

Michael Karnavas, international co-lawyer for Ieng Sary, completed the questioning of witness Suong Sikoeun at the ECCC on Monday.

**“He Did Not Believe in Any Contradiction”: Witness Testifies about
Pol Pot’s Leadership**
By Mary Kozlovski

On Monday, August 20, 2012, trial proceedings in Case 002 involving the accused Nuon Chea, Ieng Sary and Khieu Samphan, resumed at the Extraordinary Chambers in the Courts of Cambodia (ECCC).

The day began with further cross-examination of witness Suong Sikoeun by the Ieng Sary defense. The testimony of Mr. Sikoeun, an intellectual who repatriated to Cambodia during the Khmer Rouge period, has been staggered over a series of half-days due to his ill health. Mr. Sikoeun’s testimony finally concluded in the early afternoon. The prosecution and civil party lawyers also concluded their questioning of witness Sa Siek during the afternoon session.

Present in the courtroom were Khieu Samphan and, initially, Nuon Chea, who retired to the holding cell after the morning session due to health problems. Ieng Sary observed proceedings from a holding cell for the entire day.

Suong Sikoeun Questioned by Ieng Sary Defense

International Co-Lawyer for Ieng Sary Michael Karnavas again led the examination of Mr. Sikoeun, and began by comparing two comments made by the witness in his August 6 testimony regarding Pol Pot and Ieng Sary. Mr. Sikoeun said intellectuals in the Marxist-Leninist circle followed instructions from the party within Cambodia and their purpose after April 17, 1975, was to return to serve the country.

Mr. Karnavas returned to an excerpt from Philip Short's book¹ – *Pol Pot: Anatomy of a Nightmare* – and Mr. Sikoeun again confirmed comments about Pol Pot's leadership. Mr. Karnavas then cited two documents. The first document was a May 6, 2009, statement from Mr. Sikoeun in which he said he had no contact with Nuon Chea from 1975 to 1979 because he did not deal with foreign policy, which was commandeered by Pol Pot. The second document was Ms. Sikoeun's August 6 testimony regarding the so-called "Black Book," which he indicated Pol Pot was responsible for drafting and the book contained his ideas.

In reference to Mr. Karnavas' question about the "Black Book," Mr. Sikoeun said Pol Pot called certain cadres – Keat Chhon, Chuon Prasith, Ny Kan, and Sau Se, among others, with Ieng Sary present – and gave a presentation, after which they returned to the Ministry of Foreign Affairs (MFA) and drafted the document, but he claimed they had "no right" to amend the content of the presentation. Pol Pot later sent it back to the propaganda section to be translated into Khmer, French, and English, Mr. Sikoeun said.

When asked by Mr. Karnavas if this was an example of Pol Pot's "micromanaging," Mr. Sikoeun recounted a 1976 visit to Cambodia by the Thai Foreign Minister – with whom the Communist Party of Kampuchea (CPK) had not exchanged ambassadors at the time – during which Pol Pot sent soap, towels and slippers for the visitors.

Mr. Karnavas read from Mr. Sikoeun's March 12, 2009, statement that in Democratic Kampuchea (DK) the party "decided everything" including foreign affairs, which was determined by Pol Pot, who nominated Mr. Sikoeun to the ministry and appointed him to the Kampuchea Information Agency. Mr. Karnavas inquired if the party collectively or Pol Pot himself set foreign policy. Mr. Sikoeun said he was not aware of collective party decisions, but as party secretary Pol Pot was generally responsible for such decisions. When Mr. Karnavas pressed Mr. Sikoeun on whether the party or Pol Pot drafted the Black Book, International Senior Assistant Co-Prosecutor Vincent de Wilde argued that the question was repetitious. The objection was sustained.

