



“Beloved and Missed Brothers”: Communications under the Microscope

By Mary Kozlovski

On Monday, September 3, 2012, trial proceedings in Case 002 involving the accused Nuon Chea, Ieng Sary and Khieu Samphan, resumed at the Extraordinary Chambers in the Courts of Cambodia (ECCC). Reserve Trial Chamber Judge Claudia Fenz replaced Trial Chamber Judge Silvia Cartwright, who was absent from the hearing.

The prosecution continued to question witness Norng Sophang, whose testimony focused on communication under the Khmer Rouge regime.

Ieng Sary followed proceedings from a holding cell for the entire day. Khieu Samphan and Nuon Chea were present in court, but Nuon Chea retired to the holding cell after the morning session, citing health issues.

Defense Teams Object to Document Use

As International Senior Assistant Co-Prosecutor Tarik Abdulhak began his examination by referring to a FBIS (Foreign Broadcast Information Service) extract of a broadcast dated April 17, 1975, International Co-Lawyer for Ieng Sary Michael Karnavas intervened. Mr. Karnavas argued that the aforementioned document was a report in English, not the actual message that was transmitted and it was unclear if the message was “verbatim.” International Co-Lawyer for Khieu Samphan Kong Sam Onn supported Mr. Karnavas’ position, stating that there was no Khmer language version and this could confuse the witness, who would not have heard it

verbatim at the time due to its translation. Mr. Sam Onn said the prosecution might rely on the document without reading from it.

Mr. Abdulhak called the objections “unfounded” and noted that the witness described a message aired by the “broadcasting unit” on April 17, 1975, in his earlier testimony. Mr. Abdulhak argued that while the witness had not seen the document, there was a strong nexus between its contents and his testimony, and noted that the Khieu Samphan defense had previously been permitted to read an official Democratic Kampuchea (DK) document to civil party Em Oeun. He asserted that putting documents to the witness helped to verify their accuracy and that Professor David Chandler¹ had deemed such broadcasts to be “highly reliable.”

Following a brief discussion among judges, Trial Chamber President Nil Nonn said the objection was overruled as the document had already been put before the chamber. Mr. Sam Onn said he did not object to the ruling but noted that the document had not been uploaded to the court’s interface system. Mr. Abdulhak countered that the prosecution was being consistent with the chamber’s directive to upload a limited number of documents that parties were certain to use during examination, which did not preclude parties from referring to other documents. He also said the document in question had arisen from the witness’ prior testimony and parties must be able to corroborate testimony with relevant documents.

International Co-Lawyer for Nuon Chea Andrew Ianuzzi said the team supported flexibility but sought clarification from the chamber that all parties may use a relevant document irrespective of whether it is on the interface, as the rules appeared to be “constantly changing.” Mr. Karnavas



said the prosecution had been “inflexible” when the defense adopted the same position in the past, but contended that the prosecution should have at least notified parties of which documents it intended to use – that were not on the interface – for the purposes of defense preparation. Mr. Karnavas said he would welcome a decision by the chamber allowing the prosecution to use such documents, provided the defense received the same treatment.

The dispute prompted a lengthy discussion among judges. Judge Fenz noted that there should be no confusion over rules for putting documents before the chamber and rules governing the interface – the purpose of which is to provide early notice to parties. Judge Fenz said that while some flexibility is required, the prosecution should instead question the witness about the document tomorrow to allow parties time to prepare.

Witness Testifies about Communication Systems

Mr. Abdulhak returned to his examination of Norng Sophang and, noting the witness’ prior testimony describing the use of Morse code, inquired how Morse code was used to transmit

¹ Historian David Chandler testified as an expert witness in Case 002 in July 2012.

messages between the center and the zones. Mr. Sophang said messages from the center to zones were transmitted through other means but open messages from the bases – such as those describing victories – could be sent via Morse code.

Mr. Abdulhak asked how K-18 transmitted coded messages – those not using Morse code – to the zones. Mr. Sophang said the location of the intended recipient was recorded on a telegram – such as the “A-75” for the East Zone – and K-18 ensured the message was sent and was in radio communication with that area. Mr. Sophang testified that messages were sent through a “manual winding device,” with sounds made by “tapping” letters and numbers. When Mr. Abdulhak inquired if there was a system to confirm that a message had been received, Mr. Sophang said there would be a “secret signal” sent to ensure that the right person was at the other end.² In response to the prosecutor, Mr. Sophang testified that people were disciplined and committed to performing tasks meticulously within the telegram decoding unit, according to principles laid down by Angkar.

Mr. Abdulhak cited Mr. Sophang’s first statement³ in which he was asked if Ieng Sary had telegram translators at “his own working place” and had answered that Ieng Sary had the Ministry of Foreign Affairs (MFA) and therefore had personal telegram translators. In response to a query from Mr. Abdulhak, Mr. Sophang said he could not recall if there was such a telegram-decoding unit at the MFA.

