



*“The line was stable . . . . [T]he enemy was to be smashed.”  
- Duch, referring to party policy during the Democratic Kampuchea period*

## **The Prosecution (Nearly) Concludes its Marathon Questioning of Duch**

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On Thursday, March 29, 2012, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) continued trial proceedings in Case 002 against accused Nuon Chea, Ieng Sary and Khieu Samphan. Scheduled for the day was the completion of the prosecution’s questioning of Kaing Guek Eav, *alias* Duch, the convicted accused in ECCC Case 001. Duch had already been questioned by the prosecution for more than four full days, during which time he had discussed the statute of the Communist Party of Kampuchea (CPK) and command/communications structures in place in Democratic Kampuchea (DK) and often commented on the roles and authority of the accused in the process. During this testimony, Duch had also repeatedly claimed that Pol Pot and Nuon Chea were the supreme authority figures of the Khmer Rouge throughout the DK period.

### ***Prosecution Resumes Questioning of Duch***

International Deputy Co-Prosecutor William Smith began questioning for the day by turning back to Duch’s previous testimony concerning a meeting where he and Son Sen discussed individuals who were supposedly spreading anti-CPK leaflets. Duch indicated that he had attended the meeting and remembered it well. Mr. Smith then provided Duch with a document purporting to be the minutes of another meeting Duch attended in September 1976. In the document it stated, “Comrade Duch gave comments.” Duch testified that he remembered the meeting, which was convened to discuss certain people who were associated with a suspected traitor. He also testified that Son Sen and another CPK official commented on the situation and made a plan to arrest a lot of people in division 170. Thus, at the meeting, a “practical plan” was

created to arrest 40 people from division 170. Duch testified that the 40 people were then arrested and transferred to S-21 by military divisions.

Mr. Smith then turned back to a document discussed the previous day from June 1978 that stated that “mised” people in DK who had joined the CIA accidentally could receive leniency from the CPK if they admitted their mistakes. Duch affirmed his testimony that the document was not reflective of any genuine “softening” of policy by the CPK regarding perceived enemies. He also testified that when he first saw the document, he was pleased because he thought that the “lower class” evacuees could then possibly be allowed to join the party and the military. Duch then testified that he realized later on the document was not true CPK policy, so he disregarded it. He also stated that this difference between stated and actual CPK policies also occurred at the beginning of the DK period, when the CPK announced that only the so-called seven “super-traitors” would be executed, yet executions exceeded well beyond this small group.

Duch then testified about a meeting where he was told that city dwellers had been “evacuated to be tempered in the cooperatives” and that after 2-3 years, these people could be integrated fully into the cooperatives. He stated that Pol Pot stated at the same meeting that Buddhism had to be eliminated by making monks build dams and luring monks to abandon their religion by tempting them with women. Regarding any softening of the party line, Duch stated that following this meaning, he became more lenient on prisoners at S-21 but that Nuon Chea had reprimanded him for doing so. Duch recalled that Nuon Chea sarcastically told him “Duch is now too knowledgeable about the party line” when he discovered that Duch had ceased interrogation based on the leniency document. Thus, he believed that the document officially stating the CPK would be lenient was solely a ploy to placate the people and avoid uprisings, so he resumed regular torture and interrogation practices at S-21.

Next, Duch testified that around January 3, 1979, he received orders from Nuon Chea to close down S-21 because Vietnamese forces were advancing on Phnom Penh. He stated that four days later he left S-21 after evacuating some prisoners and ordering his subordinates to continue the interrogations of the rest.

Mr. Smith then provided Duch with another document that outlined CPK policy on the use of the words *Angkar* (“organization”) and “party” dated July 1977. Duch stated that he had never seen the document before, though he recognized the handwritten annotation on the document as that of Son Sen.

