



**Khieu Samphan's Former Driver Testifies on
His "Ordinary" Life during Khmer Rouge Period**
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On Monday, June 17, 2013, the Extraordinary Chambers in the Courts of Cambodia heard evidence from Leng Chheoung, who was the driver of Khieu Samphan during the Democratic Kampuchea (DK) period. All parties were present for the day, with Nuon Chea observing proceedings from a holding cell due to health reasons.

Mr. Chheoung, 50, now lives in Sam Pou Loon District, Battambang Province, with his three children. In 2009 he was interviewed by an investigator from the Offices of the Co-Investigating Judges (OCIJ). The transcript of that interview was frequently quoted during the course of his evidence today.

Initially there was some confusion as to which party would examine Mr. Chheoung first. Khieu Samphan's International Co-Lawyer Anta Guisse argued that it should be the prosecution as Mr. Chheoung appeared on one of the prosecution's witness lists and a memorandum from the court had also suggested this arrangement. However, having heard from the prosecution that Mr. Chheoung was primarily a defense witness, the court ruled that Khieu Samphan's counsel should proceed first.

Khieu Samphan Defense Examine Witness

Ms. Guisse started by asking Mr. Chheoung how he joined the revolution and what his movements had been during the DK period. The witness testified that he had joined the Khmer Rouge at the age of 10 in late 1973 in Takeo Province. In 1976, he said, he was sent to Phnom

¹ Cambodia Tribunal Monitor's daily blog posts on the ECCC are written according to the personal observations of the writer and do not constitute a transcript of the proceedings. Official court transcripts for the ECCC's hearings may be accessed at <http://www.eccc.gov.kh/en/case/topic/2>.

Penh, where he first stayed at the Khmer-Soviet Technology School and was tasked with helping to clean the city. He later became a driver in a place with the code number “K12” with a supervisor called Ta Meal.²

Mr. Chheoung recounted that he had been working as a driver at K12 for two years when he was appointed to be Khieu Samphan’s new driver in 1978. He held this position until the end of the DK period in 1979, at which point he fled into the mountains with Khieu Samphan, he stated.

According to the witness’s testimony, Mr. Chheoung lived close to Khieu Samphan in the compound at the office known as “K3”; this compound, which was behind the Royal Palace in Phnom Penh, contained about 20 houses, of which only a few were inhabited. Mr. Samphan lived in his own house alone, the witness recalled, while he lived in another building about 10 meters away. In a period of testimony in which counsel frequently had to jog the witness’s memory, the witness confirmed that the house in which Khieu Samphan lived in was primarily his home rather than his office; the house contained a sofa, table, telephone, and a hammock; and Khieu Samphan did not have a secretary so he would answer the phone himself.

Approximately 10 to 20 other people lived in K3, Mr. Chheoung said, including Nuon Chea whom the witness recalled seeing exercise in the evenings. He also said that Nuon Chea lived in another house across the road from Khieu Samphan. The witness stated that he saw Ieng Sary living in the compound, though he did not know him personally and he did not see Ieng Sary’s wife, Ieng Thirith, at any time. The witness testified that he did not see the other leaders every day, as he had his own work to do, and did not know if the leaders had alternative houses as well as those in K3.

It was established that Mr. Chheoung had on occasion driven to compound K1, which he said was approximately three to four kilometers away. He often had to drive Khieu Samphan there for engagements, which would last 30 minutes to one hour.

Ms. Guisse asked the witness how meals were taken at K3. Mr. Chheoung explained that meals were eaten in a communal kitchen, with the leaders eating their meals separately. He was able to confirm that he had seen Khieu Samphan’s wife in a kitchen, where she worked, though this was not the kitchen within which he ate his own meals. In his own kitchen he shared his meals with 10 to 20 other people, whose occupations he did not know.

The defense counsel read the witness a quote from his earlier statement to the OCIJ in which he stated that although there was no meeting room at K3, there was a dining room where meetings could be held. Mr. Chheoung confirmed that Khieu Samphan ate his meals at this dining room.