Mr. Abdulhak inquired about the function of K-7. Mr. Sophang testified that K-7 was where messengers received mail and visitors from other provinces. Mr. Abdulhak again read from Mr. Sophang’s first statement, which says that K-7 – chaired by Prum – was located north of the Royal Palace where its role was to receive domestic guests from provinces and deliver general mail. Mr. Abdulhak quoted Mr. Sophang as saying that if people had to contact K-7 if they wanted to meet with, or send letters to, K-1. Mr. Sophang confirmed that Ponn had to be called before anyone was sent to K-1. In response to Mr. Abdulhak, Mr. Sophang said occasionally requests for materials for the bases that were not urgent could go through K-7, but secret communications had to be encoded and sent telegraphically via K-18. “If the matter was of strictly confidential nature, they did not need to go through telegrams or messages, they had to come in person to the center,” Mr. Sophang testified, though he said he did not know who went to the center.

Mr. Abdulhak quoted the witness’ statement as saying that he translated telegrams from all zones about building canals and requesting materials and about the “internal situation” and events at the bases and that messages about reports on the “enemy situation or treason” were delivered in person by the zone committee to the central committee. Mr. Sophang confirmed the statement and testified that sometimes “internal affairs” were not communicated through telegrams but in person to the center, and he did not know much about it. In response to inquiries from Mr. Abdulhak about the source of this information, Mr. Sophang said if people from zone committees wanted to meet with the center they had to go through K-7; occasionally requests to meet “this brother or that brother” at a location were sent via telegram, and he concluded that

² The English translation was unclear in this part of the testimony.

³ The “statements” are believed to refer to Mr. Sophang’s interviews with investigators from the Office of the Co-Investigating Judges (OCIJ).

internal matters were not discussed in secret telegrams but in person. When Mr. Abdulhak asked if invitations were sent to zone committees from the center, Mr. Sophang said he saw short telegrams inviting cadres to attend meetings, such as a “national meeting” at Borei Keila sent to various zones and sectors, and study sessions at the party’s school in Borei Keila. Mr. Sophang said he could not recall who signed the messages but Ponn had the authority to send it to a particular person.

Prosecution Puts Telegrams under Microscope

In response to questioning from Mr. Abdulhak, Mr. Sophang said that each message had a heading – “sometimes it would say to respected brother this or that or to 870 committee or to beloved brother” – and ended with the date and the sender’s signature. Mr. Sophang testified that that the code “870” referred to the center.

Mr. Abdulhak presented the witness with a table of 100 squares that the witness drew during his interview with investigators from the Office of the Co-Investigating Judges (OCIJ). Mr. Sophang explained that the table was used to encrypt a character into a coded number, for example the letter “A” is next to the number “0” and therefore the letter “A” encrypted would be “00.” In another example, Mr. Sophang said the number “9” lined up vertically with “1” and horizontally with “8” on the table, therefore “18” represents the number “9” as the code began with the vertical line.

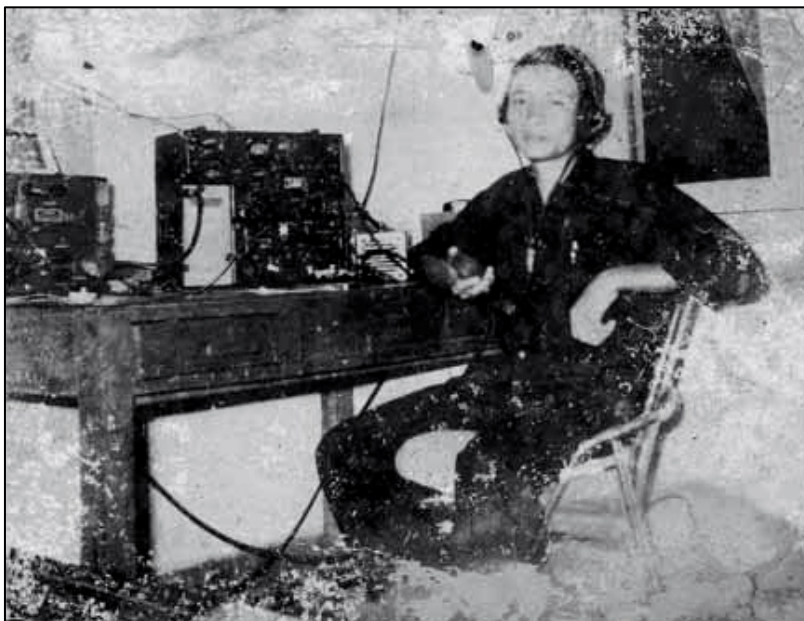
Mr. Abdulhak quoted from Mr. Sophang’s statement in which he explained that he had to call people at the other end to a meeting to explain technicalities and give them a copy of the table. Mr. Sophang said in a small number of cases when people were new and inexperienced in using the table he had to explain it, such as a female youth he taught from Mondulkiri in the Northeast Zone – where they were not well versed in encrypting messages – who later returned to her base. Mr. Sophang said he rarely called in people from other zones.