The Chamber President then ordered the document to be removed from Duch because he had never seen it before. Mr. Smith was permitted, however, to continue questioning Duch on the contents of the document. Duch testified that there had been mistakes in the use of the term *Angkar*, such as low-level CPK cadres allowing their subordinates to refer to them as *Angkar*. Duch stated that he only used the term during the DK period to refer to Pol Pot, the CPK Central Committee, or a person representing Pol Pot or the Committee.



*Trial Chamber President Nil Nonn*

Regarding the party policy “towards the enemy,” Duch stated that this line was “stable” and was that “the enemy was to be smashed.” Thus, there was no particular guidance given in CPK policy regarding what was to be done with enemies. Duch explained that he was instructed to search out CIA agents early in the DK period; he was later instructed also to search for KGB agents and finally, near the end of the regime, he was instructed to focus on identifying Vietnamese agents.

Mr. Smith then asked Duch if he received any other circulars or documents outlining CPK policies other than the ones already discussed during his testimony. Duch simply responded that the CPK policy was to smash enemies and that “this issue was classic, it did not change.”

Duch then testified that when Nuon Chea replaced Son Sen as his direct superior in late 1977, Son Sen maintained his position as chief of general staff of the Revolutionary Army of Kampuchea (RAK) and held this position until his death.

Mr. Smith then provided Duch with another document, allegedly sent to S-21 in February 1976, that discussed a bombing incident in Siem Reap province. Duch stated that at this time, Nath was still in charge of S-21 and as such, Duch had never seen the document before. Again, the President ordered the document to be removed from Duch. Duch then testified that he recalled a meeting called around this time by Nath to discuss the bombing incident and to stir up sentiment against “imperialists” and their “henchmen.” He denied, however, that any investigation took place at S-21 related to the bombing or that anyone was arrested specifically in relation to the bombing.

Next, Mr. Smith asked Duch about the formation of DK ministries. Duch responded that he was aware of the ministries of commerce, energy, social affairs, propaganda, state warehouse and transportation. Upon further questioning, Duch affirmed that DK also had a ministry of foreign affairs, which he described as “very big.”

Mr. Smith then provided Duch with another document, purported to outline responsibilities of key CPK members. Duch identified the individuals listed in the document as follows:

- “comrade secretary” was Pol Pot;
- “comrade deputy-secretary” was Nuon Chea;
- “comrade Van” was Ieng Sary;
- “comrade Hem” was Khieu Samphan;
- “comrade Touch” was Koy Thuon;
- “comrade Khiev” was Son Sen;
- “comrade Vorn” was Vorn Vet;
- “comrade Doeun” was Se Va Sy;
- “comrade Phea” was Ieng Thirith;
- “comrade At” was Yun Yat, Son Sen’s wife;
- “comrade Chey” was Norng Soeun;
- “comrade Yem” was Sim Sonn; and

- “comrade Pang” was Chem Song Ouk.<sup>1</sup>

Following this identification process, Mr. Smith provided Duch with a document purported to be the minutes of a Standing Committee meeting on the topic of commerce held in 1976. Duch again stated that he had never seen the document before, and the President ordered it removed from him. Mr. Smith then asked Duch about certain names in the document. Duch identified certain members of the CPK Ports Committee, but was unable to identify several names.

Duch then testified that S-21 was not connected to any other ministry and was in contact solely with Son Sen, Nuon Chea and Pang, who represented Pol Pot. He did affirm, however, that individuals from other DK ministries were sent to S-21 for interrogation and execution. Duch then described his role in the November 2, 1978, arrest of CPK Central and Standing Committee member Vorn Vet, his former superior when Duch worked at M-13 prison prior to the DK period. The arrest apparently took place prior to a film screening, and afterwards, Duch stated that a smiling Pol Pot asked Ke Pauk, who was present, whether the movie was any good.



*Ieng Sary (second from left) with his defense team*

### ***Ieng Sary Retires at Usual Hour***

At this point, the Chamber began to announce the morning break, and counsel Ang Udom made his usual request that Ieng Sary be permitted to waive his right to be present in the courtroom and retire to the holding cell to observe the remainder of the day’s proceedings via audio-visual link. As per usual, the President granted the request and adjourned the proceedings for a short break.

