and 1975 and confirmed that he lived in Preah Sdach district in Prey Veng before the evacuation. Describing the Khmer Rouge soldiers, Mr. Hoan said they wore black uniforms, wore car tire sandals and berets, and carried AK-47s. He told the defense lawyer that he remained in the same cooperative in Prey Veng province's Preah Sdach district during the regime. When asked about the death of his daughter, Mr. Hoan said he only knew that she and his younger brother-in-law's family were gathered up during the night, but he did not know how or where they were killed.

After the Nuon Chea defense concluded their questioning, National Co-Lawyer for Khieu Samphan Kong Sam Onn inquired about Mr. Hoan's knowledge of Khieu Samphan's role in Cambodia during the 1960s. The civil party replied that he knew Khieu Samphan had a newspaper called *L'Observateur* and that he was a representative in the National Assembly under the Sangkum Reastr Niyum regime and became a secretary of state at the Ministry of Commerce. Through word of mouth, Mr. Hoan said, he heard that Khieu Samphan was a "clean person" and "anti-corruption," adding:

I also heard a rumor ... that one day when he was the secretary of state of the Ministry of Commerce, a capitalist bought a brand new Mercedes and left it under his house with the car keys. And upon his return from work he asked whose car it belonged to, then the one who worked at his house said this person gave it to him, but then he asked his driver to return the car. Although it is true or not, is beyond my understanding.

Mr. Hoan stated that he read in newspapers that Khieu Samphan left Phnom Penh for the maquis forest, which he believed were areas under Khmer Rouge control. When asked about the meaning behind his earlier reference to a Khmer proverb about rotting apples in a basket, Mr. Hoan responded that Khieu Samphan had acknowledged that he was an intellectual and regarded as a person of "soft stance."

There is a Khmer proverb that one rotten apple would rot all the apples in the basket – this could mean that he was a clean person, a non-corrupt person, and how come he could go and live with the black-hearted group of the Khmer Rouge? For that reason, we could infer that he would also become a rotten apple. Although even now Khieu Samphan still claims that he is a clean person, a non-rotten apple, but based on the saying he's also part of the rotten apples in the basket.

At this point, International Co-Lawyer for Khieu Samphan Arthur Vercken asked who told Mr. Hoan that Khieu Samphan would return to Phnom Penh to reorganize the country. The civil party

⁹ Preah Sdach is a district in Prey Veng province.

¹⁰ This section of Mr. Hoan's testimony was unclear in the English translation.

responded that his family members who worked in Prey Veng provincial hall received that information. Following a somewhat ambiguous question about medicine, Mr. Hoan said during the evacuation they were able to hide some medicines with them, and the Khmer Rouge thought some modern medicines were imperialist, so they had to be self-reliant. The civil party said Angkar felt that “imperialist materials” would not help the sick and those with access to modern medicine from France had to hide it from others and from the Khmer Rouge.¹¹

Second Civil Party Begins Testimony

Civil party Sophan Sovany was called to the stand. She told President Nonn that she is 57 years old; she was born in Phnom Penh and currently lives in Pursat province’s Kandieng district, where she works as a rice farmer. Ms. Sovany said her mother and father were dead. She has a husband and three children.

Sophan Sovany Describes Experiences under Khmer Rouge Regime

Beginning her statement, Ms. Sovany testified that on April 17, 1975, she was living with her family in Phnom Penh when they heard an announcement on a mobile loudspeaker that they had to leave their house because Americans would drop bombs imminently. She recalled that the family did not believe it and went to the main road from the side road their house was on, where they heard the same message. Two or three militiamen entered their house and asked why they were still there, and after hearing shots fired into the air, they rushed out to the main road, she recollected.



Ms. Sovany described the road as “packed with people,” including the sick, along with bicycles, vehicles, and rickshaws; one person who requested that they return to find their family members were not permitted by Khmer Rouge soldiers, who made people move along the roads and carried weapons. The civil party said there were flies and human excrement everywhere and dead bodies on the roadside. She testified that it took the family two days to reach Prek Pneu¹², where they drank whatever water they could get and Khmer Rouge soldiers announced – to peoples’ shock – that there would be no market and money could not be used. People wondered how they could obtain food and had only brought small things with them, Ms. Sovany recalled, adding that some people threw away their money or burned it.

