



Rochoem Ton testifies during the afternoon session at the ECCC on Wednesday.

**With the Conclusion of Expert Witness Testimony,
A Former Party Member Takes the Stand**

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The cross-examination of expert witness David Chandler by Khieu Samphan's defense team concluded Wednesday, July 25, 2012, in Case 002 against accused Nuon Chea, Khieu Samphan, and Ieng Sary at the Extraordinary Chambers in the Courts of Cambodia (ECCC). The ECCC started off its afternoon session with testimony from a new witness.

All parties were present, with Ieng Sary present in the holding cell. The Court granted Ieng Sary's usual request to follow the day's proceedings from his holding cell due to his poor health.

Khieu Samphan's Co-Lawyer Arthur Vercken Examines Expert Witness David Chandler

After the court was called to order for the day, International Co-Lawyer for Khieu Samphan Arthur Vercken began his examination of Professor Chandler with a reference to a list provided to King Sihanouk in 1963. The professor had previously testified that this list contained the names of 34 people who were known to have left-wing leanings. Mr. Vercken asked if Professor Chandler saw Khieu Samphan as a "true practicing communist" at the time or as a progressive. Professor Chandler indicated that his time in Cambodia in 1962 and 1963, he had "no evidence [Khieu Samphan] was anything more than a very progressive member of the Cambodian intellectual elite." He said that Khieu Samphan's newspaper, which he described as "probing," was shut down by King Sihanouk. Professor Chandler, apparently referring still to Khieu Samphan, indicated that he had no evidence of Communist Party of Kampuchea (CPK) membership. He added, though, that King Sihanouk was not aware of the existence of CPK at this time.

Mr. Vercken asked Professor Chandler several questions pertaining to collectivization, specifically inquiring whether, within the period before 1975, collectivization was something that “ought to have been condemned or a choice that was meaningful.” Professor Chandler indicated that, regarding the collectivization in 1973 in the Southwest Zone, he is uncertain who Mr. Vercken would like to say was condemning that. He said there was an American diplomat who provided information to those outside Cambodia but said he was not aware who else Mr. Vercken might be referring to. He added that the collectivization as “quite sudden and quite grim.” When asked whether he thought collectivization was justifiable, he maintained that while it “certainly” was to those who perpetrated it, he was not able to provide an answer.

Mr. Vercken Turns to the Issue of Vietnam

Moving on, Mr. Vercken asked Professor Chandler whether, historically, it would be accurate to state that from 1970 to 1975 the Vietnamese were in Cambodia not only for refuge but also to establish administrative control in the villages with the aim of enlisting people to join the army, which was under Vietnamese control. Professor Chandler replied that he does not possess evidence of this and has not read anything regarding this “political indoctrination.” He expressed that he did not believe the Khmer Rouge would have allowed this activity to continue after the Vietnamese troops withdrew in 1972. He added that the Khmer Rouge were recruiting during this time and that up until 1972, they were “trained and armed to a large extent by their allies – the Vietnamese.”

When asked to confirm that he has not heard of this theory, Professor Chandler said he does not recall it from his sources, and that, while he cannot definitively say he has not at some point heard of it, he does not remember such a discussion.

Mr. Vercken then enquired whether it was accurate to say that there was a competition in 1975 between the Cambodians and the Vietnamese to liberate Phnom Penh and Saigon, respectively. Professor Chandler responded that the Khmer Rouge favored this interpretation after they won. He explained that he does not remember seeing records that suggest that the Vietnamese were competing or that they felt they “lost the race” by liberating Saigon two weeks after Phnom Penh was liberated.

Regarding whether it was “absurd for the Cambodians to think that the Vietnamese [were] trying to dislodge them from Phnom Penh,” Professor Chandler explained that he did not believe the Vietnamese were interested in removing the Khmer Rouge in April 1975. He noted Vietnam had “many, many more important things to do.” He explained that the Khmer Rouge was “not willing to accept” that Cambodia was “low on the list of most foreign powers” and that it did not occur to Cambodians that Vietnam had more to do than seizing Phnom Penh. He said this was a part of the “constant distrust of Vietnamese intentions, ... the idea that the high priority of the Vietnamese was always to destroy or occupy ... Cambodia, under one form of government or another.”

Mr. Vercken Asks About the Death Toll

Mr. Vercken turned to the death toll from 1970 to 1980, asking about the uncertainty regarding the figures. He asked how it was possible to distinguish between deaths caused by the American

bombings, the war against Lon Nol, famine, the Democratic Kampuchea regime, or the conflict against the Vietnamese. Professor Chandler replied that he could only answer based on what he has relied on in his research, noting as in previous testimony that this was not his demographic research. He said that the census in 1962 marked the population at 5.8 million, and the 1998 census marked the population at 14.5 million. He explained that demographers have estimated that, if the birth rate had proceeded at a “normal” rate, the 14.5 million figure would have been hit in 1991. Therefore, Professor Chandler explained, there was a population deficit between 1970 and 1998. Regarding how many people died, Professor Chandler said that the figures are “very uncertain.” He stated that perhaps 500,000 died during the American bombardment period. For deaths under the Khmer Rouge, he said between one and three million died, noting that the consensus has shifted from three million to between 1.5 and 1.7 million. He added that the three million figure was used by the Vietnamese, and he expressed that he did not believe it was accurate.

Regarding deaths divided up by cause under Khmer Rouge—overwork, trauma, execution—Professor Chandler noted that some have extrapolated figures from data from execution sites, refugee reports from the early 1980s, and testimonies on the number of family members people lost under the regime. He concluded that the death toll estimate during the DK regime is between one and three million and that this would increase by a half-million if the 1970 to 1975 period is included.

