

Sao So Run continued his testimony before the ECCC Trial Chamber on Wednesday.

Prosecution Conducts Productive Examination Despite Witness's Hampered Memory

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The Extraordinary Chambers in the Courts of Cambodia (ECCC) resumed testimony of witness Sao So Run Wednesday, June 6, 2012 in Case 002 against accused Nuon Chea, Ieng Sary, and Khieu Samphan. Though the witness's age posed some difficulties during examination, he remained cooperative and agreeable throughout the day.

Villagers from Takeo province filled the public gallery during morning proceedings, but school children took their place in the afternoon. The students' energetic presence had been absent Monday and Tuesday, the public gallery having been largely filled by villagers and a few scattered tourists. On Wednesday, however, 200 students from Pong Toek High School poured out of buses onto ECCC grounds. Though their excitement was likely the product of missing class, the students remained absorbed in the ongoing trial for a large part of the afternoon. Unlike the previous week and a half of proceedings, the day's discussion moved from abstract concepts of Khmer Rouge political policy to the atrocities visited on the Cambodian people during the Democratic Kampuchea (DK) period.

Elderly Witness Continues to Struggle with His Memory

After granting accused Ieng Sary permission to participate in proceedings remotely from his holding cell, Trial Chamber President Nil Nonn handed the floor over to Deputy Co-Prosecutor Seng Bunkheang.

Mr. Bunkheang began the day's examination by inquiring whether the witness participated in any meetings in Kampong Thom province in 1972; Sao So Run replied that he had not. To help refresh his memory – which seemed all but required when questioning this witness – Mr. Bunkheang read to the Court a statement the witness had made during his interview with the Office of the Co-Investigating Judges (OCIJ); in the statement Sao So Run said he attended a 1973 meeting in Kampong Thom province along with Ky, Svay, and Cham. Hearing his former statements to the OCIJ, the witness recalled that he had in fact attended the meeting. He also recalled Pol Pot being present.

Mr. Bunkheang informed the witness that he had also said the accused Nuon Chea was present at the meeting; Sao So Run said that was correct. The witness also recalled other representatives from the various provinces being in attendance but could not provide any names. He also could not recall how many people were in attendance, but he was able to remember the meeting lasted around 10 days.

Inquiring about party leader participation, Mr. Bunkheang asked the witness if any other leaders besides Pol Pot made presentations at the meeting. The witness replied that he could not recall any others. To help refresh the witness's memory again, Mr. Bunkheang read another statement from the witness's OCIJ interview. "Nuon Chea was the political presenter regarding the fighting against the American Imperialists," his statement read. "Is that correct?" Mr. Bunkheang asked. The witness said it was. Mr. Bunkheang asked the witness to elaborate upon the content of Nuon Chea's presentation, but Sao So Run replied that it "was merely about the liberation of the country."

Sao So Run said he did not know Khieu Samphan and never met him until after the liberation of Phnom Penh in April 1975.

Mr. Bunkheang changed topics, asking the witness about the relocation of residents from Koh Nhek province that he had mentioned the day before. "There was difficulty and lack of farmland at the border, so people were relocated," Sao So Run explained. He did not know the exact reasons for the relocation, however; all he knew, he stated, was that there was "less free land in Koh Nhek district." The relocation of people from Koh Nhek to Mondul Kiri province began in 1976 or 1977, he explained, but cooperatives were not created in Mondul Kiri until 1977.

Regarding the living conditions of the people, Sao So Run said that from 1973 to 1975 people ate separately; however, after 1976 or 1977 the people ate "communally" in groups of twenty or thirty people. Asked if there was an establishment of a "mutual assistance groups," the witness said before 1975 there were "kinds of solidarity groups to assist one another."

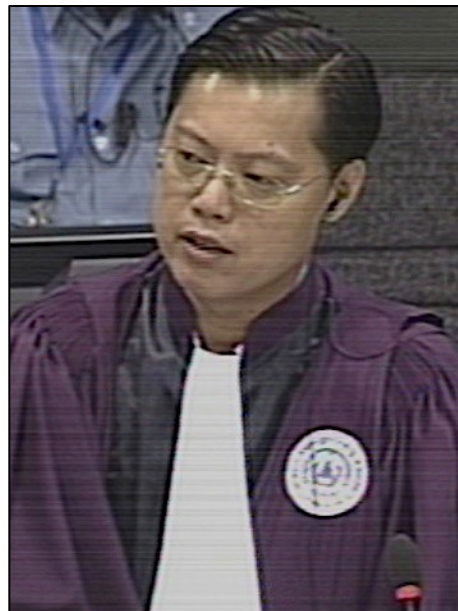
Moving on to the topic of the forced evacuations, Mr. Bunkheang asked the witness where he was on April 17, 1975. Sao So Run replied that he was in Pich Chenda district. He stated he was not aware of the plan to evacuate the city and that none of the evacuees were sent to Pich Chenda at the time. He also informed the Court that he had not heard of the term "new people."