### ***Prosecution Resumes Questioning of Duch***

Following the break, Mr. Smith turned back to the master prisoner list of victims detained and executed at S-21 and asked Duch about victims who had held positions within the CPK prior to their arrest. Specifically, Mr. Smith asked Duch to explain how information from confessions flowed up the chain of command in DK. Duch responded that the goal of S-21 was to collect confessions and that confession documents were reported to Duch’s superiors. He then testified that it was up to the upper echelons to determine what to do with the information contained in the confessions. For example, he testified that on one occasion, the leaders selected 19 people to be arrested out of a larger group of individuals implicated in a confession. He also testified that he

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<sup>1</sup> The majority of these names are new to the author and are thus, spelled phonetically according to the ECCC English live translation. Thus, there may be errors in the standard transliteration of some names. Those interested in the official spelling of any name should consult the official ECCC transcript.

“never touched” the lists of names of people implicated in confessions, which were created by other S-21 interrogators, but that he did provide some annotations on confessions to assist his superiors. Duch did affirm that the lists of names and confessions were transmitted to his superiors, noting again that creating these documents was “the only purpose of S-21.”

Mr. Smith then presented Duch with a document purporting to be the cover page of an S-21 confession. Duch examined the document and stated that it was originally from S-21 but contained additional annotations on it. He then identified the annotations on the confession, stating that Nuon Chea was the person who had written the annotations based on the style of the handwriting. Mr. Smith then asked Duch what the statement in one annotation that the “matter” had already been “resolved” meant.

This prompted an objection from Nuon Chea defense counsel Michiel Pestman, who argued that the question invited speculation from Duch, as Duch had indicated he had never seen the annotation during the DK period. The Chamber nonetheless permitted the prosecution to proceed.

In response to the question, Duch indicated that Nuon Chea was the decision maker at the time and the annotation indicated that he had already decided to resolve the matter within the Ministry of Social Affairs. Mr. Smith then asked what it meant that the situation had been “resolved.” Duch responded that initially, the term “resolve” meant arrest and execution but that at the time of the annotation in question, “resolve” meant that the Standing Committee had decided how many people would be arrested. Thus, in this case, Duch claimed, Nuon Chea had already decided what people were to be arrested who were implicated in the confession.

Mr. Smith then provided Duch with another document, which Duch identified as a document sent from S-21 to the CPK upper echelons in February 1978 that contained his own annotations. He then testified that other annotations on the document were made by his superior. Duch stated that the document was a confession taken from a CPK diplomatic representative to Laos. He then identified the annotation that read “comrade Van” on the document, which he was “convinced” was made by Nuon Chea, explaining that the writing matched that of Nuon Chea.

When Mr. Smith asked Duch who the annotation referred to, Ieng Sary defense counsel Michael Karnavas objected that the question called for speculation. He stated that he considered it “inappropriate” to ask Duch to speculate about what another person was thinking when making an annotation.

Mr. Pestman then added his support to this objection and argued that the prosecution should establish Duch’s basis of knowledge for each question more clearly to ensure that the Chamber understands how Duch is formulating each answer.

Mr. Smith responded that Duch had been involved in making and reading annotations on S-21 documents for years and had a long relationship working with Nuon Chea and therefore, Duch was “in a position to know” what the annotations meant.

Mr. Karnavas replied that Duch was in the position to comment on his own annotations, but should not be permitted to “guess” what was in the mind of other people who may have made annotations.

The Chamber sustained the objection, and Mr. Smith instead asked if Duch had previously seen the annotation “comrade Van” on the document while he still worked at S-21. Duch responded that no annotations by senior CPK officials were on documents at S-21 but were only placed on a document after it was transmitted out of the prison. Mr. Smith then sought to ask Duch about how the Standing Committee used the documents.