Referring to the same statement, Mr. Karnavas queried the witness's comment that Ieng Sary was the chairman and only member of the CPK Central Committee Commission on Foreign Affairs and that it was common in communist countries for certain such institutions to be

¹ Mr. Karnavas quoted the a smaller excerpt of a passage read by International Co-Lawyer for Nuon Chea, Jasper Pauw, during his examination of Mr. Sikoeun on August 15, 2012, which was the following: "Pol approved the menus for state receptions, sent laundry lists of instructions to provincial officials receiving government guests, chose the announcers for Radio Phnom Penh and supervised the program schedules. In a society where the words of the King had always been law, initiative was still borne. To Suong Sikoeun, micromanaging the smallest details was part of Pol's conception of leadership: a firm hand with no sharing of power. He wanted to monopolize everything."

“fronts.” Mr. Karnavas asked who created this “fiction” of a commission, noting that Mr. Sikoeun said Ieng Sary reported directly to Pol Pot. Mr. Sikoeun said he was not certain but, as in other socialist countries, it was under the direction of the standing committee. Ieng Sary chaired the commission, Mr. Sikoeun said, but he admitted that he did not know other members and the roles they played.

Noting a contradiction in Mr. Sikoeun’s comments about the commission, Mr. Karnavas asked if the witness knew how it operated, or if it operated at all. At Mr. Sikoeun’s response, Mr. Karnavas grew annoyed, saying that the witness was not responding to his question and was not present to “give speeches.”

A heated exchange ensued after President Nonn instructed the witness to respond and Mr. de Wilde interjected, stating that the question would likely mislead the witness, as it did not take his other statements into account. Mr. Karnavas argued that he did not have to follow the prosecution’s “script” and proceedings had become “adversarial.” President Nonn again told the witness to respond. Mr. Sikoeun said at the time he knew of only one person who chaired the commission.

In response to a query from Mr. Karnavas, Mr. Sikoeun said that the Black Book was circulated overseas, but he was uncertain about whether it was circulated in Cambodia. Mr. Karnavas cited witness Ong Thong Hoeung’s August 9 testimony, which indicated that Hor Namhong and Pich Bunthan spent nearly a day attempting to translate the book into Khmer, to which Mr. Sikoeun responded that it was originally written in Khmer.

Mr. Karnavas returned to Mr. Sikoeun’s statement, which indicated that in practice, Pol Pot’s nephew So Hong could “decide whatever he wanted without consulting Ieng Sary” and the same applied for the diplomats’ section. In response to Mr. Karnavas’ questioning, the witness confirmed that he knew So Hong was related to Pol Pot but this did not impact on the leadership and management of DK and So Hong was not accorded special treatment. However, Mr. Sikoeun testified that So Hong was MFA secretary-general, in charge of departments under the ministry, and for certain matters he did not have to seek Ieng Sary’s approval. “Pol Pot may directly order through So Hong,” Mr. Sikoeun concluded.

Mr. Karnavas sought clarification on an apparent contradiction between the testimonies of So Hong and Mr. Sikoeun, in which So Hong indicated that it was Mr. Sikoeun who handed him Koy Thuon’s confession, and vice versa in Mr. Sikoeun’s August 7 testimony. Mr. Sikoeun testified that on the morning of January 7, 1979, as he was about to leave B-1 for the Ministry of Propaganda – which bore the code name K-33 – So Hong handed him the confession. Mr. Karnavas cited a passage from David Chandler’s book – *The Tragedy of Cambodian History: Politics, War, and Revolution since 1945* – referring to Mr. Hoeung:

Hoeung was affiliated with UEK rather than with the more extreme Union Nationale des Etudiants Khmer (UNEK), the Maoist organization to which Kol Touch’s son belonged. Some 30 members of the UNEK, including Touch’s son, were allowed back into Cambodia in 1973 after being vetted by Cambodians in Beijing. Students like Hoeung who were affiliated with the UEK were told to wait, and none returned home until after April 1975.