Returning to the Topic of Collectivization

Returning again to the subject of collectivization, Mr. Vercken inquired whether the collectivization prior to 1975 was the same as during the DK regime. Professor Chandler stated that information from refugees received by Kenneth Quinn in 1973 indicated that many of the programs that were later introduced during the regime were already in effect, listing “the use of costumes, the very hard work, communal eating, [and] the breaking down of personal property.” Professor Chandler stated that Ta Mok, a Central and Standing Committee member, put these policies in place. “The history seems to suggest that this was an area in [19]73 that seemed like an appropriate area to begin this work,” he said, noting that there was not heavy fighting and that it was “under firm CPK control.” He described it as “a successful beginning of the sorts of policies, ... almost, not quite, the list of eight.” He noted that monks were also intimidated during this time.



Mr. Vercken interrupted to clarify his question, explaining that he was asking whether Professor Chandler would describe collectivization as different before and after 1975. The witness said that he would, explaining that one of the differences was “not between the policies being pursued, ... which were identical policies in both places, but the large number of witnesses the first time, the small number of witnesses the second time, the small geographic zone the first time, the large geographic zone the second.” He added, “It gets much larger and the evidence suggested it got worse ... They are different phenomena.”

Regarding whether there was a progression in the “toughness” of

the measures adopted, Professor Chandler replied, “There is lots of evidence that nobody was a tougher person under DK than Ta Mok.” He brought up a writing by Michael Vickery that demonstrates that there were differences in how the same policies were implemented in the DK regime, adding that while “the policies were never ignored, there were no revolts by cadre, but places with trained cadre, a longer period of CPK control, [and] a smaller number of new people all seemed to operate in a smoother way than placed with untrained people, lots of new people.” Regarding the Southwest, he said conditions did not become more severe, as they were already severe. He said that in the East, conditions were more severe than under King Sihanouk, but less severe than in Northwest.

Mr. Vercken Asks about the Behavior of Lower-Level Leaders

Moving on, Mr. Vercken queried whether one could say “in certain regions the zone and district had behaved like petty warlords ... who didn't necessarily report on everything they were doing to the center?” Professor Chandler replied that he is not prepared to say that, asking rhetorically, “How do we know what they didn't report?” He remarked that the zone leaders had differing reputations, referring specifically to Eastern Zone leader So Phim, whom he said new people refugees recalled as being “as good as you can expect” under the DK. He then said there were others like Ta Mok who was “quite severe.” He indicated, though, that he did not want to use the word “warlords.”

Mr. Vercken enquired whether the lower-level chiefs tended to send accurate information about the state of their region to the leadership. Professor Chandler replied, “It's impossible to answer,” noting that the validity of the few zone documents available is not known. However, he added, “we suspect this is certainly the case.” He indicated that he was not willing to make blanket statements about reports to the center when few of them survived and their accuracy is not known. He pointed out, “People had to be surefooted under this regime, and people who didn't tell the truth in the ways you suggest were purged as soon as the truth came out.”

Questions on Purges and Debates

Turning to the subject of the purges, Mr. Vercken asked Professor Chandler whether those who were first purged were purged because they were enemies of the regime or because they belonged to certain ethnic groups or classes. Professor Chandler replied that, based on the evidence, purges based on racial or ethnic categories occurred later. He said that he thinks the purges were “very seldom racially based.” Regarding the murder of ethnic Vietnamese, rather than a purge, he said his personal opinion is that it seemed to qualify to him as genocide.

Mr. Vercken then expressed confusion regarding Professor Chandler's testimony, describing that at one point he appeared to say there was very little open debate within DK, even at the top, while at another point he appeared to say that decision-making within DK seemed collective. Mr. Vercken enquired, “How do you take decisions in a collective manner if there is no open debate?” The professor replied, “It depends how small the collective group is. An open debate is not characteristic of DK. Decisions made by a secret group has the validity that that group gave to them.” He noted, however, “I'm sure my testimony is full of contradictions and I'm sorry for them, but this doesn't seem to present one to me.”

Regarding whether he believed members could freely express themselves during meetings, Professor Chandler replied, “Of course not.” He noted that, from what he has read about the communist parties from China, the Soviet Union, and Vietnam, “open discussion ... that suggested sharp deviation from set policies or sharp objection to statements by the Secretary of the party was fatal; people just did not do it.” He asserted that this is not a French cabinet meeting – this is “a different world.”

Witness’s Original Source Documents Questioned Again

Turning to another subject, Mr. Vercken recalled some of Professor Chandler’s previous testimony regarding his research. He inquired whether the witness would agree that it is better to have the originals rather than just copies, to which Professor Chandler replied, “Certainly.” He noted that there is a “great many original DK texts in our hands,” referencing specifically the S-21 archives. Returning to the issue of whether documents were culled by the PRK regime, Professor Chandler said it looks like there was some going on but that he does not want to overemphasize this issue as it is not know what is missing.

Mr. Vercken focused on the professor’s estimate in previous testimony that there were 300 meetings of the Standing Committee that took place. Noting that minutes of only 19 meetings are available, Mr. Vercken asked, “As a historian facing a situation where 92 percent of the minutes that report on the activities of the supreme body of the party, [is] any such historian in a difficult situation, almost unmanageable, in attempting to achieve his or her objectives?” Professor Chandler replied, “To some extent.” He also admitted he had been wrong in his arithmetic, explaining that, accounting for one meeting a week, the figure should be more like 150 than 300. Turning back to the question, however, he stated he would not say the situation would be unmanageable, noting that Western writers have never had access to the minutes of the Soviet Union and Communist China, yet they were able to gather histories of these regimes from other sources.