*Michael Karnavas, Ieng Sary's Defense Counsel*

Mr. Karnavas objected again, stating that Duch never indicated that he attended a Standing Committee meeting and that Duch had thus far only explained his knowledge by describing conversations he allegedly had with other individuals whom he had later killed or are now dead. Mr. Karnavas argued that Duch had already indicated that during the DK period, party members were expected to avoid knowledge, and therefore, Duch likely did not know much of anything about the inner workings of the Committee. Thus, he concluded, the prosecution was simply asking for Duch to speculate improperly.

Mr. Smith responded by observing that Duch’s immediate superiors, Son Sen and Nuon Chea, were Standing Committee members and that Duch had indicated during his testimony that the Standing Committee would contact heads of departments, including Duch as head of S-21, regarding certain matters. Thus, according to Mr. Smith, Duch could be properly asked about Standing Committee issues and procedures and be permitted to simply state his degree of knowledge about each issue on an *ad hoc* basis to assist the Chamber. He then pointed out that the defense teams could further explore Duch’s bases of knowledge during cross-examination.

The Chamber judges then conferred briefly before the President asked Duch whether the document was returned to S-21 after being annotated “comrade Van.” Duch responded in the negative, noting that it was beyond the authority of S-21 to be involved in high-level decisions and as such, documents were not returned to the prison. This response prompted the President to sustain the objection.

In response, Mr. Smith moved on to another document containing an annotation, which prompted another objection from Mr. Karnavas, who argued that the prosecution was again seeking speculation from Duch. Mr. Smith responded that the prosecution should be permitted to ask Duch to identify the handwriting on a document, so long as he had seen the document before, even if only during the Case 002 investigation. Mr. Pestman then objected to the proposed question by the prosecution.

Mr. Karnavas replied that he had no objection to the identification of handwriting by Duch but would object to any requests for Duch’s impressions concerning annotation beyond this fact.



The Chamber judges then conferred briefly before Judge Jean-Marc Lavergne asked Duch to explain whether the relevant annotations were specific to Duch or instructed him to do anything. Duch responded that during the DK period he never saw the annotations of his superiors but only saw them when shown by ECCC investigators. Duch explained that S-21 only had the authority to send documents to the Standing Committee but never received information back from the Committee. He explained further that the only information sent to S-21 was the names of people to be arrested.

Mr. Smith then sought to “clarify matters” and asked Duch about his discussions with ECCC investigators. Duch stated that the ECCC Co-Investigating Judges (CIJs) had shown him the annotations during the Case 002 investigation. Mr. Smith then read out Duch’s testimony to the CIJs, in which Duch stated that the annotation “comrade Van” was used exclusively by Nuon Chea to refer to Ieng Sary and that the Standing Committee would contact the relevant unit head to inform him of enemy activities within the unit and to all the unit heads to “contemplate” arrests. Mr. Smith followed up by asking Duch if this was an accurate statement.

This prompted an objection by Mr. Pestman, who stated that he was “confused” because Duch had indicated that he could not read the annotation in question.

Mr. Smith responded that he was not questioning Duch specifically on the document but was asking Duch about his former statement in order to clarify inconsistencies in Duch’s testimony.

Mr. Karnavas then weighed in and argued that the prosecution was either trying to impeach Duch or refresh his memory, and in either case, the manner of questioning was improper. He noted that Duch was not under oath when speaking with the CIJs because he was a suspect.

Mr. Karnavas further argued that the method being used improperly led Duch, claiming that damage had already been done and Duch had already been “primed” by hearing the prosecution’s statement. He then maintained that the prosecution’s “sloppy” method of questioning had been improper and that the prosecution must ask leave to refresh Duch’s memory using a document.

The President overruled the objections and instructed Duch to respond to the question. When Mr. Smith rephrased the question, Mr. Karnavas objected again and accused the prosecution of “cherry-picking” select passages from Duch’s statement to the CIJs. He also noted that Duch had indicated in this statement that some of his conclusions were assumptions and argued that the prosecution was therefore seeking Duch’s speculation by asking a broad question.