After crossing Prek Kdam¹³ by ferry, Ms. Sovany testified that they continued walking for 15 days and almost reached Kampong Thom province and stayed in a pagoda where there were no monks and some Buddha statues were damaged. Four or five military personnel arrived the next day and told them to work in the village and there was no need to go to Kampong Thom, she recounted. Ms. Sovany said the village chief arrived the next day and instructed them to pull rice seedlings, which they did not know how to do because they were a family of business people. “I did not even know what rice stalks looked like,” Ms. Sovany told the court. They continued to

¹¹ This section of Mr. Hoan’s testimony was unclear in the English translation.

¹² Prek Pneu is an area located along National Road 5.

¹³ Prek Kdam is located along National Road 5 in Kandal province.

work for four or five days before her father requested to go to Kampong Thom to find his parents, she said. Ms. Sovany recalled that a few soldiers scolded his father for being capitalist and not wanting to do the work assigned by Angkar, instructing them to keep working and saying they would ask that his parents came if the family worked well.

The civil party described how the next day a fisherman took pity on the family and told her father secretly to flee, as the family would be killed because they were considered capitalists. The man helped them to escape that night on his boat, she recollected, after which they continued through the jungle amid swarms of mosquitoes before making it to village whose chief could not take them because they were “17 April people”¹⁴ and directed them to Rokar Kaong.¹⁵ In Rokar Kaong, the family located her father’s nephew and were permitted by the village chief to stay and work with the base people there, she recalled. After two days, they were asked to cut “kok,”¹⁶ which caused their hands to bleed because they did not know how to do it properly, Ms. Sovany told the court. Following four or five days spent cutting the plants, the civil party said, it took her 15 days altogether to make a trip on a bicycle to retrieve salt and rice rations. The civil recalled that she was exhausted when she returned home and the family received only one kilogram of salt after being promised half the amount she could carry.¹⁷

Three or four days later, Ms. Sovany recollected that the Khmer Rouge announced that new people in Rokar Kaong would be transferred to work in the rice fields in Pursat and Battambang provinces, where rice was abundant and stored in warehouses. Though the family did not believe this information, Ms. Sovany told the court, they had no choice and left on a boat guarded by Khmer Rouge soldiers. The civil party said some children cried because they were hungry – as did her younger siblings – and they were shouted at to look after the children or be thrown overboard. After disembarking off the boat, Ms. Sovany said they were put into three or four trucks that went to a railway station, where they were closed into wagons and not permitted to relieve themselves. She told the court they got off the train and onto trucks in Pursat province, travelling to a cooperative in Kandieng district where there was nothing but forest. Ms. Sovany recalled that the family had to clear bushes to farm and build a hut for shelter and at the time they were given five cans of rice per person, within her family of eight people.

Describing their division of labor, Ms. Sovany recollected that her father was asked to clear bushes, her mother to do other jobs, and her brothers and sister were in the mobile unit, while Ms. Sovany was attached to the district mobile unit and had to separate from the family. She testified that there was no food and she almost wanted to commit suicide. Later, Ms. Sovany heard from a man she knew that her father was sick in Kandieng hospital and escaped across a stream to visit him, but was told he had already died and would not tell her about her mother’s health condition.¹⁸ She recalled hearing a few weeks later that her sisters had died from disease. After her position changed, Ms. Sovany told the court, she went to look for her younger brother,

¹⁴ “New people” and “17 April people” are terms used to refer to people who were evacuated from cities.

¹⁵ Rokar Kaong is a village in Kandal province.

¹⁶ “Kok” in Khmer is a plant with sharp fronds.

¹⁷ This section of Ms. Sovany’s testimony was unclear in the English translation. She mentioned carrying back 50 kilograms of salt, but it was unclear if this also included the ration of rice.

¹⁸ This section of Ms. Sovany’s testimony was unclear in the English translation.

who she found sick and who begged her desperately for a bite of rice. The civil party said she could not help him and he later died of starvation and disease.