The counsel then questioned whether a shortage of contemporaneous documents could explain the difference in writing style between Professor Chandler’s books. After asserting that he has never written a novel, the professor explained that for his book *Tragedy of Cambodian History* he used “almost no original Khmer Rouge documents” as he had not yet been able to get into Cambodia. For *Brother Number One*, he said, he used as many original documents as possible, including speeches, documents from *Revolutionary Flag*, and confession texts. He also asserted that his third book *Voices from S-21* was an analysis of S-21, not a narrative, and that he referred to archival materials. He concluded that he would like to “renew my reluctance to accept the idea that I have been writing fiction.”

Mr. Vercken inquired whether Professor Chandler has handled any documents he has been presented with during his testimony in Case 002 in their original form. Professor Chandler replied affirmatively, explaining that he has held originals of some of the Standing Committee

minutes, which he photocopied, as well as some confessions from S-21. He also said he saw photocopies of original confessions.

Mr. Vercken referred to previous testimony given by Professor Chandler regarding March 30, 1976, minutes that were given to him or Ben Kiernan by someone who had discovered it in the house in 1979. Mr. Vercken asked who gave him this document. Professor Chandler explained that Khieu Kanharith, an official under the current government, gave six or seven documents to Ben Kiernan in 1982. Professor Chandler described how Mr. Kanharith also gave him seven or eight additional documents when the professor later went to interview him, which he copied and shared with his colleagues. He noted that these documents had been found in the same house at the same time as the documents given to Ben Kiernan, but the owner had held onto them.

The defense counsel brought up the testimony of the current director of the Documentation Center of Cambodia (DC-Cam). He stated that DC-Cam's director was unwilling to say where original documents from the DK period were kept by the center. He asked Professor Chandler why that witness might have been unwilling to indicate where he had kept the originals. Senior Assistant Prosecutor Tarik Abdulhak rose to his feet, stating that he did not think that the DC-Cam witness had been unwilling to disclose the sources of its documents and noting there might be a limited exception where there were confidential sources. He also objected that the question required the expert to testify regarding another party's opinion. Mr. Vercken replied that he did not ask what the sources were but where the documents were. After the judges conferred, President Nonn sustained Mr. Abdulhak's objection and directed Professor Chandler not to respond.

Moving on, Mr. Vercken asked Professor Chandler about his response when Judge Cartwright had asked him to comment on March 30, 1967 minutes titled "Decisions of the Central Committee on a Number of Problems." Mr. Vercken represented that Judge Cartwright had inquired whether members of the Central Committee had attended that March meeting. The counsel continued his lead-up to the question with an explanation that some scholars like Craig Etcheson believe that the document is from the Standing Committee, not the Central Committee as the title suggests. When Mr. Vercken asked Professor Chandler for his opinion on this matter, Mr. Abdulhak objected that the question was vague, arguing that the material by Mr. Etcheson should be referenced more specifically and shown to the witness. President Nonn instructed Mr. Vercken to provide additional details about the document, including the reference in the record. After providing the reference number for the March meeting minutes, Mr. Vercken asked Professor Chandler whether he was aware of a technical discussion regarding which committee was the source of these minutes. Professor Chandler described not being aware of that technical discussion, although it was unclear whether he was referring a discussion within the Court or among scholars.

Professor Chandler Testifies Regarding "870"

Mr. Vercken then turned to a discussion of "870." Mr. Vercken recalled that Professor Chandler had previously described it as a code name for Pol Pot and as a place where documents and people were managed. Mr. Vercken presented Professor Chandler with a document from October 9, 1975, noting that the term "870" appears twice in the part of the document that provides a distribution of posts. According to Mr. Vercken, the document states, "Comrade

Doeun, Chairman, political Office of 870; Comrade Yem, Office 870.” He asked Professor Chandler whether he could distinguish between these two names. In response, the witness indicated that he could, in that while he could not identify Comrade Yem, he knew Yem was a different person from Doeun. Regarding the respective duties and responsibilities of these two people, Professor Chandler said he could not say based off his own research what they were. He described how the following paragraph in the document indicates there is an “overload of paper” going through the office and suggested that one of their roles may have been to channel this so that it was manageable. He then clarified Mr. Vercken’s depiction of his testimony that not all of the paper of the regime came to 870.

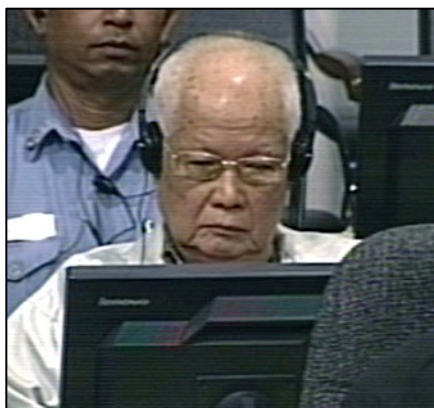
The counsel asked Professor Chandler what his sources are for his previous assertion that Khieu Samphan replaced Doeun as the head of this political office 870. Professor Chandler replied that he has read it in many sources, calling it a “a piece of information that is definitely in the public domain.” Mr. Vercken contended that there was a point during the professor’s testimony on Office 870 in which he refused to say anything regarding Stephen Heder’s work. Professor Chandler indicated he did not think he had done so. He explained that Dr. Heder was a source for his understanding that Khieu Samphan held the Office 870 position.

When asked whether he had found any contemporaneous documents evidencing that Khieu Samphan received information from Son Sen regarding S-21, Professor Chandler stated he had not.

Khieu Samphan’s Flight into the Jungle and CPK Party Membership

Turning to Professor Chandler’s previous testimony on Khieu Samphan’s flight into the jungle, Mr. Vercken requested the professor to confirm that the Samlaut repression by King Sihanouk was very serious, such that Khieu Samphan had to escape. Professor Chandler replied, “Absolutely,” explaining that he recalled that “Sihanouk had actually accused Khieu Samphan to his face of fomenting the Samlaut rebellion, which is a very treasonous offense.” He inferred that this accusation would be enough to force Khieu Samphan to go into the jungle.