The President again overruled the objection and advised defense counsel not to interrupt other parties in the future when seeking to make objections or raise other issues.

Duch then stated again that S-21 made documents and submitted them to the Standing Committee, which examined them and made decisions. He stated that afterwards, the documents were sent to the “concerned units” so that such unit chief could “handle the situation.” Duch stated that it was the “sole” responsibility of the Standing Committee to do this and he noted that he stood by his statement made to the CIJs on such issues.

### ***Nuon Chea Retires at Usual Hour***

After this answer, the Chamber adjourned for the lunch break. Prior to doing so, Mr. Pestman made his usual request that Nuon Chea be permitted to waive his right to be present in the courtroom and retire to the holding cell to view the proceedings via audio-visual link. As usual, the President granted the request and adjourned proceedings for the lunch break.

### ***Prosecution Resumes Questioning***

Following the lunch break, Mr. Smith continued to explore the uses of information taken from confessions at S-21. Duch testified that it was a standard practice for the Standing Committee to transmit confessions from S-21 to offices containing individuals implicated in such confessions. He stated that the party adhered to this process for “many years,” beginning in 1971. Upon further questioning, Duch denied that unit heads had any leeway in deciding whether to arrest implicated persons. To the contrary, he stated that it was the duty of the head of each unit to ensure that the suspected enemies remained unaware that they were suspected traitors. Duch stated that there was, however, a policy of obtaining agreement with the head of the relevant unit prior to arresting anyone. He stated that in the CPK statute every cadre was responsible for the acts of their subordinates and thus it would be against the statute to simply remove a person unilaterally without consulting their superior.

Mr. Smith then asked Duch to return his focus to a confession discussed previously and asked him about an annotation on the document. This prompted an objection from Mr. Pestman who argued that the prosecution had already asked who authored the annotation, alleging that Mr. Smith himself had, in fact, answered the question. He argued that this could improperly sway Duch’s testimony.

Mr. Smith asserted that defense objections had turned into “speeches” by counsel and that this was an improper practice. He further stated that he had indicated that the prosecution believed that Nuon Chea authored the annotation only during arguments concerning a previous objection, making the comment unintentional and non-harmful.

The President overruled the objection, and Duch identified the handwriting as that of Nuon Chea. Upon further questioning, Duch stated that he received documents with Nuon Chea’s handwriting on them many times, though not as often as he received handwritten documents from Son Sen. Following some confusion, Duch read the annotation on the document aloud as saying “comrade Van,” which he claimed referred to Ieng Sary.

Mr. Smith then turned to another document, which Duch identified as an S-21 document that he had never seen before. Before the document was removed from Duch, Mr. Smith requested that Duch be permitted to authenticate the document, despite the fact that he had never seen the



*Visitors to the ECCC return to the courtroom for the afternoon session on Thursday.*



document previously. Khieu Samphan defense counsel Kong Sam Onn objected to Duch being permitted to retain the document.

Mr. Smith responded that it would be “unfair” for any party to be disallowed from authenticating a document where a witness clearly had knowledge pertinent to authentication, but had never actually seen the document in question before. He then requested a short hearing to discuss the issue the following week but stated that the prosecution was willing to proceed immediately in whatever manner the Chamber saw fit for the time being.

The President then announced that Duch could retain the document, and the prosecution could continue its questioning process.

Before Duch could describe why he believed the document was from S-21, Mr. Pestman objected and observed that the prosecution had given Duch documents that had codes appearing on them that indicated the origin of the documents. He stated that Duch had clearly shown that he understood the meaning of the codes and requested that the prosecution cover up such codes when using documents for questioning in the future.