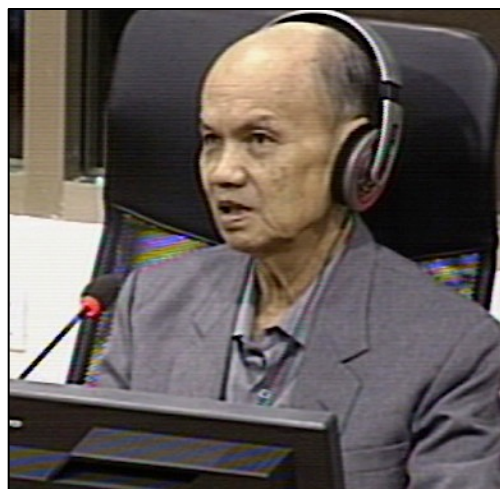
When asked if Mr. Chandler’s writings about a “vetting process” were correct, Mr. Sikoeun said that many students, including Kol Touch’s son Kol Duorithy, were in Peking (Beijing) to prepare for joining the revolution in Cambodia, but in 1973 there was no selection process, and those who wished to return to Cambodia could go on a voluntary basis.

Mr. Karnavas recounted Mr. Sikoeun’s August 6 testimony that the secretary attached to the embassy had real authority. He then quoted from Mr. Sikoeun’s March 17, 2009, statement:

Everyone went through the Cambodian embassy in Beijing since communications between the embassy and Phnom Penh went through two different channels – the party channel and the government channel. It is possible that instructions were given to the party cell directly by Pol Pot.

Mr. Karnavas asked if Pol Pot gave instructions to the party cell in Beijing prior to 1975 concerning the return of intellectuals, to which Mr. Sikoeun responded that in the pre-1975 period, Cambodian embassies were those of the FUNK (National United Front of Kampuchea) and GRUNK (Royal Government of National Union of Kampuchea), chaired by then Prince Norodom Sihanouk. Mr. Sikoeun confirmed that the party cell in Beijing prior to 1975 was chaired by party secretary Sieng An, who returned to Cambodia in the post-1975 period but was not in the same position. Mr. Sikoeun said Sieng An’s husband was GRUNK ambassador to Hanoi, and she may also have returned to Hanoi to reunite with him.

Returning to Mr. Sikoeun’s August 7 testimony, Mr. Karnavas quoted the witness as saying that Ieng Sary was “like an administrator” who supervised their work, but appointments to the MFA were decided upon by Pol Pot. In response to Mr. Karnavas, Mr. Sikoeun said base cadres who went to the MFA were appointed by and under the supervision of the standing committee, not Ieng Sary, and if they were sent elsewhere they would go through B-1. “The MFA was the transit point; it’s not the place where decision was made,” Mr. Sikoeun said.



Mr. Karnavas noted that in the testimony, Mr. Sikoeun had said Pol Pot made the decision, with no mention of the standing committee. Mr. Karnavas quoted from the witness’s May 6, 2009, statement when he was asked about a passage in his ex-wife’s book²:

What can I say is that the cadres that Laurence Picq mentioned in her book were regional cadres who had problems in their region. They had been called to represent DK abroad. They received diplomatic training at the Foreign Affairs Ministry, but the decision to call them to Phnom Penh and name them as ambassadors was not taken by the Foreign Affairs Ministry, it was an Office 870 decision, i.e., Pol Pot’s decision. This is a common characteristic of communist regimes.

Mr. Sikoeun confirmed the statement and concurred, when asked by Mr. Karnavas, if this also applied to Kae Kimhuot.

² Laurence Picq. *Beyond the Horizon: Five Years with the Khmer Rouge* (1989).

Ieng Sary Defense Quizzes Witness on Pol Pot's Leadership

Mr. Karnavas read a passage from a telegram that referred to the then-Thai Foreign Minister's visit to Cambodia³ and asked the witness if Pol Pot appeared a "capable, resolute and confident" individual who was running Cambodia, at any meetings at which Mr. Sikoeun was present. Mr. Sikoeun said he did not know Pol Pot as "too proud of himself" but everyone respected him as party secretary. When Mr. Karnavas repeated the question, Mr. de Wilde objected that it was repetitive and possibly leading the witness to draw a certain conclusion.

