



**Witness Testifies about Ministry of Foreign Affairs Matters,  
Including Disappearances**

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Monday, July 30, 2012 marked the prosecution's third day of examining witness Rochoem Ton, a former bodyguard, messenger, and personnel of the Ministry of Foreign Affairs, in Case 002 against accused Nuon Chea, Khieu Samphan, and Ieng Sary at the Extraordinary Chambers in the Courts of Cambodia (ECCC).

Nearly 300 teenagers from the youth community in Kampong Thom province attended the morning proceedings. In the afternoon, 100 police officers from the Kandal province watched from the public gallery.

As court was called to order, all parties were present in the courtroom, including Ieng Sary, who has regularly been following the proceedings from his holding cell due to his health issues. Trial Chamber President Nil Nonn noted the doctor's report that Ieng Sary could remain in the courtroom no more than 30 minutes and that he be allowed to observe the proceedings from his holding cell. President Nonn then stated that Ieng Sary wished to address the courtroom before departing for his holding cell. However, Co-Lawyer for Ieng Sary Michael Karnavas stood up instead. He stated that his client was going to address the Court regarding not being capable of attending the proceedings, but that, in light of the Trial Chamber's ruling, his client did not have anything to say.

Prior to continuing his examination of Witness Rochoem Ton, International Assistant Prosecutor Dale Lysak addressed the schedule for examining the witness. Mr. Lysak said that he would be taking until lunch, with the civil parties receiving the remainder of the time for the day. He said the lawyers for the civil parties had indicated they would need an hour-and-a-half. The total time

allotted to the prosecution and the civil parties to examine the witness was two-and-a-half days. International Civil Party Lead Co-Lawyer Elisabeth Simonneau Fort clarified that, at most, they would need an hour to examine the witness.

***The Prosecution Continues Its Examination of Witness Rochoem Ton***

Mr. Lysak began the day's questions by referring to Mr. Rochoem's testimony on Friday, July 27, regarding Khieu Samphan's taking over from Doeun at Office 870. He specifically recalled the witness's testimony that Mr. Rochoem would give letters that were to be sent to the zones to Khieu Samphan for delivery. Mr. Lysak asked him what other dealings he had with Khieu Samphan while the accused was in this role at Office 870. The witness responded that he delivered messages from Ieng Sary to Khieu Samphan and that he did not send messages to the zones. He added, "When we were authorized to take guests to those zones, we would do so." It was not clear whether his statement meant they would then take guests to the zones, or that they would then contact the zone. Mr. Lysak asked Mr. Rochoem if he would have discussions with Khieu Samphan about Khieu Samphan's responsibilities at Office 870 when he delivered messages to him. The witness replied no. He added that the contents of the letters pertained to how to receive guests, for example, "If you would go to Zone 204 or Zone 203, then we only had to communicate the messages through the letters, and if we received authorization through that, then we would proceed with taking the guests there."

Mr. Lysak asked the witness if, when he went to Office 870, he received documents to give to Ieng Sary. Mr. Rochoem responded that he sometimes did. Regarding what types of documents these were, the witness replied that they related to the reception of guests. He explained that the Ministry would inform them in letters to proceed with the arrangement of their guests' trips.

The prosecutor inquired whether the witness knew of where and how communications from zones to the party leaders in Phnom Penh would be sent and distributed. Mr. Rochoem confirmed that communications were sent from the zones but was unable to provide further information.

Next, Mr. Lysak asked the witness about his awareness of Office K-7. The witness answered that K-7 was a branch office of Office 870. Regarding the office's function, he explained that it "dealt with all zones." He recalled that the zones, when they had a need, would first have to contact K-7 before their message could be sent to Office 870. The witness described this as the "normal daily routine of communication." Mr. Rochoem did not know whether reports from the zones that Office K-7 and Office 870 received were passed along to Ieng Sary.

Moving on, Mr. Lysak asked whether Mr. Rochoem was aware of the Standing Committee of the Party while he worked at the Ministry of Foreign Affairs. The witness answered that he was not aware of it. He added that he might have been informed of it through radio broadcasts but that he did not know the membership of the Committee.

Mr. Lysak read the witness an excerpt from Mr. Rochoem's first interview with the Office of the Co-Investigating Judges (OCIJ). Mr. Lysak quoted:

These orders mostly came from Pol Pot or Nuon Chea. That is, they came from Office 870, which sent all that information and those orders from the members of the Center Standing Committee based and working in Phnom Penh, like Pol Pot, Nuon Chea, Vorn Vet, Ieng Sary, and Son Sen.

Khieu Samphan was close to that committee as well, but Khieu Samphan was not a member of the Standing Committee.

Regarding how he learned which leaders were members of the Standing Committee, the witness reiterated that Pol Pot, Nuon Chea, Vorn Vet, Ieng Sary, and Son Sen were in the Committee, with Khieu Samphan close to, but not a member of it. The witness testified that Ieng Sary told him that Khieu Samphan was not yet a Standing Committee member.



*Ieng Sary (front center) visits a military boat docked at a coastal city in Cambodia during the Democratic Kampuchea period. (Source: Documentation Center of Cambodia)*

***Mr. Lysak asks the Witness about Periods When Ieng Sary was Abroad***

Moving on, Mr. Lysak asked the witness about times during which Ieng Sary was abroad. Mr. Lysak asked whether, when he went abroad, Ieng Sary would remain in control of the Ministry of Foreign Affairs. The witness replied that while Ieng Sary was abroad, Office 870 managed the “main tasks” and So Hong was in charge at the Ministry of Foreign Affairs. Regarding whether Ieng Sary was able to communicate with the Ministry when he was abroad, the witness explained that Ieng Sary would communicate via Office 870 while he was out of the country. He added that these communications would not go directly through B-1. Mr. Lysak inquired who at Office 870 received these communications and passed them on to the Ministry. Mr. Rochoem said that Pol Pot would be in charge, if he was “in place,” or Nuon Chea or Khieu Samphan. Regarding whether the Ministry, through Office 870, sent Ieng Sary communications while he was abroad to keep him apprised of what was occurring at the Ministry, the witness explained, “It depends on brother So Hong.” He added, as an example, that So Hong would contact Office 870 for issues pertaining to political issues.