Mr. Vercken referenced a discussion in Professor Chandler’s book *Tragedy of Cambodian History* of an assembly of 15,000 students in Kandal province who had thought Khieu Samphan had passed away. Mr. Vercken enquired, “Could such a situation, to your mind, have prompted Pol Pot for instance to hijack Khieu Samphan’s popularity?” Professor Chandler said he did not agree with this supposition, explaining that Khieu Samphan had been described by people in his electorate as loyal and popular. He further stated that Khieu Samphan’s death was a “plausible theory” because he had disappeared, and under King Sihanouk, there was never any admission that people had been arrested and executed – they just disappeared. He concluded that there was never any suggestion in the relationship between Pol Pot and Khieu Samphan that the former was trying to sabotage the popularity of the latter.



Clarifying that he was not suggesting that the incidence was manipulated by the party but had used it as an example to

explain Khieu Samphan's popularity, the defense counsel rephrased his question, asking whether Khieu Samphan's popularity was of interest to the Khmer Rouge. Professor Chandler stated that it was, explaining, "The behavior of the 'three ghosts' before they were ghosts was very useful to the party." He said they acted under the direction to "stay in the open, act as a front, do what you can to pursue our overall goals." He further stated that, while there is no record of this, their popularity "must have been pleasing to the leadership."

Contending that Khieu Samphan was not a member of the party at the time, Mr. Vercken questioned the professor's source was for his statement that Khieu Samphan had done a good job for the party. Mr. Abdulhak objected that the counsel was testifying as to Khieu Samphan's membership of the party. The bench sustained the objection.

Mr. Vercken inquired whether the professor believed that Khieu Samphan was being remotely controlled by the party before 1977. Professor Chandler replied, "It is an inference." He retorted that he wished he knew what sources Mr. Vercken had for saying Khieu Samphan was not a member. Professor Chandler asserted that it has never seemed to him that Khieu Samphan's membership in the CPK was "extremely unlikely" at that time, referring to, for example, Khieu Samphan's close association with CPK members at the school where he taught. With apparent sarcasm, he also noted Khieu Samphan's meeting Ta Mok "just by coincidence," after the accused had fled into the jungle.

After the morning break, Mr. Vercken requested Professor Chandler name his source for Khieu Samphan's CPK membership during this time. Reiterating that evidence for secret membership is not available, Professor Chandler asserted that his statement "stems from the trajectory of [Khieu Samphan's] life, the continuities of his loyalties."

Mr. Vercken Concludes His Examination

Returning to another part of the professor's previous testimony, Mr. Vercken enquired about Professor Chandler's sources for his assertion that the decision to evacuate Phnom Penh was made in 1975 during a Central Committee meeting. Professor Chandler replied that this assertion was based Ben Kiernan's work. From what Professor Chandler could recall, Mr. Kiernan interviewed people who had attended a larger meeting following that meeting.

Mr. Vercken asked Professor Chandler whether he knew that other scholars did not voice the same opinion on the date that decision was taken. Mr. Abdulhak objected that Mr. Vercken was making vague references to other experts' opinions without reference to a specific source.

Providing a specific example, Mr. Vercken asked Professor Chandler whether he is aware of another theory on this decision, quoting from Philip Short's book, *Pol Pot: Anatomy of Nightmare*: "Of 1974, when the decision was taken to evacuate Phnom Penh." Professor Chandler indicated that he has read this book and is aware of Mr. Short's view on this particular point but stated that he would like to see the book's references.

Regarding whether evacuations prior to 1975 caused losses as significant as those during the evacuation of Phnom Penh, Professor Chandler testified that they could not have been as severe

because Oudong and Kratie were much smaller than Phnom Penh. He described the suffering in Oudong as larger than in Kratie.

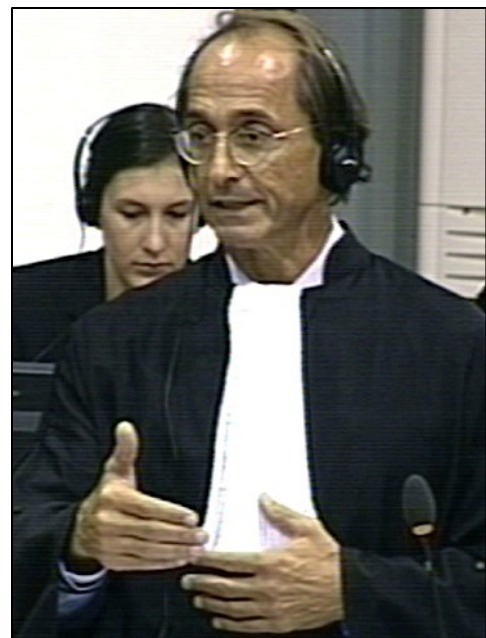
Lastly, Mr. Vercken quoted from Professor Chandler's biography of Pol Pot, *Brother Number One*: "The Vietnamese in the early '60s had advised the Cambodians to pursue the fight solely on a political basis, a basis that was 'suicidal.'" Mr. Vercken requested Professor Chandler to explain why pursuing the political fight was "suicidal." Professor Chandler replied, "Pursuing the political struggle as such was not suicidal, but telling the Cambodian communists that they could not take up arms when they were being oppressed as was happening in the 1960s meant that they were giving them a recipe either to shut up or get killed." Professor Chandler concluded, "It was certainly in Vietnamese interest not to have armed resistance to Sihanouk. It was suicide because it did not give the Communist movement any option of defending itself against aggression."

As Mr. Vercken had concluded his examination of Professor Chandler, President Nonn announced that the hearing of testimony from this expert witness had concluded and thanked Professor Chandler for his testimony. The professor remarked that it had been an "intriguing and interesting experience" and expressed his gratitude to the Chamber for inviting him, to the tribunal's personnel for their assistance, and to the prosecution, defense teams, and civil party teams for their questions. He concluded with the statement that, while it may not always have seemed like it at the time, he had enjoyed it.