Mr. Karnavas returned to Mr. Sikoeun's August 16 and August 8 testimony regarding Pol Pot, asking why he could not have imagined that Pol Pot, also known also as Saloth Sar, was the party secretary when he was in Beijing. Mr. Sikoeun said he was a "secret member" in Cambodia before travelling to France in October 1957 after being inducted by Ieng Sary, and in France, Khieu Samphan chaired the Marxist-Leninist circle. Mr. Sikoeun testified that he knew Saloth Sar in 1956 when he was a history and geography teacher at Chamroeun Vichea school, and Saloth Sar taught French literature. "I knew that Pol Pot was handsome and a very polite and friendly person, so nobody could imagine that he could become the secretary of the party. Nobody could ever imagine that," he said. Mr. Sikoeun said he learned Pol Pot was Saloth Sar in Peking when he joined the CPK in 1971.

Mr. Karnavas quoted from Mr. Sikoeun's statement of May 7, 2009:

Pol Pot and Ieng Sary had very different personalities and evolved in very different ways. Indeed fundamentally Pol Pot wasn't a "revolutionary." He had been educated in the Royal Palace. During his stay in Paris he enjoyed having fun. Thereafter he didn't accept any contradiction. For him, a man's life was less valuable than "drop of water in the ocean." On the contrary Ieng Sary saved many people. He always asked us to tell him the truth, even if it was unpleasant. He had come to communism very early. In summary, I don't especially want to defend Ieng Sary, but I know him very well and I can say that without the Pailin and Malai revolts in the 1990s there would still be war.

Mr. Karnavas asked Mr. Sikoeun if he was surprised that Pol Pot was party secretary because he appeared to come from a bourgeois background. Mr. Sikoeun said this was his "historical evolution" and Pol Pot viewed people who had ideas contrary to his as those who did not "cling to the party's position." He continued:

Following the victory of 1975, he [Pol Pot] became convinced that his position ever since was correct. That's why he did not believe in any contradiction at all, any ideas that were contradictory to him, was not accepted by him. And this led to the crimes of this massive scale, and to my understanding the determination of the party lines at that time to transform Cambodia into a

³ Mr. Karnavas quoted an excerpt read by Mr. Pauw during his examination of Mr. Sikoeun on August 15 of a February 20, 1978, telegram from the French Foreign Affairs Ministry describing a visit by a Thai delegation: "Mr. Pol Pot appeared capable, resolute and confident. He spoke in the first person; he obviously wanted impress upon everyone that he is the man who has been running the country since 1975. He also took credit for the policy of friendship with Thailand, saying that he was the one who made the decisions to send Mr. Ieng Sary to Bangkok in October 1975. By contrast, Mr. Ieng Sary cut the figure of a lowly respectful subordinate; he hardly answered questions immediately, he seemed anxious to always consult a higher or collegial authority each time. In the course of the discussions, Mr. Ieng Sary also relied on Mr. Chuon Prasith and Mr. Keat Chhon, two senior officials whose function within the MFA were not specified."

socialist country was done in a swift manner and it was solely relying upon one person, that's why it led to this disaster and tragedy.

Witness Questioned about Confessions

Turning to the witness's August 6 testimony regarding Touch Khamdoeun whom he said was taken away during Ieng Sary's official trip to Malaysia and his confession⁴ read out in the presence of Chuon Prasith, Keat Chhon, and Uk Sokkun, Mr. Karnavas asked if Uk Sokkun was alive. This question prompted an exchange with the witness, with Mr. Sikoeun eventually stating that Uk Sokkun, Keat Chhon and Chuon Prasith could have been at that meeting because they were key cadres at the MFA and the majority of cadres were there, but he could not recall clearly.

Mr. Karnavas referred to Mr. Sikoeun's March 20, 2009, statement, in which he said that Touch Khamdoeun was close to Ieng Sary and in his opinion the arrest would not have occurred if Ieng Sary had been in Phnom Penh. When Mr. Karnavas asked if Mr. Sikoeun was speculating in this answer, Mr. Sikoeun concurred.