Mr. Lysak read the witness another passage from Mr. Rochoem’s OCIJ interview, quoting, “When Ieng Sary was away, Hong replaced him, but Hong could not make decisions. When outside the country, Ieng Sary contacted 870, and 870 then contacted B-1.” Mr. Rochoem confirmed that So Hong had to contact Ieng Sary via Office 870 in order for decisions at the Ministry to be made while Ieng Sary was abroad.

Moving on, Mr. Lysak inquired whether the witness had accompanied Ieng Sary on any trips outside of Cambodia. The witness replied affirmatively, stating that he went once with Ieng Sary

out of Cambodia in 1976. The witness further testified that he went to China and that he was there for approximately a fortnight. He could not recall all of the delegation that traveled with him to China, but he recalled Pol Pot, Ieng Sary, Doeun, and Ros Nhem being there.

***Witness's Experience at the Ministry of Foreign Affairs Examined***

Mr. Lysak switched topics, inquiring who appointed Mr. Rochoem to work in the Ministry of Foreign Affairs. The witness replied that Ieng Sary who appointed him. When asked how he reported to Ieng Sary, Mr. Rochoem explained that they would meet each day, Monday through Friday, on a “permanent basis.” He added that, when he went with guests to provinces, he would report to Ieng Sary at Ieng Sary’s residence.

The witness also testified regarding the duration of his daily meetings with Ieng Sary that it depended on the work. The meetings would last approximately fifteen minutes for some tasks, he said, but never extended beyond a half-hour. When asked whether others attended these meetings, Mr. Rochoem replied, “It depended on the situation.” He explained that he met with Ieng Sary and So Hong at times and also with other intellectuals. Regarding whether he also prepared written reports, the witness testified that he would sometimes do so.

Mr. Lysak asked the witness whether Ieng Sary had other regular meetings with Ministry staff. The witness stated that there was “generally” a meeting once a month for “cadres who were in charge of respective tasks,” to gather lessons learned. The witness further testified that Ieng Sary sometimes chaired these meetings and, at other times, Hong would.

Turning back to Mr. Rochoem’s OCIJ interview, Mr. Lysak quoted the witness’s answer to the question of how Ieng Sary would disseminate “orders from the upper echelon.” He read, “He [Ieng Sary] called meetings. I was there from the Office, Hong from policy, and all the intellectuals because each of them had one country or one region.” In response to Mr. Lysak’s question regarding what kind of orders Ieng Sary presented at these meetings, the witness explained about the “policy of gathering intellectuals” from abroad and from regions. He explained that they were “gathered” to fill positions within the Ministry of Foreign Affairs. He recalled Ieng Sary directing them to gather intellectuals to work in the Ministry. He said, “We must not be narrow-minded with those intellectuals. He [Ieng Sary] tried to mainstream this concept with the staff of the Ministry, because he emphasized that certain intellectuals had a lot of experience working as diplomats in different countries. So, only when we work with those diplomats did we receive good results and performance for our work.” Regarding whether these intellectuals worked in a particular sector, the witness stated broadly that many intellectuals were serving in the Ministry of Foreign Affairs.

Mr. Lysak inquired whether anyone kept minutes of the monthly meetings that occurred at the Ministry of Foreign Affairs. Mr. Rochoem replied that this was So Hong’s responsibility.

Moving on, Mr. Lysak asked the witness whether criticism or self-criticism meetings took place at the Ministry. The witness answered affirmatively, adding that they occurred monthly or every three months. The witness testified that the participants in the criticism meetings he attended varied. He indicated that there was a separation of criticism and self-criticism sessions for intellectuals, those involved in political affairs, and leaders like Ieng Sary and So Hong, on one

hand, and others from different sections, such as those who worked in the kitchen. Regarding how often he participated in self-criticism sessions with Ieng Sary, the witness replied that he did so once every three months.

The prosecutor indicated that he wanted to show the witness another document, but before he could do so, Co-Lawyer for Khieu Samphan Arthur Vercken asked about the identity of the document the witness had apparently been reading. President Nonn provided the identifying information for the document. He directed the witness to respond to the questions being put to him and not refer or read from the document before him, unless he is directed to a specific portion of it.

Returning to his document, Mr. Lysak described the identifying information for the section he wanted to put before the witness. Mr. Karnavas objected that a foundation had not been laid for the use of this document. Mr. Lysak argued the foundation had been laid, explaining that he wanted to direct the witness's attention to notes related to a criticism meeting. He also described that the document starts with the title "Constructive Ideas from the Collective," dated December 11, 1976, with notes of a meeting in which the participants include Chiem, Nou, Din, Muon, Ron, Thy, Van, and Hong. He explained that he sought to ask the witness whether these are the notes of a criticism meeting in which he participated, as the witness is identified as a participant.



President Nonn did not sustain the objection and instructed the witness to inform the Court whether he is familiar with the document. Mr. Lysak added he wanted the witness to take particular notice of the section of the notes relating to Comrade Chiem. The witness confirmed that the document was the minutes.

Mr. Lysak asked whether, in addition to his alias Vy Chiem, he was also called Chiem. The witness explained that he was referred to as Comrade Chiem and addressed as Chiem, not the long name of Vy Chiem. Mr. Lysak then inquired whether the witness recalled participating in criticism meetings with Nou, Din, Muon, Ron, Thy, Van, and Hong. Mr. Rochoem confirmed that he did, stating that the document was correct. He further testified that Van was Ieng Sary. Regarding who Nou, Din, Muon, Ron, and Thy were, the witness explained that they were Ministry staff members, some of whom worked in reception or in the kitchen and others who had the responsibility of welcoming guests. The witness testified that he could not remember who took notes at these criticism meetings.

Directing the Mr. Rochoem's attention to the portion of the notes relating to the witness's self-criticism session titled "The Revolutionary Self-Criticism of Comrade Chiem," Mr. Lysak described criticisms set out within that section as including "criticisms relating to not absorbing the nature of the proletariat class and for still desiring the comforts of private property." When asked if he remembered criticizing himself for these things, the witness replied, "As long as it is

recorded in this, yes, because at that time, everyone had to attend such session and had to do that.”