Thereafter, Ms. Sovany testified, she was transferred to dig canals and dykes, but she decided that she would not go and left, walking into the forest until she reached Damnak Choeu Krom¹⁹ along the Cardamom mountains and met the cooperative chief.²⁰ Ms. Sovany said she told the chief that she was asked to cut wood in the forest, but lost her way. The civil party recalled that she was permitted to join the cooperative and was assigned to dig canals, where the conditions were harsh and she had to carry water from the stream and break rocks. She described her hands as bleeding and swollen, but added that she could not protest. “Before my father passed away, he once told me that I had to struggle, I had to live on in my life, so I had to continue to live,” Ms. Sovany recollected.

Next, Ms. Sovany detailed several events that she witnessed at that particular worksite. She described a young woman who was executed because she hid a necklace and whose leg was visible in the earth in which she was buried. They were told in the cooperative not to be “reactionary” and learn their lesson from that young woman, the civil party recalled. Ms. Sovany said another woman in her cooperative who was seen eating a piece of baked potato could not tell militiamen where she got it and was frogmarched away, blindfolded, and beaten until she was motionless, before being dragged away “like an animal.”

Ms. Sovany told the court that another woman who committed “sexual wrongdoing” and was seven months pregnant was frogmarched into the forest by three militiamen. Ms. Sovany testified that she followed them and witnessed her being unclothed and beaten to death with a hoe, before a soldier cut open her abdomen. After she returned to her worksite, the civil party said a female unit chief could not complete her work quota because she sprained her ankle. In the evening, Ms. Sovany testified that the woman was shot and killed, then buried in a pit she dug herself. The civil party said she also saw two trucks carrying people whom she was told were being taken to work somewhere else; however, the next day they returned clothes and sandals to the worksite and she thought the people must have been killed. Finally, Ms. Sovany informed the court that her life had been miserable and she lost her parents, siblings, and relatives.

Prosecution Briefly Questions Sophan Sovany

After Ms. Sovany’s statement, International Assistant Co-Prosecutor Dale Lysak inquired if she knew of a place called Tuol Po Chrey. The civil party responded that Tuol Po Chrey was far from her village, but she learned after 1979 that it was a place where soldiers were executed. Noting that the defendants had claimed one reason for moving people from Phnom Penh was so they would have enough food to eat, Mr. Lysak asked if Ms. Sovany and her family had had sufficient food in any of the locations to which they were evacuated. Ms. Sovany said that if they had enough food her parents, relatives, and siblings would not have died.

Neither the Nuon Chea defense nor Khieu Samphan’s defense had questions for Ms. Sovany. Her testimony concluded.

¹⁹ Damnak Choeu Krom is a village in Pursat province.

²⁰ This section of Ms. Sovany’s testimony was unclear in the English translation.

Third Civil Party Called to Testify

Next, civil party Yin Roum Doul entered the courtroom. He told President Nonn that he was born in 1965 in Phnom Penh and would be 48 years old in 2013. Mr. Roum Doul stated that he currently lives in Siem Reap province's Siem Reap district where he works as a civil servant and is married with two children.

Yin Roum Doul Details Life during the DK Period

Beginning his statement in 1975, Mr. Roum Doul testified that he was 10 years old and living with his parents near Chenla Theater when the Khmer Rouge took control of Phnom Penh. He recalled applauding with others when he saw the black-clad soldiers and seeing Cambodian people raise white flags and cheer for the return of peace. Mr. Roum Doul told the court he went to watch incoming tanks, artillery and cannons; after returning to his house between 10 a.m. and 11:30 a.m. he was shocked to hear gunshots fired in the street. The civil party described Khmer Rouge soldiers with pants rolled up to their knees carrying AK-47s and shooting into the air. After shots were fired into a house opposite theirs, the soldier who lived there returned fire, he recalled.