The subject of Mr. Chheoung’s testimony now turned to his knowledge of Khieu Samphan duties. The witness explained that the only reason he was aware that he was working for the President of the State Presidium was because he had heard so on the radio. “I did not know what he did; I did not know that much,” he told the court. The witness initially testified that he only took Khieu Samphan to K1; however after continued questioning by Ms. Guisse, he was able to recall that he had also had to drive his charge out of Phnom Penh once or twice. On occasion he would drive Khieu Samphan around the environs of Phnom Penh, he said; however, Mr.

² “Ta” is a Khmer honorific, meaning grandfather.

Samphan would not get out of the vehicle. He also recalled that on two occasions he drove Mr. Samphan further afield, once to Kandal Province and once to Takeo.

Mr. Chheoung was quoted a part of his statement to the OCIJ in which he said that he did not think Khieu Samphan had much work to do, stating that he had never gone to inspect construction projects or security centers. The witness agreed that this was his statement.

Ms. Guisse moved on to Khieu Samphan's role as President of the State Presidium. She asked the witness to recall whether Khieu Samphan had received international visitors during the period he was a driver. The witness could not recall having seen international visitors; however he stressed that he as young at the time, only 15 or 16, so his memory could be wrong. In response Ms. Guisse quoted another segment of the statement Mr. Chheoung had given to the OCIJ in which he claimed that Khieu Samphan "received visitors two or three times, diplomats, for instance, with letters of credence. He met them at the Royal Palace." This reading jogged the witness's memory, and he confirmed it to be true. At this point the counsel asked the question that had clearly been the primary point of this line of questioning: "Do you think Khieu Samphan is someone powerful?" "My answer is no," replied Mr. Chheoung. "I did not have the impression he had much work to do; he spent most of his time in Phnom Penh."

Reinforcing her point, Ms. Guisse went on to investigate whether the witness had seen Khieu Samphan at large meetings. Mr. Chheoung could only recall driving Mr. Samphan to such an occasion in one instance. With relation to this matter, Ms. Guisse read to the witness part of his prior evidence to the OCIJ in which he recalled taking Khieu Samphan to this major meeting at the Olympic Stadium in Phnom Penh, at which Pol Pot and Nuon Chea were also in attendance. The witness testified that although he was not in the stadium he could hear some of the event through the loudspeakers. He was of the impression that Pol Pot had resided over the event and that Khieu Samphan had not addressed the crowd. The witness was read another quote about a further meeting; however, he denied attending that meeting.

The topic then turned to an entity called Office 870 and the numerous people who had been at its head. The witness did not know exactly where the office was situated; however, he did know that the person in charge of it was called Pang. Initially, Mr. Chheoung claimed not to know whether Pang was transferred. However, he was then read a part of his previous statement in which he recounted that after Pang was arrested, someone called Ken took over his role.

Ms. Guisse enquired as to whether the witness knew what had happened to Pang, reading him the testimony of Ta Soth, who had previously testified at the ECCC that according to Pang's driver, he had been killed by highway bandits. The witness stated that this was the first time he had heard this account and he did not know anything further about what had happened to Pang. It was also established that the witness had known Ta Sot at K12, though he had not known Ta Soth's role.

Moving on to the subject of Khieu Samphan's bodyguard, Mr. Chheoung testified that "Seung" accompanied Khieu Samphan as a bodyguard everywhere he went. Confusion followed regarding additional bodyguards in the area.³

³ The defense read a list of names, some of whom the witness had met. However, a number of the names had similar spellings and pronunciation, creating some confusion.



Returning to the subject of Khieu Samphan's role, Ms. Guisse asked if the witness was aware of any of Mr. Samphan's additional duties. On one occasion, the witness said, he saw someone bring a letter to Khieu Samphan to sign, in order for some equipment to be delivered. Beyond that, however, the witness had not seen others coming to see Khieu Samphan for authorizations.

The witness was told that another witness, Norng Sophang⁴, had testified to the court that he had worked at a telegraph office at Sothearos Primary

School. The witness could recall taking meals with Mr. Sophang, whom he knew only as "Phang," and said that Mr. Sophang's work in the telegraph office "rung a bell." The witness was read a statement by Mr. Sophang in which he claimed that the distance between the school and K1 was approximately one kilometer. Mr. Chheoung could not collaborate this approximation, however, as he had not been to K1. In contradiction with his previous evidence, the witness then claimed, "There was no such office; he [Mr. Sophang] worked in a house which I would pass by."