After Mr. Abdulhak asked about the use of the table in encrypting highly confidential messages – which the witness previously testified were encoded several times – Mr. Sophang delved into a lengthy explanation. He said that confidential messages underwent a three-layer encryption and that they also had to check confidential messages they received against a “confidential list” to see which parts to decrypt, such as the name of a person or location. As an example, Mr. Sophang said there were code numbers used just for K-7; the text of the message was encrypted based on the confidential list and that text would then be encrypted using the table. Messages underwent a final layer of encryption before being sent, he said. Mr. Sophang testified that messages encrypted at that level could include cadres’ trips, internal affairs, and events at the bases. The witness said few messages were unencrypted, and those would use Morse code in Khmer characters.

Mr. Abdulhak cited a telegram Mr. Sophang discussed with OCIJ investigators, questioning the witness about its format and the meaning of “Telegram 54” and “Radio Band 290.” Mr. Sophang said the telegram was “number 54” and “290” represents 290 “CKs,” with each “CK” representing five characters.⁴ When Mr. Abdulhak asked who “respected brother” in the telegram

⁴ The English translation was unclear in this part of the testimony.

address line was, Mr. Sophang said this referred to Pol Pot. Mr. Abdulhak quoted from Mr. Sophang's statement as saying that the handwriting in the top left-hand corner that reads "Grand Uncle Nuon" could be that of The, whom Mr. Sophang confirmed was Ponn's deputy. Mr. Abdulhak then read an extract from the telegram, which described "Comrade Soth, chairman of the repair shop" committing immoral acts with a woman – both of whom were arrested – who had also been implicated in the confession of a traitor named Chuon. Mr. Abdulhak noted that when Mr. Sophang was asked in his interview why such a telegram would have been sent to Nuon Chea, he said that anything related to the "internal situation and the violation of moral codes" was sent to Nuon Chea because he was "in charge of the people." When Mr. Abdulhak sought confirmation on this statement, Mr. Sophang said he did not know this at the time because Ponn was the overseer, but it was his analysis based on his knowledge because Nuon Chea was in charge of "social affairs and culture."



Nhip Sreng, radio operator during Democratic Kampuchea. Records from Tuol Sleng state that Nhip Sreng was arrested on February 4, 1977, though no record of his execution has been found. (Source: Stilled Lives, Documentation Center of Cambodia)

Mr. Abdulhak asked Mr. Sophang about the "54" on the telegram, the witness said it was sequential – meaning that "there was 53 and then there was 54" – with numbers starting at "01" and reaching 99 before resetting back to "01." Mr. Sophang said the telegram was from Mondulkiri because he decoded it and Sarun – the sector secretary for Mondulkiri – signed it. Noting the line "received on April 23, 1978, at 2300 hours" under Sarun's name, Mr. Abdulhak asked if this was written on the receiving end to which Mr. Sophang said he would note the date of receipt after he received a message and decoded it, following the date of the message itself.

Mr. Abdulhak read the "copied to" line, which read: "Uncle; Uncle Nuon; Uncle Van⁵; Uncle Vorn; office; document." In response to Mr. Abdulhak's questioning, Mr. Sophang said his supervisor Ponn and The, were authorized to write that line and carbon copies were made based

⁵ "Van" is Ieng Sary's alias.

on Ponn or The's instruction. Mr. Sophang said he sometimes had instructions on to whom to copy the document or message, but if it was unclear he had to ask what names he should type.

Mr. Abduldak quoted from the witness' statement after he looked at the telegram, which Mr. Sophang subsequently confirmed:

Grand Uncle Nuon referred to Nuon Chea; copied to Grand Uncle referred to Pol Pot. Grand Uncle Nuon was Nuon Chea. Grand Uncle Van was Ieng Sary. Grand Uncle Vorn referred to Vorn Vet, who was the Minister of Finance. "Office" referred to Office 870 and "document" was to be kept in the archive. The office place was different from the document place. For the office it was kept in the Office 870 but for the document it was kept at the translation place.

Asked about the procedure after he was instructed by Ponn or The to create copies, Mr. Sophang said he typed them, put all copies in envelopes, and sent them through a messenger to K-1, where Ponn or The would send them to recipients based on the "copied to" lines. Mr. Abduldak asked if the handwriting that the witness identified as The's was written on the document after it arrived at K-1. Mr. Sophang said he did not see the writing when he encoded the message and The would have understood the content related to Om Nuon and written the name. Mr. Sophang said before he typed a name he would seek permission, with some messages only copied to "Uncle" or "Uncle Nuon" and people absent at times, such as Ieng Sary who, being in charge of foreign affairs, would not be copied in when he was overseas.