Mr. Lysak referred to a latter section in the document titled “Van’s Comments About Comrade Chiem” and inquired whether it was the usual course that people would self-criticize and then Ieng Sary would provide comments. Mr. Rochoem replied, “Yes, when we were conducting such criticism sessions and later on he would be the one who had the final word on us.” Mr. Lysak then described how within Ieng Sary’s notes there is an advantage listed that the witness was “loyal, never secret” and disadvantages listed included, “Too independent minded.” The witness confirmed that he recalled Ieng Sary making comments like this to him at the self-criticism meetings. When asked why being “too independent minded” was understood to be a fault in the Democratic Kampuchea (DK) regime, Mr. Rochoem explained that “the shortcoming could have been things that we never thought that they were shortcomings, but we were criticized or informed by others of the shortcoming so that we should do something to bridge these gaps.”

Mr. Lysak asked the witness about the last page of notes from the criticism meeting, referring to a section titled “Statements at the Closing of the Party Training Course December 1976” and inquiring what a party training course was and the frequency with which they were held. Mr. Rochoem replied that he attended only one in 1976, out of three years. He described how the training took place for approximately one month and how over 1,000 people attended it. He further testified that the attendees came from across the country and included staff from every office in Phnom Penh.

When Mr. Lysak asked who made the presentations at the December 1976 party training course Mr. Rochoem attended, the witness responded that Pol Pot and Nuon Chea did. Regarding what subject matters were discussed at this training course, the witness stated that he could not remember the details but explained, “First we were taught about the general situation in and outside the country, secondly, the building of the party from lower-level to the upper-levels, and documents were also handed out to participants concerning the strengths and the weaknesses of the implementation of the movement ... and what experiences have been learned.” He added that they also had to attend self-criticism sessions.

***The Cell Committee within the Ministry of Foreign Affairs and the Cell Congress Discussed***

Mr. Lysak referred to another section of the same document, titled “Notes From a 18 January 1977 Cell Congress” and represented that the document set out the following people as members of the Cell Committee: Brother Van, listed as secretary; Comrade Hong, listed as Deputy Secretary, and comrades Ron, Ven, and Chiem, all listed as members. When Mr. Lysak asked what the Cell Committee of the Ministry was, Mr. Rochoem explained that it referred to a branch, explaining as an example that there were internal branches within the Ministry of Foreign Affairs. He stated that it “relates to the members of the parties and how they would be managed and do their work.”

Referring to the title of the document, Mr. Lysak asked what a Cell Congress was and how frequently they were convened. The witness replied that the meeting was held only once during the DK regime, as the meeting would be held once every four years. When asked whether the participants in the Cell Congress were limited to the members of the committee, the witness

clarified that the Cell Congress only occurred in the Ministry of Foreign Affairs, adding that different ministries could have different meetings. He further testified that approximately 30 people in the Ministry participated in the Cell Congress and that it did not extend past than three days. Ieng Sary and So Hong chaired meeting and made presentations at the Congress, he recalled.

Mr. Lysak directed the witness's attention to notes from the Congress in the section titled "The View on the Kampuchean Revolution Situation." Mr. Lysak asked particularly about the part that discusses the situation of the enemy of Cambodia. For an accurate translation, the prosecutor requested his colleague, Deputy Co-Prosecutor Seng Bunkheang, read the section in Khmer. Mr. Bunkheang quoted:

1976 is the key year. The enemy is deteriorating. The spy's network was destroyed. There was no longer a class enemy. However, the American Imperialists, the CIA, the KGB, and Vietnam still exists, although they were defeated, but they still struggle to move on. And the other, the one, the enemies, the peasants, and the workers who were in our rank and these also the enemies that needed to be swept clean progressively.

Mr. Lysak inquired whether the external and internal enemy situation was regularly talked about at Ministry meetings. The witness replied, "This Congress was not only conducted at the Ministry, but it was also conducted everywhere, at the other locations. The enemies were very well identified here; they were the American Imperialists. At that time we had to fight the American Imperialists. ... We had to build ourselves internally. Everyone had to be absolute and determined. ... We had to be the very clean and proper people to achieve this triumph." Regarding who made the presentation on this subject at the Cell Congress, the witness replied that Ieng Sary did, as he was the top person in the Ministry of Foreign Affairs.

Directing the witness to the next page of the notes, specifically the section that addresses the differences between adversarial and internal disputes, Mr. Lysak read: "The adversarial disputes are those against the Revolution. If there are such disputes, we must hand over them to the security sector to deal with, that is, to do research, to find out its systematic relation. For this type of dispute, no need to do things like education. It is to no avail." When asked who provided this instruction at the Cell Congress, Mr. Rochoem replied that Ieng Sary did, adding that he particularly clarified "what the antagonistic contradiction could have been." He added that Ieng Sary also taught them about the "ambiguous or uncertain political stance that needed to be corrected through the session." The witness explained that "adversarial contradiction had to be eradicated because when people bore this concept, we could not live or get along well together, and we had to take some actions. For example, the actions could be done through way of sending them to the labor camp, to work, do farming, because keeping them alive means killing the Revolution. So each individual's performance had to be judged accordingly."

The prosecutor referred to the next section of the notes from the Cell Congress, which set out the "Cell Plan" of 1977. The witness testified that Ieng Sary presented this plan to the group orally, and no handouts were provided. Mr. Lysak quoted from the notes to the 1977 Cell Plan: "The special aspects in 1977 which our cells should pay attention to is high revolutionary vigilance and self mastery to get rid of the enemies both inside and outside the country." The witness confirmed that he remembered receiving directives to be vigilant to get rid of these enemies.

Regarding when he first started receiving this type of instruction during the DK regime, the witness replied that being vigilant against enemies was a type of instruction that they received from the start.

Referring to a section titled “the Functions of the Office,” Mr. Lysak quoted the following: “We must guarantee security and trace the personal biographies in the entire ministry and must gather weapons and ammunition and send them to the military headquarter. We must always investigate the enemies in the Ministry.” When asked whether he remembered being asked to trace the biographies of Ministry cadres, the witness replied, “It was the internal affairs, and it must be memorized by members working in the Ministry.”

Returning from the morning break, Mr. Lysak continued with the subject of biographies. When Mr. Lysak asked whether all cadres working at the Ministry were required to prepare biographies, the witness replied affirmatively.