Duch then testified that the document was a standard form used at S-21 during questioning. He explained that the form included names of people implicated in previous confessions and that the names were obscured to prevent influencing interrogations. According to Duch, S-21 kept track of how many times a person was implicated in different confessions. He also noted that the code on the document helped him identify it as coming from S-21. Regarding the title of the list, which was “Ministry of Foreign Affairs,” Duch testified that the people listed in the document were from that ministry. He testified that the list was not sent to the Standing Committee and so “nothing happened” as a result of the list, noting that one person appearing on the list was still alive currently. Duch noted that no document that he did not sign was ever sent out of S-21, but he did testify that he sent every confession of an individual prisoner to his superiors. He stated that sometimes superiors requested that confessions be summarized first.

Mr. Smith then asked Duch about the types of people sent to S-21 from the DK ministry of foreign affairs. Duch responded that individuals implicated in previous confessions were sent to S-21, but he had no information on their specific occupations.

Duch was then asked about a conversation he had with Nuon Chea, during which he was allegedly told that he might be transferred to the “diplomatic section.” Duch testified that his former superior, Nath, was transferred to this section prior to being purged and he perceived the statement as a threat from Nuon Chea. He noted that Nath had no subordinates after being transferred to the diplomatic section and that it was understood during the DK period that people “who were no longer trusted” would be transferred to the diplomatic section. Duch also testified that as per usual in every country, the ministry of foreign affairs had authority over the diplomatic section. As for assignment to the diplomatic section, Duch stated that party members had no ability to refuse an appointment. He testified that the CPK would appoint individuals as diplomats in order to remove any forces or subordinates from their control and thereby “isolate” such individuals.

At this point, just prior to the afternoon break, the prosecution sought an additional 1.5 hours of questioning on the following Monday, due to “new issues” coming up.

Mr. Karnavas objected to this request, arguing that he had no problem with the prosecution’s initial request for additional time, but this second request was unnecessary. He averred that the prosecution had wasted time and that any objections made by the defense teams were actually the result of the prosecution asking improper questions.

The Khieu Samphan defense joined the objection, stating that the prosecution should not have asked for more time while also asking numerous questions unrelated to the issues in Case 002, Trial 1.

Civil party counsel Lyma Nguyen sought to defuse the situation by offering to donate one additional hour of questioning to the prosecution out of the additional time already granted to the civil parties to question Duch.

#### ***Chamber Denies Second Prosecution Request for Additional Time***

The Chamber then adjourned for the afternoon break. Following the break, the Chamber denied the prosecution’s request for an additional 1.5 hours of questioning. The President did “accept” the sharing of time by the civil parties with the prosecution however. Thus, on Monday, April 2, the prosecution will be given one hour to complete its questioning of Duch, and the remainder of the day will be allocated for civil party questioning.

#### ***Prosecution Concludes Questioning of Duch for the Day***

Mr. Smith then continued asking Duch questions related to the DK Ministry of Foreign Affairs. Duch testified that in DK, “diplomats,” unlike “ambassadors,” referred to individuals who were isolated from the CPK by being separated from their subordinates. He then listed several people who were named diplomats and subsequently sent to S-21 to be interrogated and executed. Upon further questioning, Duch stated that the “biggest chief” of the diplomatic section was Ieng Sary, who was also the DK deputy prime minister.



*International Deputy Co-Prosecutor  
William Smith*

Duch then stated that there were two categories of people sent to S-21, those who were to be arrested by the S-21 staff directly and those who were already arrested and subsequently brought to S-21. He further testified that most people sent to S-21 were already detained elsewhere and only a “small number” of people were arrested by S-21 staff directly. According to him, typically the head of each unit was responsible for arresting subordinates and bringing them to S-21.

Mr. Smith then asked Duch about “Bong Trabek.” Duch responded that this was a “rehabilitation” center where “Renakse” or “front people” were detained because they were not trusted. Such people were allies of King Sihanouk who had in turn become allied with the Khmer Rouge from 1970-1975 and were ordered to do labor at Bong Trabek. He further testified

that such people were in a middle category, as they were not considered enemies, but were also not permitted to live freely among the population because they were not trusted. Duch stated that Bong Trabek was like any other education camp in DK, but he was unsure if the camp fell under the overall authority of the Ministry of Foreign Affairs.