Mr. Abduldak again asked Mr. Sophang to confirm comments from his first interview that he believed the copies reached the intended recipients because the messengers and translators were "very loyal" and there would have been a problem if they were not received. In response to Mr. Abduldak, Mr. Sophang said some confidential messages were "leaked," which could be the fault of a "disloyal" messenger, the person who coded the message, or "uncles" who were careless with the document. Mr. Sophang said he believed the uncles received most of the messages, because they used loyal and disciplined people to work in this area.

Regarding whether he had meetings with Ponn, The, or others to discuss performance of their duties, the witness responded that meetings were held monthly, or every two to three months, with superiors to highlight strengths and weaknesses in performance and means of improvement.

Mr. Abduldak quoted Mr. Sophang's second statement as saying he was given verbal instructions from Ponn during meetings⁶ that he implemented – allowing him to survive – and telegrams were sent to various units depending on their content. Mr. Abduldak asked if Mr. Sophang's unit was organized and disciplined. Mr. Sophang agreed, noting that he maintained secrecy, principle and work performance within his office based on those rules set out by the upper echelon. In response to a query from Mr. Abduldak, Mr. Sophang said Ponn and The worked directly with Pol Pot and were "secretaries," explaining that the instructions they gave were taken during meetings with the standing committee and passed to Mr. Sophang.

⁶ In response to an initial question from Mr. Abduldak about the organization and discipline of the unit, Mr. Sophang said, "Regarding that statement, it talked about the moral behavior that a woman was raped, and probably for that reason that's why there was a handwriting of Uncle Nuon up there." It was unclear in the English translation to what statement he was referring.

Mr. Abdulhak returned to the previously cited telegram, asking if the copy sent to “document” would be held at Ponn’s office at K-1. Mr. Sophang said the word “office” meant that a copy of the message would be maintained at Office 870 within the K-1 compound, and he also held a copy at his office for possible verification purposes. Mr. Sophang testified that he usually retained the last carbon copy at his office and others were sent to “brothers” or “uncles.” The prosecutor inquired about “Office 870,” which Mr. Sophang said had always been the “office for the party center,” or central committee, chaired by Pol Pot. Mr. Sophang said that if a letter was addressed to “respected brother,” it referred to Pol Pot and if it referred to “870” then it referred to the central committee. Mr. Abdulhak noted the line included both “Uncle” and “Office 870,” to which Mr. Sophang said that “office” in this case referred to Office 870 of Angkar and “uncle” referred to Pol Pot.

When Mr. Abdulhak attempted to present more telegrams to the witness, International Co-Lawyer for Khieu Samphan Arthur Vercken interjected. Mr. Vercken said that the text and the audio transcript of the written statement appeared to differ regarding the term “Committee 870”⁷ and it should be noted prior to cross-examination. Mr. Abdulhak objected in “the strongest possible terms” to Mr. Vercken’s “completely inappropriate” intervention, stating that the witness described the offices in his own words and defense counsel was attempting to broadcast to the witness what he should be saying. Mr. Abdulhak asserted that Mr. Vercken’s intervention should be sanctioned and that he could take up the issue in his cross-examination. President Nonn reminded Mr. Vercken that he could put such questions about “discrepancies” to the witness during his cross-examination.



Returning to his examination, Mr. Abdulhak cited a telegram dated November 30, 1975, with the heading “Telegraph Number 15, respectfully submitted to Comrade Brother Pol,” whom Mr. Sophang confirmed was Pol Pot. Mr. Sophang said he did not know “Chon,” whose name was under the date, as this telegram should have been managed by the East Zone. Mr. Abdulhak noted the document discussed the dispersal of Muslim people from the East Zone and asked about its origin. Mr. Sophang said the document was reportedly sent to Brother Pol from the East Zone and was about “Islam”; he did not know its author but generally zone secretaries were entitled to report to Brother Pol. So Phim was East Zone secretary in 1975, Mr. Sophang said.

When Mr. Abdulhak read that the telegram was copied to “Brother Nuon; Brother Doeun; Brother Yem; archives,” but not to “office.” Mr. Sophang remarked that this was “strange.” Mr. Abdulhak quoted from the witness’ first statement in which he commented that this telegram was originally sent only to Pol Pot, but its sender knew it must also be sent to “the person who was in charge of people, like Nuon Chea.” Mr. Sophang confirmed the statement. Mr. Abdulhak noted that Mr. Sophang said he was unsure about the identity of Yem and Doeun but that Yem may be a member of the assembly and Doeun might be chairman of an office working with Nuon Chea

⁷ The English translation of Mr. Vercken’s objection was unclear, but it appeared that in the audio transcript, the term “Committee 870” might have been described as the standing committee.

or Khieu Samphan, or a member of the assembly responsible for the North Zone. Mr. Sophang confirmed the comment, stating that he was never certain who Yem and Doeun were.