Mr. Lysak referred to the end of the notes of the 1977 Cell Plan, specifically to a section titled “The Leadership Line to Complete the 1977 Plan.” Mr. Lysak quoted, “You must not let the masses in the Ministry know all of our plans.” When asked who provided this instruction, the witness testified that Ieng Sary, who was the Congress’s presenter, described what was considered internal affairs. He explained that only internal staff was to know internal matters. Regarding what matters were considered internal, the witness said he could not recall.



*Ieng Sary (center) with Vorn Vet (left) accompanies foreign advisors on a visit to the countryside during the Khmer Rouge regime. (Source: Documentation Center of Cambodia)*

### ***The Witness Testifies about Units within the Ministry of Foreign Affairs***

Referring to another section of the same document, Mr. Lysak read out the following seven Ministry sections listed in the document: Propaganda and Education Unit; Office; Farming Sector; Political Sector; Protocol Office; The Governing Secretariat; and Civil Aviation. The witness confirmed that this list accurately reflects the Ministry of Foreign Affairs’s sections as of July 1976. He further confirmed that the “Office” section was the one for which he was responsible.



Mr. Lysak then referred to a paragraph that describes a unit referred to as the “Secrecy Sector,” reading, “This Sector is under the leadership of the Office. Reports must be clearly made to the Office. Educate in political and spiritual standpoints constantly. Assign and push forward the three movements. Get rid of freedom. Plan to increase production.” When asked about the function and person in charge of the Secrecy Unit, the witness explained that there was a section within the Ministry of Foreign Affairs responsible for secrecy matters. He indicated there were matters not meant for others to know generally and explained that there were “secret visitors” and “open visitors.”

Turning to another paragraph of this section pertaining to the political sector, the prosecutor quoted, “Grasp tightly the situation of the Revolutionary movement inside and outside the country so that we can be confident in the implementation of the collective political line of Angkar.” Mr. Lysak inquired who informed the cadres at the Ministry about the collective political line of Angkar. The witness responded that Ieng Sary was the session’s presenter. He added that each section, such as the Education section, would listen to what Ieng Sary presented and then present it in their respective unit. He stated it was the same for the Protocol section and the Secrecy section. Regarding who was the head of the Ministry’s Political section, the witness stated that overall Ieng Sary was in charge, with So Hong second in command.

Mr. Lysak referred to another page of the notes, wherein a description of the Governing Secretariat is provided. He inquired who was in charge of the Secretariat section of the Ministry of Foreign Affairs. Mr. Rochoem answered that Mr. Thiounn Prasith was.

***Mr. Lysak asks Questions Pertaining to a Report of a Ministry Conference***

Moving on, Mr. Lysak turned to a new document that is dated December 12, 1977, and titled “Working with the Committees of Every Unit” and represented that it seemed to be a report of a ministry conference. He inquired whether Mr. Rochoem was aware of the ministry conference discussed within the document. In response, the witness stated that the Ieng Sary chaired the session. He added that people throughout the country and from various units in Phnom Penh were invited to attend the session.

Mr. Lysak referred to the section “Enemy Activities” within the part titled “Summaries of the Report from Every Unit” and quoted, “At our Ministry’s conference, it was noted that we have basically smashed and swept cleanly away the enemies who were CIA, KGB, and Yuon territory swallows.” Mr. Lysak inquired what individual at the Ministry reported that CIA, KGB, and Yuon enemies had been “smashed and swept cleanly away.” Co-Lawyer for Ieng Sary Ang Udom was recognized; he argued that the witness had not indicated that he had seen the document before. After hearing Mr. Lysak’s response, President Nonn did not sustain the objection. The witness asserted that he received the document during that session. After Mr. Lysak repeated his question, the witness said he did not remember who made this specific report but added that Ieng Sary made the presentation and So Hong summarized the reports that each unit submitted.

Co-Lawyer for Nuon Chea Son Arun was recognized. Mr. Arun said that his client was dizzy and asked that he be allowed to observe the proceedings from his holding cell. The Chamber granted his request. Mr. Arun also asked the medical doctor to attend to Nuon Chea’s health. President

Nonn responded that the doctor was on notice to check the accused's health. He advised counsel to not interrupt the proceedings unless his client's health condition is very grave so that the witness and others do not forget the question that was asked.

Returning to the examination, Mr. Lysak quoted from another part of the same report, "The enemy is not yet completely gone from our ministry or from any of its units of organization. We must therefore continue sweeping cleanly to make our Ministry, like each and every one of its units, immaculate." When asked who provided the instruction to continue "sweeping cleanly" the ministry, the witness replied that, based on the document, Ieng Sary did. He added that this was a "very internal matter because, according to the report obtained, some people still were not certain concerning their position, their stance. Although we have done great so far, there are still some points that need to be dealt with in the future."

Mr. Lysak next quoted a passage from the same page, "The enemy makes it heard that in a little while everybody will be arrested, and only brother Khieu Samphan will be left. Our comrades know how to analyze this sort of thing and report it. Once we have affected the arrests and conducted the interrogations, we can see the enemy links clearly." Mr. Rochoem could not recall who at the Ministry conference made this statement.

#### ***Disappearances and "Tampering" within the Ministry of Foreign Affairs Examined***

Moving on, Mr. Lysak asked a series of questions pertaining to disappearances and the sending of people within the Ministry to be "tampered with." Mr. Rochoem affirmed that people were arrested and disappeared from the Ministry during the DK regime, adding that it might have been in 1977 and 1978. The witness also testified that Ministry cadres were sent to worksites and production sites for "tampering." He explained that for the Office B-1, people were sent to Ta Kmao production section that the Ministry supervised. The witness testified that this production site had no code name or number. When asked if people from the Ministry were also sent to the Kampong Chhnang Airfield construction site, Mr. Rochoem answered that he did not know if people were sent to this site but that no one from his section was.

Mr. Lysak inquired what led to Ministry people being sent for tampering. The witness replied that "minor mistakes" did, giving as an example, not work actively and not performing a task they were assigned. Regarding who decided that someone from the Ministry should be sent for tampering, Mr. Rochoem explained that the people in charge of the sections, such as the kitchen or the guest reception, would note the wrongdoings or mistakes of their subordinates and make the decision to send them to be tempered. He added that the Ieng Sary had the final approval.