Because the witness had told the Court he was the Secretary of the Pich Chenda district from 1971 to 1978, Mr. Bunkheang asked the witness if he noticed “any significant change” in his responsibilities after 1975. Sao So Run replied that he noticed nothing different in his role as secretary.

Asked about the reporting system between district and sector levels, the witness explained that, as a secretary of a district he reported to the sector about “rice farming and rice production” around once a week.

Mr. Bunkheang asked the witness if he was “empowered with the authority to arrest someone.” Sao So Run replied firmly, “No, I was not. As the Secretary of Pich Chenda, I never ordered the arrest of someone.” He did not know if the Secretary of Sector 105 had such authority.

Regarding his attendance at sector meetings, Sao So Run said he attended them in his capacity as a member of the sector’s health affairs committee. These sector meetings, he explained, were normally held once a month or bimonthly at the sector office. The attendants represented all the districts within the sector. Sao So Run explained that the meetings concerned “the management of the people” and “the welfare and livelihood of the people.” He also said they discussed ways to “lift” the people out of poverty.



Moving on, Mr. Bunkheang asked Sao So Run to elaborate on the district meetings he attended. The witness explained that as the Secretary of Pich Chenda, he chaired district meetings when he was called to do so by his sector (Sector 105). Like the sector meetings, the witness said they were usually held once a month or bimonthly; the attendants consisted of the deputy secretary of the committee, the district committee members, and the secretaries of the communes within the district. The witness said Ta Phak was the deputy secretary of Pich Chenda, but he could not recall Ta Phak’s “full name.”

Sao So Run explained that he received regular reports from the commune committees “on a monthly basis.” The communes, he explained, reported on rice production as well as “the management of their locality.” When asked how many days a week he worked, he said, “It was not regular. Sometimes we worked one day a week or two days a week.”

Mr. Bunkheang then asked about Sao So Run’s knowledge of office “K-11.” The witness said he knew of office K-11, meaning that he had heard of it, but added that he had no detailed knowledge of its role or functions. He did recall, however, that the office was located close to the sector office near Phnom Krom Mountain. Despite the witness’s statement that he “knew nothing about K-11,” he did recall that a man named Sophea was in charge of it; he also stated that Sophea was in charge of the sector military committee.

Moving from K-11, Mr. Bunkheang inquired whether there was a commerce office in Sector 105. Sao So Run was able to recall such an office but did not know its “code number.” When asked if he recalled office K-16,” he remembered that K-16 was “the office dedicated to economic affairs of the sector.” Like office K-11, K-16 was also located close to the sector office, he explained. But he could not say who was in charge of the office. “I was only aware of the affairs within my district,” Sao So Run asserted.

Moving down the list of offices located within the witness’s district or sectors, Mr. Bunkheang inquired if there were “correction or security centers” in the district. Sao So Run replied that there were no correction or reeducation centers at the district level but that they existed at the sector level. Like both office K-11 and K-16, the witness informed Mr. Bunkheang that the reeducation center was located near the sector office. Again, when asked who was in charge of the center, Sao So Run responded, “I do not know because it was the affair of the sector level.”

Mr. Bunkheang launched into another topic, focusing on the witness’s political training between 1975 and 1979. “To my understanding the political line of the party was to reunite the people, protect the sovereignty of the country, and safeguard the integrity of the nation,” Sao So Run explained. He said he attended training on the political line at the sector level but had never been called to attend training in Phnom Penh. It turns out he had, however; the witness just needed a little more help to refresh his memory.

Compensating for the witness’s hampered memory, Mr. Bunkheang read another OCIJ interview statement from Sao So Run where the witness discussed attending two training sessions in Phnom Penh – one in Borei Kaila and the other near the Russian Confederation Boulevard. The technique proved successful once again, and the witness was able to recall attending the meetings.