In the evening, the Khmer Rouge shot twice into his house – perhaps firstly with an M-16 or AK-47 and then a rocket launcher – and his family decided to leave, walking toward Monivong Boulevard and seeing dead bodies. When they reached Chbar Ampeu²¹ in the morning, the Khmer Rouge demanded to know his brother's and elder cousin's identities; his brother showed them his student identification card and they were let go, Mr. Roum Doul said, adding that they then went to his grandfather's house in Prek Eang village²² where they stayed for a few days. Mr. Roum Doul testified that his mother and elder brother elected to return to his mother's area in Kandal province, where a village chief in Ksach Kandal district did not permit them to stay because they knew his father was a professor and senior public servant. He stated that they were then moved to Morbang village in Vihear Suor commune²³, where they lived for a few months before the authorities evacuated them. His parents and family members – including his partially paralysed grandfather – stopped at Prek Prosop village in Ksach Kandal district and were put on a boat to Phnom Penh, which was “emptiness and silence” when they arrived, Mr. Roum Doul recollected.



From Phnom Penh, he said they boarded trucks to Pursat province's Bakan district. After stepping off the trucks they were put on ox-carts and taken to O'Prek village in Metoek commune, where Mr. Roum Doul stated that he was assigned to a children's unit separate from his mother, grandparents, and family members. Mr. Roum Doul testified that he was tortured and beaten for stealing a potato and sugar cane because he was hungry and there was no food. He told the court he was tied up and beaten – his eyebrow split – and he tried to run away but was

²¹ Chbar Ampeu is a market in Phnom Penh.

²² It is unclear which province this village is located in.

²³ This is believed to be in Ksach Kandal district in Kandal province.

brought back. After stealing and eating some rice seedlings one night, Mr. Roun Doul recalled, the village chief arrested him and handed him over to the militia. He stated that at the time his mother was in hospital and she said that his being arrested was like her being arrested. Mr. Roun Doul said the militia walked him with his mother to a prison in Metoek commune, where he became emaciated and swollen partly because of a lack of food. While in prison, Mr. Roun Doul testified, he was beaten unconscious and interrogated and forced to engage in heavy labor digging and carrying soil and planting rice seedlings.

Mr. Roun Doul described a meeting at which the village chief and leaders announced that if any person fled from a prison the entire family would be smashed. However Mr. Roun Doul said his mother believed he must flee, so he escaped one night during heavy rain as the militia changed shifts, reaching the village where his grandmother was living. When his aunt went to the prison where his mother was detained, she was told that his mother had died, Mr. Roun Doul recollected.²⁴ “I was victimized by the regime under the leadership of Ieng Sary, Pol Pot, Nuon Chea,” he said. Later, Mr. Roun Doul told the court that he feared the militia would come after him, so he left the village and met with his cousin who worked in a transportation unit, whose chief “rescued” him.

The civil party said “Theu,” the unit chief, allowed him to stay in the unit because they needed someone to herd buffaloes and cattle, and defended him against several attempts on his life. “[Theu] told the chief of the militia not to mistreat me because I was young and I knew nothing,” he recollected. Mr. Roun Doul testified that he witnessed the torture and killing of people from Svay Rieng province in 1978, which Theu told him to keep quiet about. Theu also told him to stay quiet after he saw a family of about five or six people executed by the Khmer Rouge, he recalled. Mr. Roun Doul said he knew of a woman who was raped by the militia and then killed.

Mr. Roun Doul told the court he lost his parents and his uncle, which was painful for him as a child, and he had been waiting 34 years for this day:

I want them to give back what they owed me in their names as the leaders of the regime. They have to be responsible for those acts. They have to open the new chapter of the history and to reveal the bad things that they act under the Khmer Rouge regime, in their names as the leaders. ... What was the morality of the leaders? And that’s for you, Khieu Samphan, to think, likewise for Nuon Chea. You are one of the intellectuals, you should consider that, and you must dare facing the truth and tell the truth to the nation and the world, and you should not feel regret to do so.

Lawyer Asks Yim Roun Doul about Requests for the Court

Under questioning from National Civil Party Co-Lawyer Chet Vanly, Mr. Roun Doul stated that his father Yin Sinaret was a professor and senior military officer.²⁵ The civil party said he wished for Nuon Chea and Khieu Samphan to tell the truth and wanted the court to find justice for himself and the nation and punish the perpetrators in proportion to the crimes committed. He

²⁴ This section of Mr. Roun Doul’s testimony was unclear in the English translation.