Mr. Lysak referred to the witness's second OCIJ interview, reading, "Office 870 sent the information to Uncle Ieng Sary, who was the person who made the decisions on who was to be sent to be tempered." Mr. Lysak inquired what kind of information Office 870 sent to Ieng Sary regarding cadres subject to tempering or arrest. Mr. Rochoem explained that Office 870 made the decision, with Ieng Sary implementing it. Mr. Lysak asked specifically whether Ieng Sary received S-21 confessions from Office 870 that had the names of implicated Ministry cadres.

Before the witness could answer, Co-Lawyer for Khieu Samphan Arthur Vercken made an objection, after which President Nonn reminded the witness that he should be testifying without

referring specifically to his OCIJ interview, unless directed to do so. After Mr. Lysak repeated his question, the witness replied, “When there was a written instruction from the upper authority, then he [Ieng Sary] would relay that information to the people involved, and there were people from the Ministry who would go and fetch the document from Office 870.”

Mr. Lysak referred to another part of the witness’s OCIJ interview, quoting the witness’s response to a question regarding who decided who was sent to S-21 or to be tampered with; Mr. Rochoem had answered, “Cases of the most serious wrongdoing were taken from the implications and the confessions and reported by Duch to Office 870, then sent to B-1. Office 870 sent the information to Uncle Ieng Sary, who was the person who made the decisions on who was to be sent to be tampered. Uncle Ieng Sary told me that those confessions were sent to him with annotations.” When asked who at Office 870 sent these documents to Ieng Sary, the witness replied that it could have been “the first uncle” or “the second uncle.” Regarding whether Ieng Sary told him what kinds of annotations were made on the confessions he received, the witness said he did not see personally see annotations or letters and that Ieng Sary did not “reveal[] it to us.” He reiterated that Office 870 decided which specific people were to be taken away for tampering. Regarding what Ieng Sary did with confessions after receiving them, the witness replied that Ieng Sary “instructed to me that certain confessions indicated the implication of KGB or CIA or other aggressive forces.”

Mr. Rochoem explained that Office 870 mostly conducted the arrests of Ministry workers and added that the office also sent trucks to remove people. Specifically, a unit called Unit Y-10 was in charge of conducting the arrests, the witness stated. Asked who was in charge of the Y-10 Unit, the witness replied that he knew of Hean and Van, who he described as military personnel attached to Y-10. Unit Y-10 knew whom to remove, the witness explained, because the Ministry would ask the individual named to remain in the Ministry and would not permit him to depart until he was removed.

Mr. Lysak again read from the witness’s OCIJ interview: “If there was any confession, the names of those implicated were sent to Uncle Ieng Sary for him to clarify and to tell them who those people were and in what sections they worked. They were subsequently arrested by military personnel from Y-10 of Office 870.” When asked how he knew that Ieng Sary identified who the people were and in what the sections they worked, the witness replied that sometimes he was told by Ieng Sary and sometimes by So Hong.

The prosecutor then referred to previous testimony by So Hong, wherein Mr. Hong testified that the witness, on some occasions, took cadres to be arrested from the Ministry building, who were then picked up and removed by people from Office 870. Mr. Rochoem confirmed that there were such instances and added that he was not aware of where these people were taken. When asked if he ever saw Ministry cadres removed by personnel from Office 870 again, Mr. Rochoem stated that he did not, “because they were arrested.” He maintained that he was not aware of their fate.

***Mr. Lysak Focuses on Intellectuals who Returned from Abroad***

Turning to another subject, Mr. Lysak asked questions pertaining to students or intellectuals who returned to Cambodia from abroad. Mr. Lysak first asked the witness whether he knew of Ieng

Sary encouraging intellectuals living abroad to return to Cambodia after the liberation. Mr. Rochoem replied:

Since Uncle Ieng Sary was responsible for the Ministry of Foreign Affairs, he educated the cadres and intellectuals who were willing and happy to come and serve the nation. Then he would appeal to them, and he was happy to receive those intellectuals. For example, he would take individuals who were considered intellectual to serve in the Ministry of Foreign Affairs. Of course, we could not recruit farmers to work in the Ministry because they could not write and read very well, and in addition our work was relating to foreign affairs and diplomatic communication or so, so we needed intellectuals to handle those important tasks.

Mr. Lysak inquired where intellectuals returning from abroad during the regime were sent when they arrived. The witness responded that Office 870 “managed the work directly” after the April 17, 1975, liberation. His Ministry, he said, only invited the intellectuals who were interested in doing so to come work there. He concluded that intellectuals generally fell under Office 870.

Regarding where returning intellectuals and students were sent specifically, Mr. Rochoem replied that he heard of Boeng Trabek, which was under Office 870, and Ponteley. Mr. Lysak asked whether Boeng Trabek was transferred from the supervision of Office 870 to the Ministry of Foreign Affairs. The witness answered that Office 870 had B-1 take over after Pong disappeared in late 1978 and Von took over his position as the Chief of Boeng Trabek. He stated that Cheng An was the Chief at the time and that Hor Namhong was also present. Mr. Lysak inquired whether Ieng Sary as Standing Committee member had any responsibility for students or intellectuals at Boeng Trabek before this transfer of the supervision to the Ministry. The witness replied that he did not know the extent of Ieng Sary’s involvement. He added that when the supervision was transferred, he, So Hong, and Ieng Sary met with the intellectuals in Boeng Trabek and had training sessions with them. He further testified that he went to Boeng Trabek after responsibilities were transferred to the Ministry “rather frequently,” describing that he would sometimes go weekly or once every 10 days or if there was an urgent matter to be addressed. He noted, though, that he only dealt with “the livelihood and the situation of people over there.” Regarding the occasions he was aware of when Ieng Sary went to the Boeng Trabek site, Mr. Rochoem replied that he, Ieng Sary and Hong went there three times in late 1978. The witness testified that he saw a lot of people on his visits to Boeng Trabek. He added, “There were people from the Ministry, people who came along with their spouses and children, too many people there.”

Mr. Lysak inquired what Ieng Sary taught at Boeng Trabek, the witness replied that, from what he recalled, Ieng Sary presented an update on the situation in and out of the country and he “firmly” emphasized the intellectuals’ role in contributing to the social revolution. Specifically, the witness said, Ieng Sary taught that “people with high education should partake in the movement and build oneself in accordance with what the Revolution would want us to become.” He added that they also had self-criticism sessions.