However, Sao So Run was unable to recall who led the training sessions. But once again, it turned out the witness just needed a little help. Mr. Bunkheang read another statement Sao So Run made in an OCIJ interview. The statement read, “Nuon Chea was the presenter on economic matters and economic concepts.” The witness now responded, “Yes, that is correct. He did present on economic matters.” When asked about the content of Nuon Chea’s presentation, Sao So Run replied, “It was all about leading and encouraging people to do farming in order to avoid starvation or famine.”

For the last topic of his examination, Mr. Bunkheang asked the witness about self-criticism meetings. The witness said there were self-criticism meetings in Sector 105 but that they were not held frequently. “Sometimes it was held every six months,” he explained, “We tried to make ourselves better in leading the people.” Sao So Run continued, explaining that at the district level, the district secretary and the sub-district secretaries attended; the meetings were held in groups of eight or 10 people. The purpose of the self-criticism meetings was, the witness elaborated, “for the cadre to be good, to be loyal to the people, and not to have any impact on the interests of the people. If someone made a mistake, they would confess to their wrongdoing.” Those that confessed of “wrongdoing,” he explained, would not be taken to reeducation centers. “They would be criticized, and that was it,” he concluded.

Mr. Bunkheang then announced he had concluded his examination and asked permission to hand the floor to his international colleague, Assistant Prosecutor Dale Lysak. President Nonn thanked Mr. Bunkheang and gave Mr. Lysak control of the floor.

“I Reported Everything from the Bottom of My Heart”

Attempting to ascertain the sincerity behind the witness’s memory handicaps, Mr. Lysak started his examination with a very direct line of questioning. “Were you truthful when you made those statements to the investigating judges?” he asked.

“Yes,” Sao So Run replied, “It was truthful. I reported everything from the bottom of my heart to the judges. What I knew, what I saw, what I did I reported to the judges.”

Mr. Lysak asked the witness if the co-investigating judges read his statements aloud. Sao So Run told him, “They were read to me due to my poor eyesight.” He also explained that his answers were reread to him again shortly before he appeared to testify. At that time, he explained, “I did not request any changes to the statement because the statement was precise and clear when I made it to the judges.”

Accepting the witness’s statement that his interview with the OCIJ was truthful, Mr. Lysak moved on. He asked the witness for clarification of his statement on the K-16 office, asking him specifically if that office was the “commerce office.” Sao So Run replied that it was and that it was the office in charge of Sector 105. Trying to clarify his question, Mr. Lysak asked the witness if the K-16 office was the commerce office or the sector office, or one in the same. Sao So Run replied again that the K-16 office was the sector office, about 100 meters away from the commerce office.

Changing subjects, Mr. Lysak asked the witness if he was aware of a publication known as *Revolutionary Flag*. Sao So Run said he could not recall the publication; nor could he recall a publication known as *The Red Flag*. As Mr. Bunkheang had many times that morning, Mr. Lysak attempted to refresh the witness’s memory. Receiving President Nonn’s permission, Mr. Lysak read to the witness an excerpt from an August 27, 1977, telegram written by the Secretary of Sector 105, Lang: “The magazines of the party and *Revolutionary Flag* which were published from 1975 to 1976 were collected and properly arranged for reading.” Mr. Lysak asked the witness, “Does this refresh your memory that documents such as *Revolutionary Flag* were made available for sector and party members to read?” The witness maintained that he could not recall seeing such publications, neither in his district nor in the meetings he attended at the sector office.

Mr. Lysak returned to Mr. Bunkheang’s discussion about the meeting the witness had attended in Phnom Penh. Sao So Run could not remember the exact location of the meeting. To aid the witness’s memory, Mr. Lysak read another statement from the witness’s OCIJ interview. The statement



read, “Ten days after the 17th of April, 1975, I went to attend a meeting at the Cambodian-Soviet Friendship School for three days.” “Yes, that is correct,” the witness replied.

International Co-Lawyer for Nuon Chea Jasper Pauw made the first objection of the day, stating that he did not agree with the way the witness was being questioned. Instead of reading the witness’s statement and asking the witness confirming it, Mr. Pauw suggested, he should be asked what he remembered first.

Mr. Lysak responded, “That is exactly what I just did. I asked the witness where the meeting took place. He said he didn’t remember, and then I read a passage to refresh his memory.”

President Nonn informed Mr. Lysak that Mr. Pauw did not actually “object”; he simply offered “a suggestion.” The President then handed the floor back to Mr. Lysak.