Mr. Karnavas referred again to Mr. Sikoeun's August 7 testimony in which he said he learned Chuon Prasith and Keat Chhon were incriminated in documents from Ieng Sary, during a meeting. Mr. Karnavas then quoted from Mr. Sikoeun's May 6, 2009, statement – that Ieng Sary did not inform him personally but at a general policy department meeting attended by Chuon Prasith, Keat Chhon and Uk Sokkun among others – and asked the witness to clarify the information.

Mr. Sikoeun replied that he was implicated in a confession, along with Keat Chhon, as belonging to a CIA network, and learned of this accusation through a meeting.

The questions then focused on Mr. Sikoeun's December 19, 2007, statement in which he said Keat Chhon and Chuon Prasith were implicated in "tens" of documents – and anyone implicated in three documents was arrested – but Ieng Sary told Pol Pot if the two men were arrested, the foreign ministry would be non-existent. Mr. Sikoeun said Ieng Sary apprised cadres of the information at a meeting, but he could not recall if Chuon Prasith or Keat Chhon were present. Mr. Karnavas pressed Mr. Sikoeun on his previous testimony, which he said indicated the two men were present, but the witness repeated that he could not remember. He also said he could not recall if Chuon Prasith and Keat Chhon were present when Ieng Sary said the MFA would close without them.

Mr. Karnavas asked if Mr. Sikoeun saw the 60 documents referred to in his testimony that implicated Keat Chhon. The witness replied that he had not seen them but learned of them during the aforementioned meeting. Mr. Sikoeun testified that Keat Chhon might have learned he was implicated as a CIA agent but was unsure if he knew about the documents.

⁴ Mr. Sikoeun testified today that Touch Khamdoeun's confession referred to a CIA cell codenamed S-808, and that Touch Khamdoeun was implicated in submitting reports about the CPK situation to CIA agents abroad, along with his wife.

Mr. Karnavas cited the testimony of Documentation Center of Cambodia (DC-Cam) director Youk Chhang⁵ on February 1, 2012, which referred to the biography of Mr. Sikoeun as a biography about his personal involvement, and how he joined the revolution, which was of a type written on a six-monthly basis. Mr. Sikoeun said this was “incorrect”. The prosecution said the answer was cut off and asked that the witness respond in full. Mr. Sikoeun said he was implicated in a confession as a CIA agent, along with Keat Chhon, and Ieng Sary thus told him to prepare a biography.

According to Mr. Chandler’s testimony of July 24, 2012, Mr. Karnavas read, there was no “sinister purpose” in requesting S-21 staff to prepare biographies; this was a “universal” practice that party, or military, people had to do occasionally. Mr. Karnavas asked Mr. Sikoeun if it was a practice to write biographies at the MFA. Mr. Sikoeun responded that he did not write regular biographies every six months or so, and this particular biography was written under “extraordinary” circumstances.

Mr. Karnavas quoted a passage from Mr. Sikoeun’s August 6 testimony, in which he recounted being told by Ieng Sary that his friend Ruos Sarin, director of Cambodian Aviation, accused Mr. Sikoeun and Keat Chhon – also a friend of Mr. Sarin – of being CIA agents in his confession. Mr. Karnavas then referenced a “commentary” on Mr. Sikoeun’s “revolutionary biography,” which appeared to have been handwritten by the witness years later and stated:

At the beginning of July 1977, Ieng Sary called me into his office at B1. ... Speaking in a grave voice he asked me if I was in regular contact with Ruos Sarin, former general manager of Royal Air Cambodia, a state-owned company. He did not tell me that Ruos Sarin had been arrested on accusations of being a CIA agent (US spy agency); however he had laid blame on me along with Keat Chhon. ... I did not realise the gravity of my situation until I read the confession of Touch Khamdoeun many years later in December 2001.