²⁵ In this response, Mr. Roun Doul stated that his father was arrested on April 16, 1975, and he disappeared. However, during his previous statement, he mentioned being with his parents. Furthermore, in this answer he said his father was a commander of Division 16 of the Khmer Rouge forces, but previously spoke of his father as a senior civil servant. These points are unclear in the English translation.

added that he did not wish to claim reparations but asked for a stupa to be built for his parents in Ksach Kandal district.

Civil party Puts Questions to Accused

Posing his questions to the two accused, Mr. Roun Doul inquired if they knew about the arrest and disappearance of his father – a professor and colonel based near Neak Loeung – and if they considered and regretted the consequences of killing and separating family members and their participation in the regime. Then he asked if the accused, as intellectuals, would tell the truth about the events that occurred in DK and planned to express sorrow to him, the nation, and the world. Finally, he asked Khieu Samphan what he knew about people’s living conditions, suffering as they did from hunger, detention, arbitrary arrest, torture, and killing.

Khieu Samphan replied that he would feel the same sorrow and pain if he were Mr. Roun Doul. He told Mr. Roun Doul that he never knew the civil party’s father and felt sorry for his disappearance and killing. Khieu Samphan repeated that after fleeing the city and taking refuge in the forest, he was under the Khmer Rouge leaders’ protection until 1979. He asserted that his role in DK was to save his own life and he never knew about the atrocities committed by military commanders and leaders – which deserved condemnation – or the great suffering of the people. The defendant offered his condolences to the civil parties who had testified and their families but said he was not a CPK ideologue. As in previous responses, Khieu Samphan reiterated that he did not join DK to kill people but to help protect and develop Cambodia. “Unfortunately, it turned out to be a complete disaster,” he admitted. Khieu Samphan emphasized that he would cooperate with the court to the best of his ability, hence he was answering civil parties’ questions and was prepared to answer those posed by other parties.

Recalling that he had put his hands together to apologize to civil party Huo Chantha, Khieu Samphan said through her he would like to apologize to all Cambodian people who suffered under the regime and offer his condolences. Turning back to the DK era, the defendant argued that while people looking from the outside would consider him a person of authority – indeed, his title was “huge” – he had no power and no authority to arrest anyone. Khieu Samphan said he was working in a top position but did not know what was happening on the ground or that people had been tortured, abused, mistreated or detained arbitrarily at the bases. He added again that he did not have a decision-making role in DK. Referring to Mr. Hoan’s comment describing him as a rotten apple, he stated, “I am not a rotten apple because I did not commit these heinous crimes and those who committed these crimes would be the most stupid person on Earth and I would not imagine that anyone could commit such a very serious crime.”

After Khieu Samphan finished speaking, Nuon Chea, sitting on a bed in his cell, said he wished to say that he was responsible for what happened during the DK period. Elaborating, the defendant stated:

I am not evading my responsibility; I am bearing the responsibility from my heart. I am being frank with you in my capacity as a member of DK. I accept the responsibility, even though I committed directly or indirectly, but I feel remorseful for the crimes that were committed intentionally or unintentionally, and whether or not I had known about it or not known about. And I would like to reiterate that I take the responsibility morally. Morally, I take the responsibility.

Nuon Chea expressed condolences for Mr. Roum Doul's family. He repeated his earlier remarks about his role during the DK period and lack of authority in the executive branch of government.

Prosecution Examines Yin Roun Doul

Under questioning from Mr. Bunkheang about Khmer Rouge soldiers shooting at his house on April 17, 1975, Mr. Roun Doul repeated his earlier testimony about the incident. He added that the Khmer Rouge launched a rocket propeller into the house of a nearby resident – a colonel who had exchanged gunfire with them – whom he believed was killed. He then described how his brother brought a car during the evacuation but it ran out of gasoline. There was great misery, Mr. Roun Doul recalled; some people had IVs still in their hands and corpses were strewn along the street but his family could not help others. Mr. Roun Doul testified that they did not have sufficient food or water and his mother dumped their banknotes because they were rendered useless. He told the prosecutor that he travelled to Pursat by train around late 1975 or early 1976 with many other people, and at the time he had never heard of Tuol Po Chrey.