Mr. Abdulhak quoted from another telegram dated November 7, 1976, addressed to “missed and respected Comrade Doeun,” stating that his telegram had been received and discussing a request for 10,000 coconuts.⁸ Mr. Abdulhak asked if Mr. Sophang could identify the author “Chann.” Mr. Sophang said he did not know Chann but noted that Sector 105 was in an autonomous sector in the Northeast Zone; he said Doeun might have managed materials. Mr. Sophang said he did not understand the message because it was about radio communications but mentioned a “coding session” and the two were different. Mr. Abdulhak pressed the witness on the identity of Doeun, asking if he helped organize training for youth comrades from Sector 105. Mr. Sophang said Doeun was not tasked with teaching radio communication or decoding, because if people wanted to be trained in radio communication they would be asked to contact K-18, and Mr. Sophang would be contacted if it were a question of coding.

When Mr. Abdulhak asked why the message was not copied to Pol Pot, Mr. Sophang said he did not decide to whom documents were copied but noted that people had to solve problems within their own sections.⁹

Defense Teams Object to Prosecution’s Line of Questioning

Following a recess, President Nonn briefly reminded the witness to answer according to his own knowledge. As Mr. Abdulhak again attempted to question Mr. Sophang about “Comrade Doeun,” Mr. Vercken said he was surprised by the prosecution’s method noting that the witness testified he did not know Doeun’s role. He argued that Mr. Abdulhak’s question was “leading” and the prosecution was showing documents to Mr. Sophang to elicit assumptions on Doeun’s role, on which other witnesses may shed light.

Mr. Abdulhak noted that Mr. Sophang commented on Doeun in his statement to OCIJ investigators and understood him to be tasked with distribution of materials. He argued that it was appropriate to explore the witness’ knowledge using documents, and the attempt to block his examination before he had asked a question was “improper and premature.” Mr. Vercken responded that the witness’ answer in his 2009 statement appeared to be in response to a suggestion and may have been “evasive.”

Mr. Karnavas echoed Mr. Vercken’s comment that other witnesses may have information about Doeun, and noted that in his second statement Mr. Sophang had said Doeun was perhaps in the working group at Office 870. Mr. Karanvas asserted that for the prosecution



⁸ Mr. Abdulhak quoted another section of the telegram as follows: “We would also like to inform you that the sector wants to send a youth comrade from radio communication unit to further study the radio communications coding. We request to have this Comrade participate in the upcoming course at the party’s school. . . . We would like to confirm the traveling documents. Should the traveling car be registered and a mission letter for traveling from Sector 105 to Phnom Penh be issued? We would like to know whether Angkar requires these letters to be issued.”

⁹ The English translation in this section of Mr. Sophang’s testimony was unclear, but he seemed to suggest that Doeun was copied into the telegram because he had been assigned by the standing committee to be in charge.

to attempt to construct knowledge by presenting documents was “improper.” President Nonn noted that the witness came to a conclusion in his response earlier and the defense did not object. He noted that the prosecution had the right to put questions to the witness, who must also only testify to his observations and knowledge.

Picking up where he had left off, Mr. Abdulhak questioned Mr. Sophang about the minutes of the standing committee meeting dated October 9, 1975, that he discussed with OCIJ investigators in which “Comrade Doeun” is mentioned as “Chairman, political office of 870.” Mr. Sophang testified that he had said he did not know who Doeun was, and appointments by the standing committee were beyond his knowledge.

Prosecution Quizzes Witness about Khieu Samphan

Mr. Abdulhak returned to Mr. Sophang’s first statement, quoting him as saying that Khieu Samphan used to have messages, which referred to amounts of salt, rice grain, cloth, clothing, shoes, and other materials to be sent to units for distribution to the people, because Khieu Samphan “managed” distribution of materials. Mr. Abdulhak read that the witness said he did not receive messages from Khieu Samphan often and used to translate them into “directive circulars” about “various national ceremonies.” Mr. Sophang confirmed the description.



(From left to right) Ieng Sary, Khieu Samphan, and Pol Pot enter Olympic Stadium in Phnom Penh during the Democratic Kampuchea period. (Source: Documentation Center of Cambodia)

Mr. Abdulhak read again from the statement that Khieu Sampahn sent handwritten messages through K-1 messengers who delivered them to K-1, “Sometimes Khieu Samphan phoned me and had me take note of his text on phone, and he told me where to send that message. That text was then to be coded and then was transmitted.” Mr. Sophang confirmed the information. Mr. Abdulhak quoted again from the statement, in which the witness said his phone line was connected only to Khieu Samphan, “Yoth,” and K-1, which Mr. Sophang also verified. When asked why his office was connected to Khieu Samphan via telephone line, Mr. Sophang said that if telegrams were in his handwriting, if the message was unclear, or if a certain form had to be used for a message, Khieu Samphan or his working group would call him with instructions. Mr.