The Chamber granted Nuon Chea's request to follow the proceedings from his holding cell during the afternoon and adjourned for the lunch break early at 11:25 a.m.

An "Irregularity" Raised on the Next Witness

After the lunch break, Co-Lawyer for Ieng Sary Michael Karnavas took the floor to bring to the court's attention an "irregularity" regarding the witness who would be called to testify next. He indicated that the witness had provided two statements to the Office of the Co-Investigating Judges (OCIJ) and explained that the irregularity relates to the second interview, taken on December 21, 2008. Explaining how summaries are normally prepared of witnesses' interviews with the OCIJ, Mr. Karnavas described how his colleagues on the Ieng Sary defense team noticed when comparing the complete interview and the summary that was prepared that it appeared the witness had been reading answers, rather than participating in a question-and-answer conversation. Noting that the interview was transcribed in English, the counsel stated that the summary is identical to the tape of the interview. The second interview, which he said was a two-hour discussion, had only 10 to 12 minutes taped and spanned four pages as transcribed. He queried, "What happened during the other 48 minutes?" He also questioned whether the witness was given the answer to read. Mr. Karnavas referred to an earlier incidence when



it was discovered that a witness had an eight-hour interview in which he was shown documents the day before testifying. No mention was made of this interview in the summary, Mr. Karnavas explained. Mr. Karnavas wrapped up his statement by stating that the transcription had become available this afternoon and that he wanted to raise the issue for the Chamber to consider.

Assistant Prosecutor Dale Lysak responded, agreeing that the transcript matched the summary. He said that any issues would come up during the prosecution's examination and that the court should therefore proceed with questioning the witness.

After the judges conferred, President Nonn said that the Chamber would invite the witness into the courtroom to address these procedural concerns.

President Nonn Puts Questions to the Witness

After the witness had entered the courtroom and taken the witness stand, President Nonn posed several identifying questions. The witness said his name is Rochoem Ton, *alias* Phy Phuon, *alias* Chiem. He indicated that his ability to read and write Khmer is not "consistent." He is 65 years old and currently resides in Daung village, Malai, Banteay Meanchey province, where he is a farmer. He is married and has four children. He was born at Kep village, Talav commune, Andaung Meas district, Ratanakiri province, and his ethnicity is Charay. He confirmed that he has no relationship with the parties to the proceedings and that he had taken an oath with the Court.

President Nonn informed him of his rights as a witness and his duty to tell the truth and respond to the questions posed, subject to his right not to self-incriminate. The witness confirmed that he understood.

The witness said he was interviewed twice by investigators from the OCIJ; the first interview was conducted in Malai commune, Banteay Meanchey province, in 2007, and the second one was conducted at his home in September 2008. Mr. Rochoem confirmed that he had seen the record of these two interviews but said that he does not recollect the details. He did acknowledge, however, that the record accurately reflected the responses he gave.

President Nonn then delved into the issue Mr. Karnavas had raised, enquiring whether Mr. Rochoem had answered questions he was asked or whether he was given answers to read. Mr. Rochoem's answer was off-point; he said he told the investigators about his experiences since 1967. President Nonn asked again whether a question-and-answer style was used during the interview. The witness indicated that there was. He further described that at the conclusion of both interviews, he was read the document, and he agreed with what was read and provided his handprint. While the interviews were recorded, he stated the recording of the first interview had not been played back to him.

President Nonn asked if any of the judges had any questions to put to the witness. No other judges put questions to the witness. President Nonn stated that the witness would be assisted by his duty counsel to ensure that he did not incriminate himself, unless he chose to do so. The floor was then handed to the prosecution to start its examination of the witness.

The Prosecution Questions Witness on His Participation in the Revolution

Taking the lead on the examination of this witness, Deputy Co-Prosecutor Seng Bunkheang began by asking Mr. Rochoem when and why he joined the revolution. The witness replied that he joined it on August 24, 1963. He described receiving advice from his brother-in-law that “we minority group should take the opportunity as provided to join the revolution.” He described thinking about joining for a time and, after having discussed it with his parents who supported his involvement, he did so. He further testified that by 1968 he had become a member of the youth league. He said he became a member of the CPK by 1971.

When asked who “inducted” him to join the party, the witness replied that his “brothers” did, describing how they had noticed his “good performance” and that, based on his performance, he was permitted to join the youth league. He said he later converted to a party member.

Regarding who these “brothers” were, the witness said he was introduced into the party in 1971 by Brother Marn, who passed away in 1974, and Brother So Hong, who had also died. After being asked what roles Brother Marn or Hong held, the witness stated that Brother Marn was the Sector Secretary in Preah Vihear province. He described Brother So Hong, with whom he had worked for a while, as a senior person that “had managed me all along and guided me to become a member of the party.”

The Witness Testifies about Study Sessions

Mr. Bunkheang asked the witness whether he had ever attended any political or study sessions where party lines were introduced. The witness replied affirmatively. He described Brother Marn instructing them on the policy of the revolution and stated that they were also taught “how to love the people, how to serve the people and the revolution.” Other brothers also instructed them on the same matters, he recalled.

Regarding who these “other brothers” were, the witness said that one was Brother Marn, who taught him and with whom he stayed. Brother Yem was another brother, who was from Kratie, though, the witness said, he “wouldn’t dare to give lectures” when he went to Ratanakiri. The witness also said they were taught by Pol Pot, whom he said he referred to as “Uncle Number One,” as well as Ieng Sary.