The prosecutor asked the witness how much time went by after liberation until he was requested to attend the meeting in Phnom Penh. Sao So Run could not recall the exact amount of time, but he said it was not long after liberation. Asked who came with him to the meeting, Sao So Run said there were three people: himself, a man named Lork, and another whose name he could not recall.

Sao So Run explained that he did not see any evacuees on the road while he traveled to Phnom Penh for the meeting because he went to the meeting on the river. “I took the boat from Kratie province all the way to Phnom Penh,” he explained. Even though he arrived in Kratie from Mondul Kiri via car, the witness added, he did not see any evacuees on the roads because the route from Mondul Kiri to Kratie was lowly populated. He informed the Court that he returned from Phnom Penh after the meeting the same way.

Witness Recalls Both Pol Pot and Nuon Chea Making Presentations at Phnom Penh Meeting
Proceeding into a detailed discussion about the witness’s time at the meeting and in Phnom Penh, Mr. Lysak asked the witness how long he stayed in Phnom Penh in total. Sao So Run recalled that he attended the session in Phnom Penh for three days and stayed in the city one more night before returned to Mondul Kiri. He recalled staying on the riverfront, on the Buon Muk River, but could not remember the exact location.

Repeating a question from Mr. Bunkheang’s examination, Mr. Lysak asked how many people attending the meeting in Phnom Penh. Sao So Run reiterated that he did not know; however, he said, “there were a large number of people from all across the country.” He added that representatives from the district, sector, and military divisions were present.

Again, rehashing a question from Mr. Bunkheang’s examination, Mr. Lysak asked the witness who made presentations at the meetings. The witness said he only could recall Pol Pot making a presentation. Mr. Lysak attempted to refresh the witness’s memory like Mr. Bunkheang had, reading a statement from his OCIJ interview that quoted Sao So Run as saying, “In that meeting the presenters at the open session were Nuon Chea and Pol Pot.”

President Nonn reminded Mr. Lysak that the passage he was discussing had already been put forth by his co-counsel and warned him not to ask repetitive questions.

Thanking the President, Mr. Lysak asked the witness what he believed to be the purpose of the meeting. The witness, appearing quite tired, stated, "I did not clearly understand the purpose of the meeting. What I understood was that we liberated the country and we had to lead the people to do rice farming so we could get rid of famine." Regarding Pol Pot's presentation, the witness stated he "repeatedly focused" on "building the country."

Attempting to refresh the witness's memory once again, Mr. Lysak reminded him of another statement he had made in his OCIJ interview. Mr. Lysak read, "Both of them talked about political matters, cooperative organization, currency prohibition, market and monastery closings, and stated they would be reopened in the future." "That is correct," the witness said, "They talked about the closing of the markets but that in the future the markets would be open."



Mr. Lysak then asked if the presenters spoke about getting rid of the Vietnamese.

Co-Lawyer for Ieng Sary Michael Karnavas made his first objection of the day. "I realize the gentleman has some challenges with his memory," Mr. Karnavas contended, "but leading questions are improper. And this is clearly improper." He went on to argue that, since the witness was having trouble with his memory and considering his firm confirmation that every response in his interview was truthful and correct, these questions are not necessary.

"I would not ask a question like this if it was not in the statement," Mr. Lysak responded. "The procedure I have been following is to ask the question first, let him answer, and then read the witness his statement from the interview," he explained, "I wanted to give the gentleman a chance to answer first."

After convening with his fellow judges, President Nonn responded, "The objection is not sustained. However, the prosecution is reminded that if the content of the question has already been acknowledged by the witness, the prosecution should not put that question to him again." President Nonn requested Mr. Lysak repeat his last question.

Restating his question to the witness, Mr. Lysak asked, "Do you remember Pol Pot or Nuon Chea talking about evacuating all the Vietnamese from the country?"

Mr. Pauw stood to object, but President Nonn stopped him and said the matter had already been discussed. President Nonn told the witness to proceed with his answer.

Appearing quite frustrated and upset, Sao So Run announced, “I do not understand why I am being asked these questions again. I already answered these questions to the co-investigating judges. Please refer to the statement I made before the co-investigating judges.” However, the witness went on to inform the Court that he never heard about the “Vietnamese matter,” stating it “was the affair of the upper echelon.”

Mr. Lysak, sticking to the same technique, proceeded to read another statement from the witness’s OCIJ interview to the Court. In the statement, the witness discussed Pol Pot and Nuon Chea informing the attendants about the transportation of the Vietnamese in trucks into Vietnamese territory.