Subsequently Mr. Chheoung was read a part of his OCII statement in which he recounted that although as a driver he never delivered letters for Khieu Samphan, he had on one occasion taken a letter from Mr. Sophang to Khieu Samphan, and on another occasion took a letter from Mr. Sophang to the K1 office.

Mr. Chheoung was then asked to testify about how he and Khieu Samphan had fled from Phnom Penh in January 1979, as the Vietnamese were taking the city. Although he could not remember the exact date, he could recall driving away with Mr. Samphan at night and having to depart without any luggage. Mr. Samphan's wife, So Socheat, did not depart with them, he said, but was seen by the witness from a distance on the preceding day in K3. Ms. Guisse explained that she put these questions to Chheoung because Ms. Socheat had stated during her testimony to the ECCC⁵ that a driver had taken her and Khieu Samphan to a train in order for them to flee. The witness was unable to corroborate this testimony, even with this information provided by Ms. Guisse.

He further testified that so far as he was aware, Mr. Samphan had spent the day before his departure in his house; Mr. Samphan would not have left without a driver, the witness said, and Mr. Chheoung was his only driver at that time and could not recall taking him to anywhere the day before their departure. Ms. Guisse recounted to the witness that two previous ECCC witnesses⁶ had separately testified to hearing Khieu Samphan address a meeting at Borei Keila

⁴ Norng Sophang testified before the Trial Chamber in Case 002 on September 3-6, 2012. CTM's accounts of his testimony may be found at <http://www.cambodiatribunal.org/blog/archive/201209>.

⁵ So Socheat testified before the Trial Chamber in Case 002 on June 10 and 11, 2013. CTM's accounts of her testimony may be found at <http://www.cambodiatribunal.org/blog/2013/06/family-ties-khieu-samphan%E2%80%99s-relatives-testify-case-002> and <http://www.cambodiatribunal.org/blog/2013/06/prosecution-grills-khieu-samphan%E2%80%99s-wife-extended-cross-examination>.

⁶ These two witnesses were Ros Suoy, who testified April 25, 2013, and Sim Hao, who testified June 12-13, 2013. Details of their testimony may be found at <http://www.cambodiatribunal.org/blog/2013/04/former-warehouse->

on the evening before his departure. Mr. Chheoung could not recall taking Mr. Samphan to any meeting, however.

Turning to the actual night that the witness and Mr. Samphan left the city, Ms. Guisse read the witness part of his OCIJ statement which stated, “On 6th January 1979 I drove Khieu Samphan out of Phnom Penh at around 7pm and we rested in Pursat. Khieu Samphan met Nuon Chea and Pol Pot. After that I drove him to Battambang and I was separated from him in April 1979.” Mr. Chheoung confirmed this statement.

Finally, the defense counsel asked Mr. Chheoung what kind of character Khieu Samphan had and how he behaved towards his driver. In response, the witness stated that Khieu Samphan was a kind-hearted “gentleman.” “If the court does not believe [it], they can go and look at his house in the countryside,” he told the court, presumably making reference to the accused’s modest lifestyle. “For me at least I have a great respect for him.”

Judge Lavergne Questions Mr. Chheoung

Following the examination by defense counsel for Khieu Samphan, Judge Lavergne addressed the witness in order to seek clarification on a number of matters. He first asked about the house in which Khieu Samphan lived. “Did you or did you not ever visit the interior of the house?” he asked Mr. Chheoung. No, replied the witness, he did not go into the house “to do clean-up or things like that.” He was a driver, he asserted. The judge questioned how Mr. Chheoung could then know that there was a telephone, sofa, and hammock within Mr. Samphan’s home. The witness explained that although he had not been inside, these were things that he could tell from outside, having looked through the window and the front door.

The judge enquired as to whether special authorization was necessary to drive outside Phnom Penh during the DK period. The witness explained that authorization had not been required and that the car was never stopped at a checkpoint. On the subject of the car itself, the judge wanted to know whether the vehicle had number plates and whether it was common for vehicles in general to have number plates in Cambodia at that time. The witness could not recall the answer to either of these questions.