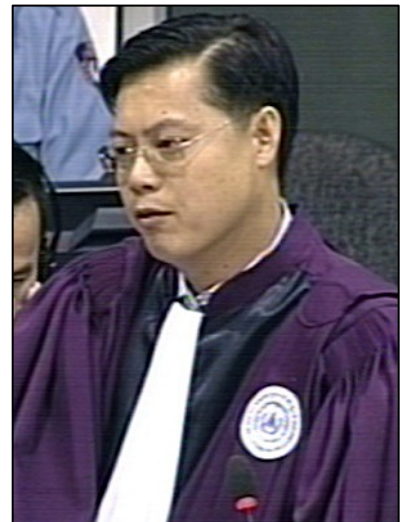
When asked whether he ever attended any study sessions in which Nuon Chea lectured, the witness replied he had. He further indicated that he attended sessions where both Nuon Chea and Khieu Samphan were “instructors teaching in those sessions.”

Regarding where and when these study sessions were conducted, Mr. Rochoem replied that the study sessions with Brother Marn occurred at the Okap riverbank and that they lasted for three days. He stated that Ieng Sary taught later sessions, clarifying that Ieng Sary came to teach in 1967 and that the study session lasted 15 days. The witness said that this session took place in Tae village, Borkeo district, Ratanakiri province. He then described other sessions that Pol Pot had chaired at Office 100, stating that sometimes he would chair and sometimes his wife would. According to the witness, Brother So Hong was also a lecturer at other sessions. After the liberation of Phnom Penh, Khieu Samphan also taught sessions as well as Ieng Sary, Mr. Rochoem recalled. Lastly, the witness named Yun Yat as an instructor also.

Mr. Bunkheang then asked the witness what was discussed during the study sessions. Mr. Rochoem replied, “We were taught mainly the general situation within the country, the local situation, and the outside situation,” explaining that “outside” referred to the international situation. Other topics included “how to follow the principle of National Democratic revolution and the organizational position or stance.” He concluded, “We were asked to criticize ourselves and be criticized.”

Mr. Karnavas stood up and explained that the wrong name was given in the English interpretation after the witness referenced the liberation of Phnom Penh. Mr. Bunkheang sought clarification, asking the witness who the teachers were after Phnom Penh’s liberation. The witness replied that they were Khieu Samphan and Yun Yat at the Soviet Technical School and Bong So Hong at the Ministry of Commerce. When Mr. Bunkheang inquired whether Nuon Chea was also a teacher at this time, the witness replied that he was, explaining that he was teaching at Vihear Preah Keo.

Returning to what was discussed during the meetings, Mr. Bunkheang asked about the specific information provided on the general situation outside and inside Cambodia. Mr. Rochoem replied that he could not provide details, but that “in principle regarding the outside country situation,” they told them about what countries supported and opposed the revolution, providing a “clear distinction” between these different groups and countries based on their view of the international stage. Regarding the internal situation, he testified, the instructors taught about “our movement – on the politics [and] to what level the people participated in the movement and support or assist the movement.” He explained that they also discussed the “Marxist movement” in the country “to oppose our common enemy,” informing the students of the plan to “mobilize the forces throughout the country.” Mr. Rochoem recalled how the instructors explained, “If we have both the Marxist movement, the military force, and the economic force we could achieve our goal.”



Regarding documents provided during study sessions, the witness stated that documents were received by everyone for each study session because the participants would have to “implement and to improve what we learned in our actual practice.” When asked what these documents were, Mr. Rochoem explained that they were about the situation outside the country, the internal movement, the policies, the size of the liberated zone, and the size of the white zone, “so that we could closely monitor the movement and the progress” of the revolution. He said that they were also provided with the *Revolutionary Flag* and a document pertaining to future measures. He concluded that, as party members, “we need to reflect on ourselves, and what we need to improve.”

Regarding the form of these documents, the witness explained that they took notes during the study sessions and that they were only provided with the documents after the liberation. He

stated that later, he was provided with the *Revolutionary Youth*, the *Revolutionary Flag*, and the *Front Flag* magazines. These magazines were published starting from 1976, as he recalled.

Witness Testifies to Interaction with Khmer Rouge Leaders

Mr. Bunkheang asked the witness if he met the senior CPK leadership while in Ratanakiri. Mr. Rochoem replied that the first leader he met was Brother Marn, stating that he had served as Brother Marn's bodyguard. The second leader he met was Ieng Sary, in 1967. He explained how Ieng Sary had him deliver a letter to the Vietnamese, describing it as a four or five day trip. He said that the Vietnamese did not recognize him upon his arrival but, after reading the letter, they "respected and welcomed" him. The third leader the witness said he met was Pol Pot, also in 1967. Mr. Rochoem described how Pol Pot was sick at the time, and he was instructed to take the leader to a Vietnamese hospital. He testified that after that he returned to Office 100. According to the witness, Ieng Sary was at Office 102 during this time.

When asked how he came to know these leaders, the witness replied that it was through Loeun, his brother-in-law who was permanently stationed in Ratanakiri.

Picking up from where he had left off before the afternoon break, Mr. Bunkheang asked what illness Pol Pot had had when Mr. Rochoem was required to take him to the hospital. The witness replied that Pol Pot had malaria and was hospitalized for a month, after which he returned to Cambodia. As to why Pol Pot went to Vietnam to be treated, Mr. Rochoem did not know, but he explained that he was the one who took Pol Pot to Vietnam and brought him back again. He said Pol Pot had to remain in the hospital for 15 days before he fully recovered and returned to work.

Mr. Bunkheang requested Mr. Rochoem explain what kind of tasks he performed for Pol Pot and Ieng Sary during 1967 to 1970. The witness described that during this time, he had been a messenger, delivering letters to districts. He said his permanent role was as a farmer, explaining he farmed 24 hectares, using buffaloes to plow. He described how there were 300 soldiers stationed in the Northwest during this period that also helped with the farming.