Upon further questioning, Duch stated that he heard a radio broadcast in February 1975 that broadcast the names of the so-called “seven super-traitors.” Mr. Smith then gave Duch another document, which Duch recognized as a transcript of this radio broadcast, but he stated that he had never seen the document itself previously. The President then had the document removed from Duch.

Mr. Smith then requested to read out portions of the document in order to determine whether it was an accurate reflection of Duch’s recollection of the radio broadcast.

This prompted an objection from Khieu Samphan defense counsel Arthur Vercken, who argued that it would be preferable for Duch to state his recollection of the broadcast first, *prior* to the prosecution reading from the document in order to prevent Duch from conflating his memory with the contents of the document. Mr. Smith responded that the prosecution was seeking to authenticate the document by reading passages from it and having Duch comment, which necessitated reading some of the document aloud.

The Chamber upheld the objection, stating that although parties can use documents that are unknown to witnesses during questioning, parties cannot simply read the witness the document prior to questioning as this would sidestep the main thrust of the ruling. Mr. Smith then stated that the prosecution wanted to authenticate the document and that it would be difficult for Duch to comment on the document’s accuracy without at least having part of it paraphrased to him and sought to do so.

Mr. Vercken replied that this proposed process would circumvent the very objection he had just successfully lodged, because the defense sought to prevent Duch from hearing the contents of the document prior to providing his own testimony on the broadcast.

The President then stated that he believed the parties were turning the issue unnecessarily into a large debate and instructed all parties to use their professional skills to pose questions that achieved their aims but are still within the bounds of the Chamber’s requirements.

Mr. Smith then asked Duch for his recollection of the radio broadcast. Duch responded that in the radio broadcast, a Khmer Rouge representative declared that only the seven super-traitors would be punished. He noted that he was pleased that the broadcast stated others would be spared and surmised that because the broadcast was so important, it must have been authored by Pol Pot. Upon further questioning, Duch stated that the radio broadcast did not indicate that the seven named individuals would be executed but that they would instead be “brought to justice” in court. He then provided the names he could recollect among the seven individuals, including Lon Nol, Sirik Matak, Long Boret and others. Duch then testified that “everyone” knew that Lon Nol fled to America and that later on in the DK period, Lon Nol’s brother went missing. He also noted that he heard Long Boret and Sirik Matak were arrested and executed.

Before concluding questioning for the day, Mr. Smith presented Duch with two additional S-21 documents. Duch identified the first document and read out an annotation on it, which, he stated, was written by Son Sen and said, “important request to the ministry to examine immediately so that everyone is removed before we could enter to the ministry of commerce to control it” before trailing off illegibly. Following some confusion, Duch eventually testified that the order was issued directly to the Ministry of Energy in DK and therefore it was the secretary of this ministry who would have had the authority to review the document. He also noted that Koy Thuon had general authority over the Ministry of Energy.

The final document shown to Duch for the day was identified by him as a report on the interrogation of Hu Nim that he had annotated. Duch read out an annotation he had made on the report and identified that one portion of the report consisted of a letter written by Hu Nim himself. He stated that Hu Nim wrote the letter the day after he entered S-21, and upon further questioning, Duch read the address line of the letter, which addressed the letter to “*Angkar* of the Communist Party of Kampuchea” and specifically mentioned Pol Pot, Nuon Chea, Ieng Sary, Vorn Vet, Son Sen and Khieu Samphan as the intended recipients of the letters.

This concluded questioning for the day, and the Chamber adjourned proceedings until Monday, April, 2. On this day, the prosecution is scheduled to complete its final hour of questioning of Duch, followed by civil party questioning for the remainder of the day. Thereafter, beginning Tuesday, April 3 and continuing until at least the end of the week, the cross-examination of Duch by the defense teams is scheduled.