The Prosecution Examines Mr. Chheoung

Following Judge Lavergne’s brief questioning, National Senior Assistant Prosecutor Dararasmeay Chan started the prosecution team’s examination of the witness by questioning how the witness had come to join the Khmer Rouge. Mr. Chheoung testified that he was 10 years old when he had joined the Khmer Rouge, against the wishes of his parents. “There was a village chief who came to our school,” he told the court. “He asked us if we were interested in joining the revolution. Everyone raised their hands.” None of the witness’s siblings had joined with him.

The witness went on to provide testimony on the liberation of Dram Knar in the Southwest Zone in 1973. Asked if he could recall what the Khmer Rouge told the people when they took over the area, Mr. Chheoung explained that following the liberation he did not see any people as they had all been evacuated. As a member of the Revolutionary Children’s Squad, his main role had been to help build dams and dikes, he said. When asked by the prosecutor if he and the other children

[official-provides-limited-insight-accused-persons%E2%80%99-knowledge-arrests](http://www.cambodiatribunal.org/blog/2013/06/sim-hao%E2%80%99s-testimony-ends-tribunal-tends-scheduling) and <http://www.cambodiatribunal.org/blog/2013/06/sim-hao%E2%80%99s-testimony-ends-tribunal-tends-scheduling>, respectively.

had protested at this hard labor, the witness replied that no one had forced them to work and that those who were sick had been allowed to stay back and not work. Although the witness would not recount any specific sanctions, he was clear that they had to comply with their orders.

Continuing on the same theme, Mr. Chan asked the witness whether it was commonplace for children to be separated from their parents. Mr. Chheoung answered that while he could not speak on behalf of others, he himself had volunteered to join the Khmer Rouge and so leave his parents. After he had become a member of the Khmer Rouge, he had missed his hometown and “cried out loud,” he recalled; however, he felt he had no choice other than to remain involved with the Khmer Rouge and to do their work. Asked if he felt “sorry” after 1979 about what the Khmer Rouge did to him, Mr. Chheoung testified that he feels “normal.” He was young at the time of the Khmer Rouge regime, he explained, and respect for organizational discipline was “just normal” and everyone expected to follow this discipline at the time.

Following an adjournment for lunch, the prosecutor continued to enquire as to what life was like under the Khmer Rouge regime for Mr. Chheoung, specifically with regards to education. The witness stated that he did not attend any education sessions as a member of the children’s unit; he had only attended later as an adult.⁷ Education sessions had been general and were convened to disseminate information, he stated. While he could not remember any of the topics discussed in the sessions, he confirmed to the prosecutor that he did hear the terms “feudalist,” “imperialist,” and “capitalist.”

Moving on, Mr. Chan asked about Mr. Chheoung’s initial period working in Phnom Penh. Mr. Chheoung testified that he began working in K12 during 1976, where his role had been to help clean up the houses in the vicinity. At K12, the children worked as he did, he said, while the adults were drivers. The witness initially claimed he was too young to know who was in charge of K12; however when asked follow-up questions, he confirmed that someone called “San Meal” was its head.

Again, when asked what happened to San Meal, Mr. Chheoung initially claimed to have been too young at the time to know. He also claimed not to be able to remember who had disappeared during 1978, stating that he did not know anyone who had disappeared. However, the prosecutor read the witness his prior statement to the OCIJ, in which he said that he was told by the workers at K12 that Ta Meal had been taken away for execution. Before the court Mr. Chheoung confirmed that this was a statement he had made; however, he continued, Ta Meal was arrested after he had left K12 to become Khieu Samphan’s driver.

The witness was asked about numerous other names, presumably people who had disappeared; he did not know any of them except for Ta Soth, who had taught him how to drive and had been Nuon Chea’s driver. He did not know what had happened to Ta Soth, though. “Later he went somewhere, Mr. Chheoung told the court, “I never knew where.”

Upon the suggestion that he may have been offered other perks if he performed the function of a bodyguard as well as a driver, Mr. Chheoung retorted forcefully, “To respond to your question, a driver is a driver; a bodyguard is a bodyguard.” He continued to be solely Khieu Samphan’s driver into 1979, he maintained; when not driving, he would be asked to plant morning glory.

⁷ By “adult,” Mr. Chheoung meant someone over 16 years old.

Throughout this period, the witness testified, he did not engage in any serious conversation with his passenger but was just told where to go and when to bring Mr. Samphan home. He could not tell with whom Mr. Samphan was meeting, though, he conceded, he could often guess based on which drivers were present.