### ***Mr. Lysak Wraps up the Prosecution’s Examination of the Witness***

Returning from lunch, Mr. Lysak brought up Ieng Sary’s 1974 trip to Cambodia. Mr. Rochoem testified that Ieng Sary perhaps returned in early 1974, and also to attend the general congress that year. Mr. Lysak asked what else Ieng Sary did when he came to attend the June 1974 General Congress discussed by the witness last Thursday. The witness indicated that he could

not recall whether Ieng Sary went anywhere else other than the Congress. Focusing on the June 1974 conference, Mr. Lysak asked whether the evacuation of Phnom Penh was discussed there. The witness replied that he did not think so.

Moving on, Mr. Lysak asked whether the witness remembered hearing about the “seven Lon Nol super traitors” during the months prior to April 17, 1975. The witness responded that he did not.

Returning to the April 1975 meeting at B-5 relating to the evacuation of Phnom Penh that the witness discussed last week, Mr. Lysak inquired whether following this meeting the evacuation plan for Phnom Penh was well known and discussed by the cadres at B-5. Mr. Rochoem replied that the leaders spread the information after their discussions.

The prosecutor then played a 10-second video clip for the witness, without sound, to ask the witness whether he could identify the three people appearing therein. The witness replied that he saw Pol Pot, Nuon Chea, and Khieu Samphan. Mr. Lysak referred to the hut in the video, which he described as thatched roof with wooden poles. Asked if this hut was similar to where the April 1975 meeting at B-5 occurred, the witness replied it was the same, adding that more people were in the hut for the meeting he previously referred to. After the witness’s response, Mr. Lysak concluded his examination.

#### ***Civil Party Co-Lawyers Take Their Turn Examining the Witness***

When the civil parties were handed the floor for their turn at questioning the witness, National Civil Party Lead Co-Lawyer Pich Ang announced that his colleagues Lor Chunthy and Elisabeth Simmoneau Fort would be leading the examination for the civil parties.

Civil Party Co-Lawyer Lor Chunthy began his examination by first asking Mr. Rochoem when he joined the revolution. The witness replied that he joined in early 1963 in his village and that he left his home on August 24, 1966. The witness further testified that he was 16 or 17 years old when he joined the revolution.

Mr. Chunthy asked the witness whether he understood the meaning of the revolution when he joined it. The witness gave a lengthy reply about his inspiration to join the revolution. He stated that his Uncle, who went to Vietnam in 1954 to study communism and later disappeared, inspired him and noted that his father also was involved with the movement during the Issarak regime. He described also being inspired by the uniforms worn by the North Vietnamese armed soldiers he saw.

Mr. Chunthy clarified, asking particularly how the Khmer Rouge influenced him to join the revolution, as he was from the Charay ethnic minority group. Mr. Rochoem provided another long response. He stated that his in-law told him that the revolution was to free them from oppression and that to free themselves they had to join hands in fighting with the Vietnamese and other people in the region. He described



how he joined the revolution during the second phase of recruitment, after other youths had. While he indicated that his family supported him joining the revolution, he emphasized that no one forced him to join. He described feeling the need to join those who went to the jungle.

Mr. Chunthy explained his reason for asking the question, stating that people were influenced by some ideology before deciding to join the revolution. With this clarification, Mr. Rochoem further testified,

In 1964 I heard from my in-law that there would be a revolution by Khmer people. ... So I was even so excited and inspired by that; ... when I heard the term Revolution I really would like to join. ... I was angry, very angry, having heard all about how people were being oppressed and as a male individual, I would be very determined to play a part in this. ... In 1962, in my village, in Nhang village, there were bombings. ... Having recollected the event when we had to escape from being bombarded, we found it very easy to understand how suffering, how much pain we suffered from such aerial bombardment, so any topic about this would convince us very easily. ... I was witnessing this and I really hated it, and I was angry.

He added that he also noted the Vietnamese movement in 1965 and remarked that by then he was inspired and hopeful that he was making the correct decision. He described being “so excited being educated about the revolutionary matter,” something he said he understood even more upon meeting Ieng Sary in 1967. He explained that they brought portraits of Lenin and Marx and taught them about the revolution, which “made [him] love the revolution even more.”

On a different topic, Mr. Chunthy asked whether Khieu Samphan and Pol Pot frequently met during the period of 1971 to 1974. The witness responded that they met “rather often.” He explained that at one point their offices were in different places but that later Khieu Samphan’s office was moved adjacent to Pol Pot’s. Regarding when they would meet, Mr. Rochoem explained that, after eating gruel together, Pol Pot and Khieu Samphan would meet from 8:30 to 11 a.m. and during lunch. He said work would resume after a short break; after the work day was over, the two men would return to their respective locations. The witness confirmed that it is accurate to say they met frequently.

Moving on, Mr. Chunthy asked whether he heard of an appeal to Lon Nol soldiers and people on the radio prior to liberation on the April 17, 1975. The witness said that Khieu Samphan made a public appeal. Regarding the content of this appeal, the witness said Khieu Samphan, who was the Commander-in-Chief at that time, appealed to people “to join the armed forces” and not to fight with their own people, the Khmer people.

### ***Evacuations and Living Conditions Examined***

Switching to a different topic, Mr. Chunthy asked the witness whether people returned to their previous location after being evacuated. The witness replied that, from what he observed, there was no plan to return people to their previous location after evacuating them.

Mr. Chunthy asked whether the Khmer Rouge followed previous practices of evacuation when deciding on the Phnom Penh evacuation. In response, Mr. Rochoem referred to the prior evacuation of Udong. He described how people evacuated from the downtown areas were to stay in different liberated zones. He added, “It did not raise any issue at all at that time, and that was

the practice, and it was supposedly good practice.” He indicated, “Even if the enemy was to infiltrate it, it would not be difficult to identify them or single them out.”

Following up, Mr. Chunthy asked whether the witness observed any consequences of the Udong evacuation, specifically, whether people were terrified or worried they would not return to their hometown. Mr. Rochoem said that people who had been evacuated resided in another location and “there were not any difficulties at all.” He stated, “From the people’s situation overall, they did not encounter any difficulties. And as far as the food supply is concerned, people did not have problems with the food.”