Sophang testified that messages from Khieu Samphan were typed and his office encrypted them, and that he did not see messages addressed to Khieu Samphan from zones or provinces and was never instructed by Ponn to copy a letter or message to Khieu Samphan.

Mr. Abdulhak quoted from Mr. Sophang's second statement as follows:

As for Khieu Samphan he was in charge of the front and the government, *i.e.*, contacting Samdech Sihanouk, meeting with foreign guests who came by the state invitation, dividing other materials to the various bases and zones. Telegram was not copied to Khieu Samphan. My understanding is that Pol Pot might call him to meet personally.

Mr. Sophang said the first part of the comment was accurate based on what he witnessed. "When I said I presumed, it is really obviously clear that I was not sure on that, and the investigators kept dwelling on the thing that I said I was not clear," Mr. Sophang testified.

Returning to the October 9, 1975, standing committee meeting minutes, Mr. Abdulhak quoted an excerpt:

When a telegram comes in, immediately when it is received the office must hand it to the responsible section immediately so they can examine and consider it and make proposals to the standing committee. Some matters are urgent. Military matters are given to the military, commerce matters to commerce, party matters to the party section. Therefore if we move closer together this will facilitate concentrating our workforce.

Mr. Abdulhak asked if it was correct that the witness indicated in his interview that this excerpt reflected Ponn's instructions to him. Mr. Sophang said the excerpt related to work performed in accordance with the standing committee, and it was true that communication must be expeditious and texts decoded in a timely manner so that Ponn's section could manage them. When Mr. Abdulhak asked how the military communicated with the party center, Mr. Sophang said he observed that military communication would be sent through K-18 and then to the decoding section.

Witness Presented with Era Telegrams

Mr. Abdulhak presented the witness with a series of contemporaneous telegrams, noting their features and asking him questions about them.

- *Telegram – March 21 [appears to be 1976]; authored by Chon; copied to Brother Nuon; Brother Khieu; Brother Van; Office; Archive; "presented with respect to beloved and missed Brother Pol."*

Mr. Sophang first confirmed to the prosecution that "Brother Khieu" was Son Sen. Mr. Abdulhak noted that the telegram notes a report from "Comrade Chhuok – Sector 24 – on the border situation" and describes events on March 13, 1976. When asked about the telegram's origins, Mr. Sophang testified that the "Brother Pol" referred to Pol Pot and that he did not know Chhuok, but Sector 24 was under the East Zone and prepared by a person named Chon, who could have been from that zone. Mr. Abdulhak then quoted a section of the telegram that referred to a "pacification agent" who threw a grenade, was beaten, and interrogated about his

“organizational links” – “[we] got onto more than 20 more of them” – which were from South Vietnam.

In response to questions from Mr. Abdulhak, Mr. Sophang said he did not decode the telegram because Ponn dealt with the East and the situation along the Cambodia-Vietnam border, and he had received few messages – “none” – on internal matters, including traitors.

Mr. Abdulhak inquired if the format was consistent with other telegrams sent at the time. Mr. Sophang said the heading and ending looked similar but it was normally bulleted, though there was no uniform template and it depended on who prepared the telegrams.

- *Telegram – July 18, 1976; No. 50; signed by Hang; copied to Brother Nuon; Brother Khieu; Brother Van; Office; Documentation; “dear beloved and missed brothers.”*

Mr. Abdulhak quoted from the telegram as referring to a situation on July 11 at 1400 hours, when soldiers guarding Preah Vihear temple took eight ‘AKs’ and two ‘B-40s’ and deserted to Thailand. Mr. Abdulhak asked Mr. Sophang about the telegram’s author, to which the witness responded that Hang was the sector secretary who sent him to an education session.

- *Telegram – detailing events in September 1976; No. 11; Radio Band 271; signed by Chon; “beloved and missed M-87.”*

Mr. Sophang said the “M” refers to “Office” and “M-870” refers to the central committee, with “Angkar 870,” “M-870,” “Office 870,” and “870” used interchangeably. After quoting a short excerpt from the telegram about children retrieving an audio recording device dropped by “the enemy” in a district on September 4, 1976, Mr. Abdulhak asked if it was common for zones to report on a wide range of events. Mr. Sophang said that any strange circumstances concerning security or safety, or border areas, had to be reported to the upper echelon.

- *Telegram – August 4, 1977; No. 62; Band 1474; authored by Chheang; copied to Uncle; Uncle Nuon; Brother Van; Brother Vorn; Brother Khieu; Office; Documentation; “respected and beloved M-081.”*

Mr. Sophang said he had not seen the code “M-81” and it should be “M-87” – which could be an abbreviation of “M-870” – as there appeared to be a number removed. President Nonn reminded the witness to respond appropriately and not provide personal conclusions. Mr. Sophang said he had not seen the number before.