“That is what I heard at that time...,” Sao So Run responded, “I heard from my cadres that the Vietnamese were loaded in trucks and transported back to their country.”

Thanking the witness and informing him he would return to the subject of the Vietnamese later, Mr. Lysak announced he had a few more general questions. He asked the witness if he recalled Pol Pot or Nuon Chea talking about “enemies of the party” or “plans to build irrigation canals throughout the country.” The witness informed the Court that he did not recall hearing anything about “enemies of the party” but did remember Pol Pot mentioning the need to build irrigation canals. He elaborated, “The irrigation systems and canals had to be built in the provinces so people were able to do rice farming, so they could have sufficient water, and to resolve the livelihood of the people.... It was Pol Pot who focused on the building of canals and dams.”

Sao So Run continued to discuss these agricultural projects. He told Mr. Lysak that the sector was in charge of forming project proposals for building canals and dams and that the sector would then present them to the communes and district committees. The witness stated the authority to decide upon a particular proposal did not rest with any particular person but “was a collective decision by everyone.”

Tribal Animists Could Not Perform Animal Sacrifices in Cooperative, Witness Claimed

Returning to the content of the 1975 meeting in Phnom Penh, Mr. Lysak asked the witness if he could recall what Pol Pot had said about the closing of the pagodas. Sao So Run replied, “I only heard that they would close this and that. It was the decision of people at the upper level.”

Mr. Lysak requested the witness describe the religious diversity among the people within his district. Most of the people within his district were ethnic minorities, Sao So Run explained: “Some of them believed in Buddhism but others believed in spirits. It was very important for some minorities to perform tribal rituals.”

Asked if these ethnic minorities were allowed to continue practicing these rituals during the period of Democratic Kampuchea (DK), Sao So Run replied, “There was no prohibition. Those ethnic minorities could perform their religious belief, but they could not organize bigger events.... And, of course, at that time people were told not to be wasteful because they had to put more effort into doing farming than practicing their religious beliefs.”

The tribal people, the witness explained, practiced animism: “After the harvest season, for example, they would offer animal sacrifices.” The people were told by district or commune leaders to be more “economical,” and as a result, the witness concluded, they could not be wasteful by sacrificing the animals needed for food.



The two men pictured were members of a minority group that lived in the northeast of Kratie province near the foothills. The Khmer Rouge began occupying Kratie and other northeastern provinces shortly after the 1970 coup by Lon Nol. (Source: Documentation Center of Cambodia)

Witness: All Pagodas and Houses in Mondul Kiri “Destroyed by American Bombardment”

Mr. Lysak asked if there were pagodas in Mondul Kiri province. The witness could recall only three pagodas in Mondul Kiri in 1975. After April 1975, however, people were no longer allowed to worship in pagodas, he claimed. He added, however, “Mondul Kiri province itself was heavily bombarded and houses and pagodas were all destroyed by aerial bombardment.”

Seemingly ignoring the witness’s comment on aerial bombardment, Mr. Lysak asked who was responsible for the decision to close the pagodas. Sao So Run responded, “There was no particular person that decided the closing of pagodas, but in Mondal Kiri province the pagodas were destroyed by aerial bombardments by the Americans.” He added, “Also, there were no people living in that province at the time because the houses were destroyed by the bombardments.” The monks, he said, began fleeing Mondul Kiri in 1970 when the bombings began; by April 17, 1975, there were no longer any monks in Mondul Kiri province. “All had to flee for their lives,” he concluded.

Mr. Lysak asked if the people in Mondul Kiri rebuilt the pagodas after they had been destroyed. The witness said they did not. “Why?” the prosecutor inquired.

Mr. Karnavas objected, “I don’t see anything in the Closing Order concerning the inability or refusing to allow the building of pagodas.” He added that the question was leading and speculative.

“The question ‘why’ cannot be considered a leading question,” Mr. Lysak retorted.

President Nonn announced that the objection was not sustained.

Mr. Lysak repeated his question to the witness, who then responded, “That I did not know because it was a decision of the sector level, whether a public infrastructure was to be built.” Though the witness was a member of the sector committee, he said there was no discussion or decision from the sector level about rebuilding pagodas.

Acknowledging the time and recognizing that the witness was noticeably exhausted from three hours of examination, President Nonn asked the witness, “Do you think you are fit enough to testify before us this afternoon?” The witness responded tenaciously, “My health is good enough. I can do it this afternoon.”