The witness continued on, describing how they were forced to take refuge in the jungles during this period due to the American bombardment, which he described as widespread across Ratanakiri. He said they had to move from place to place and that "our offices had to be relocated very frequently to avoid being attacked by the enemies." He said that when the coup d'état occurred on March 18, 1970, the liberated zone was dissolved and that this dissolution affected Ratanakiri, Stung Treng, Mondulakiri, Kratie, and another province. He concluded that they mainly worked in Ratanakiri, where there were jungles.

Mr. Bunkheang inquired whether Mr. Rochoem served Ieng Sary, Pol Pot, or others as a messenger. The witness replied, "They worked to the north of Se San River, and we were stationed to the south of the Se San river; some were on different sides of the river." He said that they moved to the north side after the bombardments. Mr. Rochoem described seeing at the base Pol Pot, Ieng Sary, other cadres who were their subordinates, and people who managed Borkeo and Vernsai districts.

When asked who was sent the letters he received from Ieng Sary and Pol Pot, Mr. Rochoem said he carried letters between Ieng Sary and Pol Pot, Ieng Sary being on the south of the riverside and Pol Pot to the north.

When Mr. Bunkheang asked him what Ieng Sary's role was during this time, the witness stated that they were told during the sessions that Pol Pot and Ieng Sary were in charge of the Northeast Zone. Regarding what Pol Pot did, Mr. Rochoem said, "As I saw Pol Pot wrote documents, messages, the letters from him would be then distributed to other locations, to Vernsai, Borkeo, and Lumphat districts. ... Sometimes he also provided educational sessions to cadres who gathered from sectors and districts."

Referring to Mr. Rochoem's prior testimony that Pol Pot was at Office 100 and Ieng Sary at Office 102, the prosecutor asked what the distance was between these offices. The witness said they were approximately three kilometers apart but explained that it would take time to travel from one to the other because they were located in the jungle.

When asked how security was provided, the witness replied, "All the ethnic minority groups were there. There were about 60 people, 30 of whom were deployed to Office 100 and the other 30 [were] deployed to Office 102 to provide security to the leaders." He said there were guards inside and outside the location and that they were formed into a "triangle." He stated, "We were told that if we could maintain secrecy we could win the victory 50 percent already."

Mr. Bunkheang enquired how close Pol Pot and Ieng Sary appeared to be at that time. Mr. Rochoem responded, "They were close as friends and siblings. They loved each other as colleagues in the resistance. They respected and loved one another. They shared everything, including food so they set a good role model and we also had to follow the model."

Regarding whether Pol Pot ever gone abroad during that period, the witness said that, maybe in 1969, Pol Pot travelled to Vietnam and then Beijing. He stated that Ieng Sary, when his wife left, stayed at the office. He confirmed that when Pol Pot was away, Ieng Sary was in charge. Mr. Karnavas interjected, chiding the prosecutor not to lead the witness.

Moving on, Mr. Bunkheang referred to the witness's prior testimony on soldiers assisting in the farming. He asked what else these soldiers did. Mr. Rochoem replied:

In 1968, '69, what I saw was that the enemy was widespread, so the forces were supposed to counter attack this and they were based in Borkeo district. There was no soldier in Andaung Meas district. We had to contain the enemy, and in some locations, if possible, we had to do something to ensure that the enemy's food was dried up. We did our best not to allow the enemy to expand the scope of its barracks or base.

He added that not all of the 300 soldiers would assist *en masse* with the farming; some were there and some were protecting the location.

Regarding who was in charge of the soldiers, Mr. Rochoem replied that Son Sen, who was responsible for military affairs, arrived by late 1968. He said that Son Sen and his wife managed the soldiers.

Mr. Bunkheang inquired whether there were other leaders, not previously mentioned, who went to the location during 1967 to 1970. The witness replied that Ieng Sary and his wife were there in 1967 and that Son Sen arrived in late 1968. He also said that Koy Thuon was there for 10 days and that Nuon Chea was there before he went to Kratie province.

Asked if Nuon Chea went there often, Mr. Rochoem replied that he only saw Nuon Chea there once, when he came in late 1969 for a couple of days. Regarding whether he knew what Nuon Chea did when he was there, Mr. Rochoem said Nuon Chea went there to meet with “his people,” whom the witness named as Pol Pot, Ieng Sary, and Koy Thuon. When asked what the meeting was about, the witness said he did not know but added that after the meeting of the leaders took place, Mr. Rochoem attended a meeting where they were told about “the situation within each province and what we needed to do with our forces.” He further explained that the meeting, chaired by Pol Pot, was “to enhance our capacity in our work and to achieve our goal as intended.”

Regarding whether he knows the person by the name of Pang, the witness responded that Pol Pot met with Pang in December 1967. Regarding whether he knew what his role was then, the witness replied that Pang was in charge of administration, giving as an example that he would be the focal person of contact for Office 100. He said that Pang was fully in charge at that point, remarking that Son Sen had not yet arrived.

When asked whether he knew if there was a security center in Ratanakiri, Mr. Rochoem replied that he did not know of one then.

The Witness Testifies About the Move From Ratanakiri

Asked about the leadership’s departure from Ratinikiri, the witness testified that Marn, Ieng Sary, Pol Pot and, later, Son Sen remained in Ratanakiri. He said that Pol Pot and his wife went to Vietnam in late 1969, Marn went to Preah Vihear province, and Ieng Sary along with Son Sen and his wife remained in Ratanakiri. He then said that Pol Pot returned in May 1970 after travelling to Vietnam and Beijing. Noting that Ieng Sary and Son Sen were still in Ratanakiri, he recalled that, after Pol Pot’s return, they went to Kampong Cham province in Stung Trang district and said that he accompanied them. He stated that this journey took seven months.