After Mr. Abdulhak again read the names of those to whom the document was copied “for the record” Mr. Karnavas briefly interjected, asking what the purpose was other than to perhaps “signal something to the witness,” given that the document was already on the case file. Mr. Sam Onn said he supported Mr. Karnavas’ comment and objected to the prosecution’s statement, which he said should be made at the end of the hearing.¹⁰ Mr. Abdulhak asserted that he was attempting to contextualize the documents and make their relevance more obvious, especially as

¹⁰ It was unclear in the English translation to which “statement” Mr. Sam Onn was referring to.

they cannot be projected on the screen in three languages simultaneously. President Nonn said the prosecutor could continue as the document was on the case file.

Mr. Abdulhak quoted from a document¹¹ that refers to news that the Kampuchean army committed “mass killings of 1,000 ordinary Vietnamese people in Ha Tien, in Kien Giang province.” The prosecutor asked if Mr. Sophang had read similar reports on the conflict with Vietnam, to which the witness responded that he had not encoded or seen the document. Mr. Sophang said he did not know the author Chheang.

Mr. Abdulhak read from an instruction from Office 870 dated January 3, 1978, - “Point of views, stance and ways of defeating the Yuon¹² invaders” - that Mr. Sophang discussed with OCIJ investigators. He quoted Mr. Sophang as saying in his second interview that red ink annotations on the document belonged to Pol Pot because he had the right to make corrections, and whose handwriting the witness recognized from translating writing or short messages from Pol Pot through Ponn. Mr. Sophang verified the comments. Mr. Abdulhak quoted from the document, signed by “Committee of 870,” as follows:

Note: this instruction must be distributed and learned again and again within the party committee of zones, sectors, districts, cooperatives, battlefield committees, division committees, regiments, battalions, platoons, companies, groups and combatants, and each target commanding committee, so as to exchange experience and improve the performance regularly.

When Mr. Abdulhak asked if Mr. Sophang recalled such instructions being issued by Committee 870 nationwide, Mr. Sophang said he remembered such a document but it was a finalized version, with annotations. Mr. Abdulhak quoted from the heading “General information about the enemy and us,” as follows:

The strong front line and weak base of the Yuon invaders and the situation of hard front line and strong base in all fields of politics, economics, and military both locally and overseas have been elaborated on in all aspects in the DK government’s communiqué by the comrade president of the State Presidium on December 31, 1977.

Mr. Sophang confirmed that he had heard the statement by Khieu Samphan on December 31, 1977, through National Radio of DK. Mr. Abdulhak proceeded to read from a transcript of a speech attributed to Khieu Samphan, asking if the contents are consistent with the radio broadcast Mr. Sophang heard:

The CPK [Communist Party of Kampuchea] Central Committee, the Cambodian Peoples’ Representative Assembly, and the government of Democratic Cambodia appeal to the entire party, the entire Cambodian Revolutionary Army, and the entire Cambodian people to raise their sense of revolutionary vigilance further and increase, strengthen, and expand the sense of patriotism, national honor, and the national soul to safeguard, strengthen, and expand the fruits of victory of the revolution. ... The CPK is a correct and clear-sighted party which has gone through valiantly and successfully along complicated and difficult revolutionary struggle.

¹¹ Based on the questioning prior to the testimony, this document appeared to be Telegram No. 62.

¹² The term ‘Yuon’ was used to refer to Vietnamese people.

Mr. Sophang said he could not recall whether this statement was consistent with the one he had heard.

Witness Presented with More Telegrams

Mr. Abdulhak presented the witness with additional telegrams and posed specific questions related to each.

- *Telegram – April 8, 1978; signed by “No. 47”; “dear brother.”*

Mr. Sophang first confirmed the “No. 47” was a secret code that referred to Son Sen. Mr. Abdulhak read from the telegram that in the bases “we continue to purge successively” and the following day “Comrade Chan will go to meet Brother Phim.” Mr. Sophang said he did not know Comrade Chan or about purges at the base areas, but “Brother Phim” referred to party member So Phim, the East Zone secretary.

Pointing to the top-left hand corner of the telegram, Mr. Abdulhak asked the witness if it read “Brother Van.” Mr. Sophang agreed. Mr. Abdulhak then sought confirmation from Mr. Sophang that he said the annotation – probably written by The – states that Brother Van, or Ieng Sary, was the Minister of Foreign Affairs. Mr. Sophang confirmed the statement but said he was not sure the handwriting belonged to The.

Mr. Abdulhak cited another two telegrams, which Mr. Sophang had discussed with investigators, that appeared to have annotations referring to “Brother Van.” Again, Mr. Sophang noted an annotation stating “Brother Van” in the top left hand corner and confirmed that he identified the writing as belonging to Ponn in accordance with his prior statement, and was unsure whose writing noted the date of receipt and “copied to” line at the bottom of the page. In response to Mr. Abdulhak’s questioning, Mr. Sophang identified a third annotation – on telegram No. 47 dated April 26, 1978 – as referring to “Brother Van,” and confirmed from his OCIJ statement that it was Ponn’s handwriting, which he knew because Ponn brought him things to translate.