After granting Nuon Chea permission to participate remotely from his holding cell for the rest of the day’s proceedings, President Nonn adjourned the Chamber for lunch.

Witness Says the Bombardments Prior to 1975 Left Him with Little to Regulate

Mr. Lysak resumed his examination after the recess by informing the witness that he wished to discuss the subject of cooperatives, particularly what he remembered Pol Pot and Nuon Chea discussing about them during the meeting in Phnom Penh.

“Initially he [Pol Pot] talked about low-level cooperatives encompassing 30 to 40 families,” the witness explained lethargically. He said the matter of communal dining was also discussed. Upon his return to Mondul Kiri, Sao So Run stated, the chief of the sector held a meeting to provide detailed instruction on how to implement, among other things, the communal dining policy.

Mr. Lysak moved on, asking the witness to elaborate upon the meeting’s discussion of the closing of markets and the prohibition of currency. “As I stated already,” Sao So Run replied, “that was the announcement and later on they declared that the people would be brought back into the city and the money would be put back into circulation.” Mr. Lysak asked persistently if the witness knew the reasons underlying that decision. Once again Sao So Run asserted, “I couldn’t recall the reasons.... That concerned the upper level.”

Asked how he implemented the party’s market strategy when he returned to Mondul Kiri, the witness reminded Mr. Lysak that due to the heavy bombardments, people had left the province. Because the people fled, there was no market, he continued, adding that the bombings sometimes occurred four or five times a day. “The bombardment continued until 1975. The bombardment was almost always on a daily basis during this period,” he concluded.

As District Secretary, Witness Was Not Privileged to DK Military Strategy or Foreign Affairs

Trying his luck with a different subject, Mr. Lysak asked if Pol Pot or Nuon Chea gave any reasons during their presentation at the Phnom Penh for the relocation of Vietnamese citizens to their homeland. “I am honest here,” the witness replied, “That was the matter of the upper echelon.” He continued answering questions about the Vietnamese the same way.

The witness, however, was able to recall that military division 920 was stationed in Mondul Kiri province in late 1975. He said they were deployed in various locations throughout the province; the deployment was “district-based.” The militia division office within Sector 105, the witness added, was located in Koh Nhek district, located “about 200 meters away from the sector office.” He could not recall how many soldiers were deployed in his district, and added again, “That was the decision of the upper echelon.”

Whether he had personal contact with cadres in division 920, Sao So Run stated, “They contacted me because they came from far away and did not know the geographical area well.” He did not, however, have regular meetings with them.

Returning again to the Phnom Penh meeting, Mr. Lysak asked if Sao So Run ever heard discussion on screening or identifying “enemies burrowing from the inside,” enemies, he explained, “that had infiltrated the party.” The witness responded that he did not hear any such discussion at the Phnom Penh meeting and never heard the phrase “enemies burrowing from the inside.”

Witness Discusses Love and Marriage

In what became the most “entertaining” dialogue of the day, Mr. Lysak proceeded to ask the witness about marriage policy and procedure during DK. Although the witness had appeared increasingly tired through the day’s examination, the discussion of marriage seemed to invigorate him. Some answers seemed more like a line from a romance novel than a statement by a former Khmer Rouge district secretary.



*Wedding ceremony during the Democratic Kampuchea period.
(Source: Documentation Center of Cambodia)*

The witness was first requested to describe DK marriage policy to the Chamber. Sao So Run explained, “The organization for the wedding ceremony for the combatants took place with multiple couples at the same time.... Some other times... it was one couple at a time. In most cases we asked their parents whether they approved of the marriage. We would also ask the bride

and groom whether they loved each other.” Asked to explain what he meant by “combatants,” he explained that “combatants” was a term for people who were married.

Although the witness initially stated he never heard Pol Pot speak personally about DK marriage policy, Mr. Lysak was able to refresh his memory once again. He presented another statement from the witness’s OCIJ interview in which Sao So Run was quoted as saying: “I went to a meeting with Pol Pot... and he said to marry them in couples... to not make it too difficult.... The persons or relatives... could attend and the bride and groom had to rise to make a resolution announcing their biographies and their loyalty to one another.”

After informing the Court that he recalled the statement, Sao So Run elaborated, “When they got married they had to commit to each other and promise to love one another for the rest of their life.”

When asked if Pol Pot or any other leader mentioned the necessity to increase the population, the witness responded, “I didn’t hear about policy to increase the population..., but it was common sense that when people got married they produced children and the population would increase.”