Returning again to the meeting in which the evacuation of the people from Phnom Penh was discussed, Mr. Chunthy asked whether the leaders discussed the impact it might have on the people. After stating that he never received information about the difficulties they encountered, Mr. Rochoem described the impact he witnessed, explaining how he encountered people leaving the city in western Phnom Penh and recounting a particular incidence in which he asked some people what they were carrying. After learning that they were carrying bank notes, he said he informed them this was a waste because the notes would not be of use to them in the liberated zones. Upon hearing this, the witness described, they started crying. He stated he consoled them by saying, “It was the evolution of the situation. They should not be too grieved over that fact.” He added that he did not observe other problems, noting that they had sufficient food in the cooperatives.

Mr. Rochoem further testified that he did not understand the leadership’s evacuation plan and that the city was empty when he arrived there. He described hearing later from the base and soldiers that people who left Phnom Penh were experiencing many difficulties, adding that he also heard that this situation “served the Phnom Penh people well because they had been living a luxury life for a long time so they should endure the difficulties like we had come across ourselves.” He did not see any soldier abuse the people leaving the city, though.

Mr. Chunthy further asked if Mr. Rochoem was aware that evacuees were referred to as “new people” or April 17<sup>th</sup> people. The witness recalled that some called them new people, and some called them 17<sup>th</sup> of April people. He went on to describe how people who arrived were recorded for administrative purposes. He also stated, “We wanted to ensure that we could control the elements in the village.”

Next, Mr. Chunthy asked whether there was a plan to receive the city people once the Phnom Penh evacuation was executed. The witness replied that, as he previously answered, the people from the cooperatives received the city evacuees, who worked beside the base people. He added, “In certain locations, the management of the people who came from the city was good, but in certain locations there were problems because in certain cooperatives there were a so-called personal revenge.” He described encountering people having to carry earth and build dams and eating only watery gruel. He reported that when he complained about these conditions to the cooperative’s chief, he was told to “mind my own business.” He said that he told the cooperative’s chief, “In the revolution we had to ensure equality; ... if people had watery gruel it was not a good sign because we were human beings, we had to be treated properly.”

Regarding whether he reported this situation to the upper authority, Mr. Rochoem stated that he traveled more often to the provinces during 1977 and 1978 and that he reported what he observed to the upper echelon. He concluded, "I knew that because of that, I was about to be purged."

Regarding to whom he reported, the witness replied that he mostly talked with Ieng Sary. He further said that he would be summoned by Pol Pot every once in a while and that he would not hide what he saw. He noted Pol Pot telling him that he did not need to inform him about these matters and that he should save this information for his self-criticism sessions instead. Mr. Rochoem explained, "When I said self-criticism sessions, it is more like when I talked about this to Ieng Sary, I told him about what I saw and he asked me to mind my own business. ... When I met with Ohm Number One, he asked me to wait until the session convened so I could really express or tell the meeting what I saw. I did not know whether he meant it or was saying it sarcastically."

Regarding whether any measures were taken in these problem areas after the witness reported to Ieng Sary, the witness replied, "None of this idea was taken." He indicated that Ieng Sary told him to be patient, but the witness said he could not be because what he observed was "really painful."

#### ***The Witness Testifies about Progressive Cooperatives***

Mr. Chunthy turned to the witness's prior testimony regarding a meeting held at Preah Keomorakat pagoda, during which building progressive cooperatives was discussed. When asked what a progressive cooperative was, Mr. Rochoem replied that it referred to cooperatives established after the 1975 liberation. He added, "I did not quite understand the full details of this. However, through my experience at the rural areas, cooperatives were already in good progress and that they needed to be more enforced, strengthened so that we could generate some good forces for our national defense." Regarding what needed to be done to make the cooperative more progressive, the witness responded:

To improve cooperatives, we were told that we needed to join the social revolution, which means everyone shall enjoy equal treatment. It means if we had to eat three ... meals per day, for example; each cooperative had to enjoy having the same amount of meal. ... People wore the same clothes, had the same ideology, received the same training. They had to abandon the old, bland ideology so we were equipped to speed up, to achieve the socialism and communism and that we had to understand how to protect our country, how to be self-sufficient, self-mastery.

Mr. Rochoem added that after these phases they believed they could reach that goal. He concluded that he observed these cooperatives during his travel through the rural areas.

Regarding the communal eating he referenced, the witness explained that communal eating started before the liberation of Phnom Penh. He noted that it occurred in liberated zones in 1973 and also in 1974, noting that it was not commonly practiced everywhere then.

Turning to the subject of currency, Mr. Chunthy inquired whether the party intended to print bank notes after the April 17, 1975, liberation. Mr. Rochoem answered that bank notes were printed earlier, up until late 1974, and that they were stored in a warehouse near Wat Phnom. He stated that these notes were not circulated.



When asked about why the printed bank notes were not utilized, the witness said, “Probably the time was not right yet to circulate the bank notes.” He further testified that the decision not to circulate the bank notes or operate the market was made by the leadership and that the leader’s decision was not disseminated, adding that “it was made known to only a select few.”

***Focus Turns Again to Khieu Samphan and His Role at Office 870***

Mr. Chunthy asked the witness whether he knew of Khieu Samphan’s role and decision-making authority. Mr. Rochoem replied that he knew Khieu Samphan, who he described as “a very well-known intellectual, since 1971.” He reiterated that Khieu Samphan replaced Doeun as head of Office 870 when Doeun disappeared. He testified that Khieu Samphan would authorize the Ministry to accompany foreign guests to the East zone and explained that once approval was received, security was insured. He characterized security as the main concern when there was a foreign guest because of power struggles within zones after the liberation.

When asked how much power Khieu Samphan had in Office 870, Mr. Rochoem replied that, in late 1978 Ieng Sary informed him that Khieu Samphan was a member of the Central Committee and that he was to take Doeun’s place. The witness noted his belief that Khieu Samphan was a Standing Committee member. He further explained that Khieu Samphan was responsible for “welcoming guests, receiving credentials from foreign guests, and also looking at other national administrative matters.”



*Khieu Samphan (seated on right on center bench) meets with Burmese President Ne Win in late November 1977. (Source: Documentation Center of Cambodia)*

When asked about the relationship between Office B-1 and Office 870, the witness stated that to find out information about the situation in the country, they had to go to Office 870 as it “devised the political plan as well as other administrative affairs of the nation, so [they] had to go there to get information and decisions.”