When Mr. Abdulhak asked why Ponn would have handwritten “Brother Van” on the documents, Mr. Sophang responded that they were relevant to events in the border areas and Ponn knew well that information about the dispute between Cambodia and Vietnam had to be sent to the MFA. Mr. Abdulhak noted that the telegram was copied to “Grand Uncle; Grand Uncle Nuon; Grand Uncle Van; Grand Uncle Vorn; Office; Archive,” and asked why “Brother Van” was annotated if he was copied into the telegram. Mr. Sophang said Ponn wanted to stress that the telegram had to be delivered to Uncle Van, as was it related to foreign affairs.

Mr. Karnavas interjected and asked if the witness might tell the court whether Ponn disclosed this information to him, or how he came by it. Mr. Karnavas suggested that the witness was “merely speculating” and if he does not answer

concretely, the answer should be struck from the record or disregarded. Mr. Abdulhak asserted that when a response does not suit the defense they broadcast intended questions, and the appropriate time for such queries was during cross-examination. President Nonn told the prosecution to continue but again cautioned the witness about his answers. Mr. Abdulhak asked Mr. Sophang if he ever heard reports in his meetings with Ponn, that documents addressed to the uncles were not delivered. Mr. Sophang said he had never heard that.

Mr. Abdulhak turned to another telegram dated July 7, 1978, that Mr. Sophang discussed with OCIJ investigators, which was addressed to Ren Fung Co Ltd., Hong Kong,¹³ and signed by “Fortra Phnom Penh.” Mr. Abdulhak said the top left-hand corner contained an annotation - “already sent to Brother Hem; an original copy to HK; copied letter; sample of two sets of boxes; 07/07” – and noted that Mr. Sophang said in his statement to OCIJ investigators that as the telegram was related to commerce it was copied to Khieu Samphan, or Brother Hem. “I used to receive Khieu Samphan telegram which regarded to the distribution of salt, rice, and fish paste,” Mr. Abdulhak quoted the statement as saying. Mr. Sophang confirmed the comments.

Reading again from Mr. Sophang’s statement, Mr. Abdulhak asked if it was correct that Mr. Sophang described the author of the telegram as Tha Rith, “the minister of commerce stationed in Hong Kong.” Mr. Sophang replied that he did not know because he did not work on that issue.

Mr. Abdulhak turned to a communication dated May 11, 1978, and addressed to “Angkar 870” and noted that Mr. Sophang identified the author of the communication in his second statement as Nhim, chairman of the Northwest Zone. Mr. Abdulhak asked – as the standard telegram letterhead was not present – if it was a different type of document. Mr. Sophang said it was not a telegram encoded by his group as it did not have a proper heading, band, or number of code signals, and he was unsure how it was transmitted to Angkar 870. In response to a query from Mr. Abdulhak, Mr. Sophang said he saw Nhim’s signature on a short telegram during the decoding process. Mr. Abdulhak read an excerpt from a section entitled “People’s living conditions” that mentioned “shortage” and distribution to people of one or one and a half cans of rice per day. He inquired if any telegrams Mr. Sophang translated mentioned such issues as food shortages. Mr. Sophang said various zones and sectors reported about people’s living conditions, but they were not identical, and some areas were better, with rice produced in larger quantities such as three, or even ten, tons per hectare.

Mr. Abdulhak read a passage in the same document as follows:

In regions, external enemies came in on May 5 and succeeded in encouraging and moving some people away with them. However, when they were trying to escape away with forty people, we smashed all of them, with the only two that had escaped being under our further pursuit. In region four, five, and three likewise, there were sort of people movements (by enemies) though we smashed most of them.

When Mr. Abdulhak asked if he had translated similar information, Mr. Sophang said he had made a conclusion in his OCIJ statement, and it therefore could not be used.

¹³ This is believed to be the correct spelling of this company, but the audio was unclear.

Prosecution Turns to Training Sessions

Mr. Abdulhak noted Mr. Sophang's testimony that he attended training, asking where it took place. Mr. Sophang said there was training at the former Soviet Technical Institute and political training at Borei Keila; he only attended training at the former Soviet Technical Institute where Pang – whom Mr. Sophang knew from B-17 – and Phum were political trainers. Mr. Sophang said Pang taught in line with the declaration by the President of the State Presidium and instructions from 870 and covered "general situations," but also included political, economic and military affairs both inside and outside the country. In response to Mr. Abdulhak, Mr. Sophang said he could not recall being provided with written materials during the training. The witness confirmed that between 1975 and 1979, he was a member of the Youth League, but not of the CPK.

President Nonn adjourned the hearing, set to continue on Tuesday, September 4, 2012, at 9 a.m. with further questioning of witness Norng Sophang.