Mr. Chan asked whether Mr. Chheoung took Khieu Samphan to receive foreign delegations when they were visiting DK. Before the witness could respond, Ms. Guisse objected on the grounds that the question was repetitive. The objection was overruled, and the witness explained that from 1978 onwards, when he had been a driver, Khieu Samphan had not received any foreign delegations.

A brief set of questions followed that concerned Vorn Vet, who had been the Deputy Prime Minister in charge of commerce during the DK period. Mr. Chheoung was not able to tell the court what had happened to him.



*Khieu Samphan, Koy Thuon, and Vorn Vet during the DK period.
(Source: Documentation Center of Cambodia Archives)*

On the subject of the senior leadership, the witness said that he rarely saw Pol Pot or Son Sen, having only ever seen the former's car. The witness claimed to be too young to remember any of the words he may have overheard said by the Khmer Rouge to the people while he was driving around the DK.

Finally, before handing over to his international colleague, Mr. Chan challenged the witness's assertion that Khieu Samphan was a kind-hearted gentleman. This, the witness claimed, was his own judgment of Khieu Samphan. When asked about the hardship he must have witnessed, Mr. Chheoung merely stated that nobody had forced him to work and that he had lived an "ordinary" life during the Khmer Rouge period.

At this time International Senior Assistant Prosecutor Vincent de Wilde took over the questioning from his colleague. He firstly enquired as to whether the witness had met Khieu Samphan before he moved to K3. The witness testified that he had never seen him before that time period.

Mr. de Wilde next asked the witness to identify workers from a list of K12 inhabitants. Mr. Chheoung identified Ta Meal as the head of the office, as well as a person called “Yang” as being in charge of vehicles and various other mechanics and general workers. The prosecutor then showed the witness a prisoner list from S21, on which Ta Meal is identified as having been arrested on May 8, 1978. Both the list of employees and the S21 register mention S71, so the prosecutor enquired as to whether the witness was aware of what this was. After numerous translation errors, it transpired that he was not.

On the topic of Pang, who was in charge of all K offices, the witness was not able to remember ever driving Khieu Samphan to visit Pang at K7. Nor did the witness ever see Pang come to K3 to meet with the leadership. Quoting from the witness’s OCIJ statement, the prosecutor highlighted that despite his earlier claims, the “excessive transfers and disappearances of the people” had scared the witness.

Next the prosecutor cross-checked the evidence of Ms. Socheat, Khieu Samphan’s wife, by asking the witness a number of questions on topics on which she had provided testimony. First, contrary to her evidence, the witness testified that there had been enough food to eat at K3, though food had not been plentiful. Second, Mrs. Socheat’s claim that her husband was the only leader left in K3 by 1978 was challenged. While the witness was able to testify that both Ieng Sary and Nuon Chea still had houses in the compound, he could not confirm how much time they spent there. Finally, it was highlighted that Mr. Chheoung’s claim that a bodyguard accompanied Khieu Samphan everywhere he went was contradicted by Ms. Socheat’s testimony.

A period of questioning ensued in which the prosecutor scrutinized the number of bodyguards each member of the leadership had. The witness was unable to remember many of the names or corroborate the record on this matter.

Mr. de Wilde tried to establish more about Khieu Samphan’s ceremonial duties, asking if the witness ever drove Khieu Samphan to banquets. Mr. Chheoung replied that he could not recall taking the accused to any such events. The prosecutor questioned whether Khieu Samphan may have traveled with another leader in his or her vehicle to a banquet or state function. Ms. Guisse objected at this stage, on the grounds that the witness was being invited to speculate. Once the question had been reworded, Mr. Chheoung maintained that Khieu Samphan did not go out at night and that he was his only driver.

The prosecutor went on to list off a number of banquets that the prosecution believes Khieu Samphan attended, including one in 1978 for the Romanian President, one for the Egyptian President, as well as events for Chinese and Yugoslav representatives. A brief disagreement followed as to whether the Romanian President’s visit was before or after the witness started working for Khieu Samphan.

Turning to his access to the media, the witness testified that he heard broadcasts over the radio and via loudspeaker. Most of the time he listened through a radio, he said; however when he was driving past ministry buildings, he was sometimes able to hear broadcasts through loudspeakers. The witness knew that Khieu Samphan had a handheld radio; however, he did not know whether or not his wife did.