Referring to the witness’s earlier testimony about power struggles within zones after the liberation, Mr. Chunthy asked the witness whether he was aware if some of the zone leaders subsequently disappeared. Mr. Rochoem stated he could not recall this in detail but that,

particularly in 1977, there was problem with security and some zone leaders later disappeared. He added that some zones were “not on good terms with Pol Pot” and that this issue may have been why zone leaders disappeared.

Having concluded his questions, Mr. Chunthy passed the floor to International Civil Party Lead Co-Lawyer Elisabeth Simmoneau Fort.

***Ms. Fort Examined the Witness on the Evacuation of Phnom Penh***

Ms. Fort began her questions by returning to the April 1975 meeting during which the Phnom Penh evacuation was discussed. When asked questions relating to whether a specific plan of reorganization was discussed for the evacuation and whether it was discussed how people were going to be subsequently cared for, Mr. Rocheam explained that “minor details” were not discussed.

Ms. Fort inquired whether, when he arrived in Phnom Penh, the witness observed ill people, people who had difficulty walking, or “people who were facing a lot of hardship.” The witness replied, “Those people who were evacuated must experience hardship, that was needless to say because those people got used to living the luxurious life. ... When they were being evacuated they sweat all over the bodies. So of course they endured hardship when they were being evacuated. But when we try to fight in order to liberate city we also endured a lot of hardship, we risked our life in order to liberate city. And people who simply left the city, it was not considered that difficult.”

Ms. Fort referred to the witness’s statement to the OCIJ, quoting, “To the contrary, at that time they told us that ... we had to be vigilant in relation to the forces hiding in the houses even though the large forces had already been eliminated.” Ms. Fort inquired about the reference to forces hiding inside the houses. The witness explained that, “normally,” after the defeat of the main forces, the hiding forces would “probably” hide in houses and make plots regarding “grenades and other ammunitions.” He added, “If we did not get rid of those forces, then they would probably resist or rebel against us, then it would pose a threat to the revolution. So when we carried out Revolution, we had to be the master of the situation; ... we had to get rid of the hiding forces. There were hiding forces out there.”

Following up, Ms. Fort inquired whether the witness personally found any enemies hiding in houses and, if so, what he did with them. The witness replied, “After the evacuation, I did not see more enemies. I think there were no more enemies. That’s why I could survive; ... if they lived I could have been smashed.”

Regarding whether he recalled instructions about the treatment of Lon Nol soldiers, Mr. Rocheam testified that they surrendered and that “people were advised strictly not to do any harm to those people who were defeated.”

Ms. Fort read a statement made by a civil party:

On the 17<sup>th</sup> of April, 1975, the parents of my spouse, ... a former colonel under the Lon Nol regime, as well as his four elder brothers, ... were shot at their home in the vicinity of the Central Market in Phnom Penh. On the same day, an uncle of my spouse, who was also a Lon Nol soldier,

as well as his wife ... and his three children were also shot by the Khmer Rouge at their homes located near the Central Market in Phnom Penh.

Asked whether this refreshed his memory, the witness replied that it did not.

***Questions Return to Disappearances at the Ministry of Foreign Affairs and Boeng Trabek***

Moving on, Ms. Fort represented that in his interview with the OCIJ, Mr. Rochoem stated that nobody talked about disappearances when they occurred. After Ms. Fort asked why they were not allowed to talk about the disappearances, the witness replied in a vague manner, “When we were told that we had to keep secret, we had to.” Following up, Ms. Fort asked whether it was requested that they maintain secrecy about the disappearances. The witness said, “There was no secrecy concerning people who disappeared. Those who disappeared had just disappeared.” Ms. Fort honed in, inquiring why he was not elaborating. The witness replied vaguely that it was part of the “revolutionary secrecy.”



Regarding whether, in the face of the disappearances, he was personally afraid for his security, Mr. Rochoem replied that he was, particularly by late 1978. He explained he was worried because he was requested to rewrite his personal biography, along with Ieng Sary and So Hong. He also added that he “did my best for the course of the Revolution. If I had to die because of that, there is nothing I could do about it.”

Ms. Fort inquired whether disappearing was the same as dying, but the witness said he did not know. He added that many senior people disappeared, including So Phim, Koy Thuon, and Chang An, and that in Office 870, Pong and Doeun disappeared. He added that Hu Yun and Hu Nim disappeared as well. He concluded, “With that in mind, I couldn’t help but being fearful.”

Ms. Fort moved on to ask about Office Y-10. The witness described Y-10 as a military unit attached to the Central Office to supply protection to it. When asked whether Y-10 reported to Office 870, Mr. Rochoem stated that it was also under Office 870’s supervision.

Ms. Fort then referred to when, in his OCIJ interview, the witness denied bringing people to S-21, as Duch had accused him of doing. Ms. Fort asked the witness whether he knew of others from B-1 who had to bring people to S-21 or to places beyond Y-10. The witness replied that Y-10 took people from B-1 to elsewhere and that he only brought people to Office 870 and others would take them after that. He stated he did not know S-21.

Returning to the subject of Boeng Trabek, Ms. Fort asked about the conditions before and after the transfer of responsibility to the Ministry of Foreign Affairs, asking specifically why the witness had indicated that conditions were worse before the transfer. Mr. Rochoem replied that, from what he learned, “there was lack of everything – food, rice. Sometimes they provided food once every ten to fifteen days.” After the unit came under Ministry control, the witness

maintained, food was no longer lacking, adding that there was even meat. Further, he said, people could sleep well. He concluded, “The situation was not difficult by late 1978.”

When asked what the intellectuals were doing at Boeng Trabek, Mr. Rochoem asserted that he was there managing the location. He indicated that the people had a choice whether to grow vegetables and that he provided a radio for the people to listen to if they so desired it. He explained that he asked the people to “temper themselves by growing vegetables” but that he told them they only needed to grow vegetables to feed themselves, not others. He also recalled telling them, “It was not difficult, you just stay there, you have enough food to eat and even coffee,” an “abundant amount of it.”

Regarding whether there were any disappearances from Boeng Trabek, the witness said he did not recall disappearances while he was there, but he could not say what happened after he left. He further testified that he did not hear about any disappearances there.

With this answer, Ms. Fort concluded her examination. President Nonn adjourned the day after noting that Mr. Rochoem’s testimony would continue at 9:00 a.m., starting with the examination by Nuon Chea’s counsel.