Neither of the two defense teams had questions for Mr. Roun Doul. President Nonn announced that his testimony had concluded.

Fourth civil party Quizzed about Family Background and Evacuation

Civil party Po Dina, 60, told President Nonn that she was born in Koh Dach commune, in Kandal province's Muk Kampoul district but currently lives in Kampong Speu province's Chbar Mon district. Ms. Dina said she worked in a laundry; her husband had died and she had one child.

Under questioning from National Civil Party Co-Lawyer Ty Srinna, Ms. Dina testified that before 1975 she lived close to the Thai Embassy, near the Royal Palace in Phnom Penh; her husband Sao Sarin worked in the Thai embassy, where she was also employed in the kitchen. Ms. Dina described their living condition as good, but on April 17, 1975, Khmer Rouge soldiers entered their house asking for the owners. She repeatedly told them the owners were not in and she was a guard, but they did not believe her and smashed things in the residence. Ms. Dina said that when her husband heard the noise he came out and was grabbed by four or five soldiers, who asked if he was the owner. Her husband also stated that they were guards, Ms. Dina recollected, but they did not believe him either and beat him with a rifle butt, kicked him, and told him to tell the truth. Though Ms. Dina said she begged them not to mistreat her husband, they continued kicking him and tied his hands behind his back.

At this point, Ms. Dina recalled, Prince Norodom Kontal emerged and asked the soldiers not to mistreat her husband, but they did not desist. Crying, the civil party recounted how they eventually released her husband and left but that another group of soldiers later arrived, threatening them and telling them to leave immediately because they needed to "reorganize" the city. They rode on a motorbike to



Monivong Bridge where they witnessed people marching out of the city and then had to walk, sleeping on the way and fainting from physical weakness, Ms. Dina told the court.

The civil party testified that it took them a few days to get to Prek Eang, where they heard through a loudspeaker that people from Phnom Penh had to register. Ms. Dina said her husband wanted to register but she warned him that they should not and so they continued walking, heading for her hometown of Koh Dach village in Kandal province's Muk Kampoul district. Ms. Dina described their arrival as follows:

When we got there, they once again called us for family registration. We registered the members of our family, and they categorized us as 17 April people. They called us 17 April people. They told us that we were 17 April people, so we could not stop over there. We had to go on walking. And I begged them to [let us] stay there for some time because we had been tired and they refused. They said that ... their village was in the state of a shortage of food supply, so we had to go on.

Prompted by Ms. Srinna, Ms. Dina recalled that they had no spoons, pots, or anything to prepare food during the evacuation and they witnessed Lon Nol soldiers tied up and frogmarched in lines. She said she was frightened by the scene and did not know what had happened to their families. Upon reaching her hometown, Ms. Dina testified, they had no shelter or food, after receiving four cans of rice for a few days.²⁶ After a month the family boarded a double-decker boat with some 30 to 40 families and their belongings were confiscated, Ms. Dina told the court. They traveled northward for about two hours and got off the boat and onto trucks, which arrived in Pursat the following morning. She described people being hungry on the journey and children crying because they had been separated from their families. Based on the number of family members, the civil party testified, they were put into different cooperatives, had no food or shelter, and had to sleep on the ground.

Ms. Dina said they were evacuated to another area with about 10 families, which also had no shelter. She testified that her husband was assigned to plow the rice fields and one day he disappeared²⁷, after which she heard a rumor that he was taken for re-education because he was accused of being a colonel under the Lon Nol regime. Later, Ms. Dina told the court, some militiamen followed her to discover if she was the wife of a colonel or not. At this time, Ms. Dina described how she fell ill and grew weaker because she lost her husband and was accused of being married to a colonel. She recalled that she was made to work extremely hard and could not go anywhere, even to get food rations, and had to send her six-year-old child instead. Ms. Dina stated her son fell ill from starvation after her husband disappeared and begged her for food before dying in front of her. "As a mother, I did not have anything to feed him," she related. "I feel resentful and I feel angry with myself that I could not help my son." Later Ms. Dina heard that her mother was seriously ill, but she was not permitted to visit her before she died and was told that medical staff would bury her.