With respect to the witness's statement earlier in the day that if the court did not believe Khieu Samphan was respectable they could look at his house, Mr. de Wilde sought clarification as to whether Mr. Chheoung had been to Mr. Samphan's house since 1979. The witness did not give a clear answer but instead claimed that Mr. Samphan was a respectable man as defined by him, though allowing that this may not be the opinion of Cambodians as a whole. However, Mr. Samphan's "way of living was modest and respectable," Mr. Chheoung maintained.

Moving on to the relative status and influence of Khieu Samphan, the prosecutor challenged the notion that because Khieu Samphan might not have gone out as often as other leaders, he was therefore less powerful. "You were asked if he was powerful, and you said he didn't have much work to do," Mr. de Wilde told the witness. "Here we need facts." Allowing that the witness was only 14 or 15 years old when he made this assessment, Mr. de Wilde nevertheless asked if, through his eyes, it would be necessary to leave K3 often in order to fulfill tasks. The witness contended that it did – to stay at home would mean that Khieu Samphan did not have much work to do.

The prosecutor then contested Mr. Chheoung's overall knowledge of Mr. Samphan's status and activities at the time, by highlighting that, as he had never been inside the house, Mr. Chheoung could not know what was inside and, as he did not eat his meals with Khieu Samphan, he could not know how often meetings were held in the leaders' dining area. The witness conceded these suppositions may be correct.

"One witness told us that 'as I saw it at the time K3 was a place where the party leaders met.' Do you agree?" Mr. de Wilde asked the witness. Despite having just accepted that he could not know, Mr. Chheoung still asserted that this was not the case.

Changing the subject, Mr. de Wilde quoted a statement to the OCIJ in which the witness explained that he drove Khieu Samphan to the K1 office one to three times a week, each time for a two- to three-hour meeting; there he thought Nuon Chea and Ieng Sary were in the building, based on the fact that he recognized their drivers. Having been read this statement, the witness disagreed with the frequency at which these meetings occurred. He confirmed that Mr. Samphan did not spend the whole day or night at K1.

The witness was reminded that he had claimed that Khieu Samphan received visits two or three times from diplomats wishing to present their credentials. Asked whether he was certain about this, Mr. Chheoung stated that it was still his recollection. However, the prosecutor was named a substantial number of countries whose diplomats he said had had their credentials confirmed by Khieu Samphan; these countries included Norway, Burma, Guinea, Switzerland, Pakistan, and Nepal. Yet again the prosecutor asked the witness to confirm his recollection. By this point Mr. Chheoung was clearly less comfortable and stated that he could not tell the exact number of visitors and that Khieu Samphan could have had visitors before he entered his role as driver.



*Khieu Samphan (right) meets with representatives of Burma during the DK period.
(Source: Documentation Center of Cambodia Archives)*

Finally, before handing over to counsel for the civil parties, the prosecutor established that Mr. Chheoung had driven Khieu Samphan to state warehouse KM6 but that Khieu Samphan had not exited the car.

Civil Party Lawyers Examine Mr. Chheoung

In the final set of questions of the day, Lead Co-Lawyer for the Civil Parties Pich Ang asked a few questions for clarification. He firstly found out that the witness was currently a police officer with the national police, holding the rank of deputy chief of statistics for his district.

Mr. Ang then established that the witness saw Khieu Samphan as a positive role model. “The very way he acted made us think he is a good person we should follow,” the witness told the court. When asked specifically what Mr. Samphan taught people in lessons, the witness said he could not remember, though following prompts from the lawyer, he could recall there were lessons on being economical and not wasting products.

The witness also could not recall any conversations he had heard between Khmer Rouge leaders, nor could he recall ever having lunch with Mr. Samphan. However, he was able to tell the court again that he took Mr. Samphan to K1 every week in the morning or afternoon, where he would sometimes see the driver of Nuon Chea and Ieng Sary.

Finally, Mr. Chheoung concluded his testimony by confirming that Khieu Samphan and his wife had lived in separate homes during the DK period.

Due to a public holiday in Cambodia on Tuesday, June 18, the court will reconvene its next hearing in Case 002 on Wednesday, June 19, 2013 at 9 a.m.