When asked about the reason for the relocation, Mr. Rochoem said he was told that they had to “mobilize our forces.” He explained, “Some forces had to mobilize outside to gain support for the movement, and inside the country the forces need to manage to lead the masses and the military.” He went on to say that Son Sen and Ieng Sary remained there at that time. He said that Ieng Sary, who was in charge in Ratanakiri “overall,” left in May 1970.



*Ieng Sary (front center) during the Democratic Kampuchea period.
(Source: Documentation Center of Cambodia)*

When asked to what province of Stung Trang district they relocated, the witness provided the following locations: Trapaing Prey village, Tbeng village, Trapaing Tim village, and Bang village, which he said were all a part of Stung Trang district. He also mentioned a location in Tuol Sambuo, which he said was near Prey Brasap district leading to Kratie.

Regarding how far these locations were from Stung Chinit, the witness stated, “From the office in the jungle we had to cross Stung Chinit, before we reached Trapaing Tim village. It was not that far.”

When Mr. Bunkheang asked about the name of the location, the witness replied that it was known as 871 and described it as a “very important office.” He explained that after the coup d’état, “all the commands were combined into that one very office. All the center’s members were gathered there, and all the sectors leaders, all the district leaders were all gathered there at that very office after the coup d’état.”

The prosecutor asked Mr. Rochoem whether he personally met with Khieu Samphan frequently at that time. The witness recalled meeting Khieu Samphan for the first time there, explaining how previously he had heard Khieu Samphan through radio broadcast. He noted that Khieu Samphan visited him “in the kitchen hall where I worked at the back. He remembered, “We were rather close to one another back then, because at that time leaders were closer to us and we were happy. We were not worried about anything.”

Regarding whether he knew Khieu Samphan’s role, the witness described seeing Khieu Samphan, who had his own house, write a lot. He stated that Khieu Samphan was educated in Khmer and French languages. He testified that Khieu Samphan did not disclose to him what he was writing but said that the National United Front existed at that time and that Khieu Samphan wrote everything for it.

Asked about how he knew the content of Khieu Samphan’s writings, Mr. Rochoem said he had heard it through a radio broadcast and that later there were documents talking about the National United Front that he read. He said that Khieu Samphan would also sometimes lecture during

study sessions about “the forces of the National Liberated Front and measures to be taken, the importance of that Front, for instance, both inside and outside the country; he made it clear regarding this point.” When asked to explain Khieu Samphan’s teaching regarding the inside and outside the country, Mr. Rochoem replied:

Regarding the forces of the Front first we need to gather the forces of any intelligence, gather them all ... without only focusing on the workers and the peasant classes but on all strata of the society. He made that clear, that all the national forces had to be gathered so that we could form a national consolidated force which would be very strong inside the country with the support from the outside force.

Focusing on the testimony that Khieu Samphan gave lectures about differences between the social classes, the prosecutor asked what the social classes are. Co-Lawyer for Khieu Samphan Kong Sam Onn objected that the prosecutor’s question misstated the witness’s testimony, as the witness had not said anything about Khieu Samphan giving lectures about the classification of the social classes. The objection was not sustained, and Mr. Rochoem replied that they were to “mobilize the forces both inside and outside the country and not just to focus merely on the workers and peasant classes, but we try to gather all the forces possible throughout the country to consolidate it into one national force.”

Returning to an earlier topic, Mr. Bunkheang asked whether Ieng Sary relocated from Ratanakiri with the other members in 1970. The witness replied that Ieng Sary did not relocate at the time but rather staying in Ratanakiri. He stated that he recalled Ieng Sary staying there until early 1971, at which point Ieng Sary left for Vietnam. Mr. Rochoem said that Son Sen also left the province to go to Kampong Thom province at the time, and no one else remained there.

The witness said that Ieng Sary was in Beijing from early 1971 until the liberation April 17, 1975. When asked what role Ieng Sary performed while in Beijing, the witness said that in early 1971 he became aware, through a radio broadcast he heard, that he was a special representative of the movement for King Sihanouk or Samdech Ouv.

When asked about his personal role in Office 871, Mr. Rochoem said that, when he was there, he was a part of the bodyguard unit. He noted that he was not permanently stationed there, as he was frequently “mobile” to “the zone committee or the zone office, to the east zone or to zone 304.” When mobilized, he went by himself and was a messenger; he said he had a “motobike and a pistol.”

Regarding who instructed him to deliver letters to different zones, the witness explained that “Bong Pang” administered the delivery of letters. Mr. Bunkheang inquired whether he worked as a particular leader’s messenger. Seeming to have misunderstood the question, Mr. Rochoem answered, “At that time, usually ... a letter to zone 203, that is to be delivered to So Phim and zone 304 was to be delivered to Koy Thuon, and to the Southwest it was to be delivered to Ta Mok.” After Mr. Bunkheang repeated his question, the witness responded that he worked for “the leadership group,” adding that he worked for Pol Pot at that time and that he did whatever Pol Pot ordered him to.

When asked if Pol Pot ever traveled to the zone, the witness confirmed that Pol Pot did, citing trips to 203, 304, and the Southwest. He explained, "When I went with him, he would go to the zone office to meet with the zone committee. . . . Then he would invite all the sector leaders or chiefs to come and work with him." When asked about the kinds of tasks Pol Pot gave to the sector leaders and chiefs, Mr. Rochoem replied that based on his observations as Pol Pot's bodyguard, the leader would come back from study sessions to give instructions to those people regarding revolutionary views and after that he would assign tasks to those people, specifically giving instructions on "what measures needed to be done in order to improve the situation."

As the clock had reached 4 p.m., Mr. Rochoem's examination was ended for the day. After reminding the witness that his testimony had not yet concluded, President Nonn adjourned the day's proceedings to be resumed on Thursday, July 26.