My life was like a woman in the Cambodian folk tale, that I lost everyone: my husband, my mother, and my son. I no longer had any hope with me. My life would become meaningless as all the valuables to my life, that is, my beloved ones, all left.

²⁶ At this point, Ms. Dina said they had to work in the rice fields, after previously stating that they were not permitted to stay. This section was unclear in the English translation.

²⁷ This section of Ms. Dina's testimony was unclear in the English translation.

Ms. Dina recounted an attempt was made after her son died to force her to marry another man, which she refused and for which she was subsequently beaten and imprisoned.²⁸ She testified that she was interrogated, told she was stubborn and did not follow Angkar's orders, and would be smashed. Ms. Dina said she kept quiet as they beat her. While in the prison, the civil party told the court she witnessed a man tied up, blindfolded with a plastic bag, and asked if he was a Lon Nol soldier. Though the man denied it, they kept repeating the same questions and beating him, she recollected. Ms. Dina described how she was then sent to a hospital two or three days later and three weeks later, requested a transfer to a farming unit.

While in another area transporting rice up a mountain²⁹, Ms. Dina testified, she saw people lined up and stabbed with bayonets and, later, Khmer Rouge soldiers opening fire on people from "the east."³⁰ After being transferred from a tree-stumping group to a plantation group, Ms. Dina recollected, they mistakenly went to the wrong area and were arrested and detained. She detailed being shackled with chains and beaten for four or five days, before managing to escape and requesting to her unit chief that her other group members be released.

Under further questioning from Ms. Srinna, Ms. Dina said she also lost her elder brother who worked at the Thai embassy, his wife and their children, another elder brother who was a naval officer – a colonel in Kampong Chhnang province – and her younger brother, who also disappeared.

Prosecution Presses for Detail on Po Dina's Testimony

At this juncture, Mr. Lysak sought more information about Lon Nol soldiers whom Ms. Dina said she had seen tied up and frogmarched away during the forced movement from Phnom Penh. She replied that she saw this near Boeng Snau, as they were walking in the opposite direction along the road toward Phnom Penh. When asked if the Khmer Rouge ever discovered that Ms. Dina had a brother in the navy in Kampong Chhnang, she told the prosecutor that when she arrived in Pursat, they researched her background, and her husband told them he was a motorbike taxi driver.

Nuon Chea Defense Cross-Examines Civil Party

Recounting Ms. Dina's previous testimony, Mr. Arun inquired about the appearance and attitude of the Khmer Rouge soldiers who entered her house on April 17, 1975. The civil party answered that they were "cruel" and wore black clothing, car tire sandals, and scarves around their necks. They carried rifles, she added.

When asked about the identity of Prince Norodom Kontal, Ms. Dina stated that on April 17, 1975, the prince fled from his residence to take refuge in the residence that Thai embassy staff rented from Princess Peou.³¹ Ms. Dina testified that she did not know what happened to Prince Norodom Kontal after he left the house. "The soldiers did not seem to react to him as he begged

²⁸ In this response, Ms. Dina described this as a "prison without walls." It was unclear in the English translation whether she was being literal or not.

²⁹ The location of this area and mountain were unclear in the English translation.

³⁰ This section of Ms. Dina's testimony was unclear in the English translation.

³¹ Princess Peou is a relative of Prince Norodom Kontal, who was a relative of Norodom Sihanouk.

them not to mistreat my husband and to release him,” she recalled. “One of the Khmer Rouge soldiers nodded his head and untied my husband.”

After Mr. Arun finished questioning Ms. Dina, the Khieu Samphan defense team announced that they had no questions for the civil party. Her testimony concluded.

President Nonn adjourned the hearing. Proceedings are set to resume on Tuesday, June 4, 2013, at 9 a.m., with a fourth and final victim impact hearing.