Continuing to give the prosecution an apparent biology lesson, Sao So Run added, “Of course a couple may not have children for many years after they are married because they may be infertile.”

Mr. Lysak asked if couples were allowed to marry “without the authority of Angkar.” The witness responded, “There must be approval from their unit, and they had to report it to the upper authority of that unit before the wedding could be organized....” He continued, “Most important of all, the couple had to love each other, and then they reported it to the respected leader of the unit. If there was approval of the leader of the unit, the matter was brought to the parents. If the parents provided their approval then they could get married.”

Witness Appointed Sector Secretary Two Months before Vietnamese Invasion

Having had enough discussion about marriage, Mr. Lysak changed subjects, asking the witness if Lang died during the DK regime. The witness said Lang had died during the DK period in 1978. After his death, Sao So Run continued, the witness was asked to replace Lang as Secretary of Sector 105 after a mid-September election. (Later, however, the witness stated he was designated by Pol Pot to replace Lang). Sao So Run asserted that he exercised the position for only two months until the Vietnamese invaded in January 1979.

Mr. Lysak proceeded into a full discussion about sector zone purges in the final years of the DK regime. He began by asking the witness if Sao So Run knew a person named Mala. The witness said he did, that Mala was his “predecessor of Pich Chenda district.” He then changed his mind, however, stating that Mala took his place when he was transferred to O Four Leu in Koh Nhek district in 1975. He was transferred, he explained, because he could speak the tribal language, Pnong, and was able to communicate with the locals who were “coming down from the mountainous area.” He added that he was transferred back to Pich Chenda in 1977 after the tribal people had been relocated to other areas.

When asked what happened to Mala after the witness returned to Pich Chenda in 1977, Sao So Run stated, “That was a matter for the upper echelon. I only knew that he was called by the sector. I did not know the reason. I only concentrated on my work in the district.”

After being asked if he had heard about the “Vietnamese purges,” the witness replied firmly, “I did not know anything, whether there was a purge or not. As I said, I only focused on my work in the district. I did not know about the affairs of the upper echelon.”

President Nonn, perhaps sensing the witness’s increasing frustration with Mr. Lysak’s line of questioning, interrupted proceedings and announced it was time for an afternoon break.

Witness Recalls Former District Secretary Gunning Down Two Members of His Family

Providing both the Chamber and public gallery a very vivid glimpse into life under the Khmer Rouge, the witness briefly discussed the deaths of two of his brothers-in-law. Given the witness’s memory problems, the details in which he described their deaths were surprising and unexpected.

When Mr. Lysak asked the witness if he knew a man named Svay, Sao So Run informed the Court that Svay “shot two people dead including my in-laws....” He continued, “Later on, he [Svay] was found hanging in the rice fields.” His two brother-in-laws, Ky and Dang, were shot, he elaborated, while they were sleeping. “Two magazines were emptied by Svay when he shot into the house. There were fourteen rounds altogether,” Sao So Run remembered. “We did not know what set him off to shoot people.” Regarding whether Svay had been accused of being a Vietnamese informant during a sector meeting earlier that day, the witness could not say. He maintained his position that he did not know what prompted Svay to kill his family members.

Mr. Lysak moved on, inquiring about personnel from office K-16 who fled to Vietnam in 1977. He asked the witness if the chairman of the office K-16 was a man named “Ta Nuon.” Sao So Run could not recall. Hoping to refresh his memory, Mr. Lysak asked the witness if he was sure he could not recall the chairman of office K-16 who fled to Vietnam in 1977, returning to Cambodia in 1979 and becoming governor of Kratie province. Even with all that detail, the witness could not recall a man by the name of Nuon.

Sao So Run did, however, remember a man named Kham Poun. Kham Puon was a member of the sector committee, the witness stated, but Sao So Run could not remember the exact position Kham Puon held in 1977. He also could not recall Kham Poun’s son, Kham, being arrested in 1977. He was certain that Kham Poun, however, was not arrested in 1977.

Witness Recalls No District Secretaries within His Sector Who Escaped Arrest or Death

Mr. Lysak returned to the subject of his brother-in-laws’ murders, asking the witness if he knew who replaced Svay after he hung himself. Sao So Run said he did not. “I could not grasp the situation,” he stated.

When the prosecutor inquired whether Sao So Run could recall any district secretary who disappeared, was arrested, or was killed, Mr. Karnavas objected.

Mr. Lysak explained to the Court that he was asking a “summary question” and believed “the witness would be capable of informing the Court whether any other district secretaries had disappeared during 1977.”

After briefly consulting with the other judges, President Nonn said Mr. Karnavas’s objection was not sustained and that the Court wished to hear the witness’s answer.

Rephrasing his question, Mr. Lysak asked the witness, “Can you recall any district secretary other than yourself that was *not* arrested, disappeared, or killed in 1997?” Sao So Run replied, “There is none.”

Pol Pot Personally Asked Sao So Run to Replace Lang as Secretary of Sector 105

Moving on, Mr. Lysak asked whether Sao So Run remembered Ta Lan, a Sector 105 battalion commander. The witness stated that he did, adding that Ta Lan was “overly in charge.”

“Were you aware that Ta Lang had asked Ta Lan to place Kham Phoun under arrest?” Mr. Lysak asked. The witness replied that did not know anything about it.

Asked what he knew about Ta Lang’s death, Sao So Run said he simply heard Ta Lang passed away while in Phnom Penh. Ta Lang’s brother-in-law, Chuon, he explained, had informed Ta Lang’s relatives about his death. Immediately after Ta Lang’s death, the witness continued, Chuon requested he go to Phnom Penh. Chuon, he said, was the Secretary of Commerce, “responsible for transferring commodities from Phnom Penh.” When asked if Chuon went by another name, Sao So Run said he could not recall knowing him by any other.

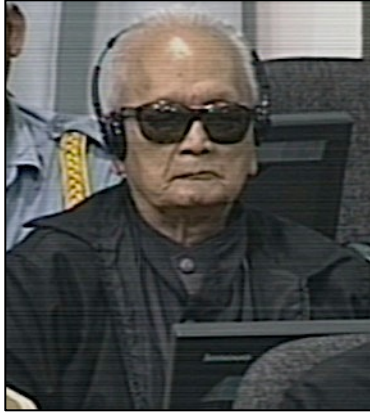
Hoping to refresh the witness’s memory once again, Mr. Lysak reminded the witness of a statement he had made in his third interview with OCIJ, where he had stated Chuon’s alias was “Pan Khon.”

“Yes indeed it helps me to refresh my memory,” the witness replied, “It is correct.”

Returning to Chuon’s request that he go to Phnom Penh, Sao So Run explained, “He told me I was called by the upper echelon and we had to go there together.” Chuon told him personally that Kham Phoun was behind the killing of Ta Lang, he claimed.

When the witness said he did not know what happened to Kham Phoun, Mr. Lysak read another of his interview statements. In the statement Sao So Run had mentioned that Kham Phoun was “shot to death.” His memory refreshed once again, the witness informed Mr. Lysak that the statement was correct.

Mr. Lysak requested Sao So Run elaborate on his trip to Phnom Penh. The witness explained that he arrived by plane and went directly to a guesthouse prepared for them [Chuon and Sao So Run]. After dropping off his things at the guesthouse, Sao So Run recalled, he attended a meeting with Pol Pot where he learned more specifics about Ta Lang’s death, specifically that Kham Phoun had beaten him to death.



Mr. Lysak asked the witness if he recalled seeing any other senior leaders at the meeting. When Sao So Run replied that he did not, Mr. Lysak read another statement from one of the witness's OCIJ interviews, in which he stated that upon arrival in Phnom Penh, he and Chuon went to Pol Pot's office directly behind the royal palace, where he and Chuon met with Pol Pot, Son Sen, and Nuon Chea.

Again, the witness suddenly remembered, and told Mr. Lysak that his statement in the interview was correct. "The reason I said I saw only Pol Pot is because my memory is very poor," he added.

Sao So Run then provided further details on the meeting. He informed the Court that Pol Pot had asked him to replace Ta Lang. "I told him that I was not qualified because I was not literate enough; I could barely read or write," he explained. However, "Pol Pot told me I could do it. That I could learn on the job.... I kept protesting but he kept insisting that I took the offer," Sao So Run recalled, "He [Pol Pot] said if I took the offer I would be assisted by Ta San from division 920." The meeting, he added, lasted all morning.

Interrupting the examination, President Nonn informed the Court that it was time to adjourn proceedings for the day. He asked the witness if he felt up to returning to the Chamber the next day; the witness replied strongly, "Your honors, I feel I can come back tomorrow."

Witness Sao So Run is expected to return to Court for his third day of testimony on Thursday, June 7, 2012. If conditions prevent him from doing so, reserve witness TCW 233 will be prepared to testify.