The witness appeared confused by subsequent questions from Mr. Karnavas, who attempted to uncover whether Mr. Sikoeun had actually seen his name in confessions that he read after 1979. Mr. Sikoeun said he learned about Touch Khamdoeun’s confession after 2001 and read Ruos Sarin’s confession in 2010 after finding it at Tuol Sleng. In response to Mr. Karnavas’ query about whether the witness read S-21 confessions of his colleagues as part of his research, Mr. Sikoeun said he did not read other peoples’ confessions when writing his autobiography.

When Mr. Sikoeun again appeared puzzled by his line of inquiry, Mr. Karnavas moved his questioning onto Long Norin’s statement on December 4, 2007. Mr. Sikoeun confirmed that he had asked Long Norin to write his biography while at the MFA, under the same terms he had prepared his own biography at Ieng Sary’s request. The ministry wished to know if Long Norin was a CIA agent while leading Cambodian students in Czechoslovakia sometime during 1971 to 1972, when the Cambodian embassy was attacked during a riot suspected of being orchestrated by the CIA in order to infiltrate the Cambodian front, Mr. Sikoeun said.

⁵ DC-Cam is a sponsor of the *Cambodia Tribunal Monitor*, and its director, Youk Chhang, serves as co-managing editor.

Suong Sikoeun Details Meetings with Witness Phy Phuon

Mr. Karnavas concluded his examination of the witness by attempting to clarify recent comments by Mr. Sikoeun about a meeting with Phy Phuon⁶ prior to his testimony at the court. Mr. Sikoeun confirmed that the two men met on his initiative, initially at Mr. Sikoeun's house, where Phy Phuon brought a copy of *Searching for the Truth*⁷ in which he was interviewed, again at Mr. Sikoeun's request. The witness confirmed that there were two meetings between himself and Phy Phuon: first at his home in Malai before Phy Phuon left for Phnom Penh and again at the Mittapheap Hotel near Wat Koh pagoda.

When Mr. Karnavas asked if Phy Phuon was still testifying when the two men met for the second time, Mr. Sikoeun said he believed Phy Phuon's testimony "was not yet complete" but then, in response to Mr. Karnavas, affirmed that he met with Phy Phuon first in Malai and then again at the hotel a few days after Phy Phuon testified. Mr. Sikoeun emphasized that he met with Phy Phuon before he came to the court to give testimony and that he wished to ask Phy Phuon what questions he would be asked, so he could provide full testimony as he was concerned he could not recollect everything. When Mr. Karnavas asked Mr. Sikoeun if he had studied anything else prior to testifying at the court, the witness said he only read Phy Phuon's comments in *Searching for the Truth*.

With this response, Mr. Sikoeun's testimony at the ECCC concluded.

Prosecution Continues Questioning of Sa Siek

International Senior Assistant Co-Prosecutor Tarik Abdulhak continued the prosecution's questioning of Sa Siek by asking the witness about an instruction given on April 17, 1975, to delay entry into Phnom Penh by three days to allow for the departure of evacuees. He recounted Ms. Siek's testimony that the instruction came from Tiv Ol and Hou Nim, passed on through Ms. Siek's unit chairman Sao. Ms. Siek confirmed that her superiors – not including Khieu Samphan – instructed her group to stay at Udong Mountain until the city was evacuated.

Mr. Abdulhak quoted from the witness's interview with investigators from the Office of the Co-



Investigating Judges (OCIJ), in which she indicated that Khieu Samphan, Son Sen, and Hou Nim instructed her chairman to tell them entry to Phnom Penh was not yet possible because people were "evacuated in the wrong direction." Citing Ms. Siek's testimony that she only met Son Sen once she had entered Phnom Penh, he asked her if the OCIJ statement helped her to recall from where the original instruction came. Ms. Siek testified that she did not hear directly from Khieu Samphan but from Sao, Tiv Ol, and Hou Nim.

Mr. Abdulhak recounted his reading last week of a transcript of an April 1977 speech attributed to

⁶ Phy Phuon is also known as Rochoem Ton and Chiem. He testified in the present trial in July 2012.

⁷ *Searching for the Truth* is a magazine of the Documentation Center of Cambodia (DC-Cam).

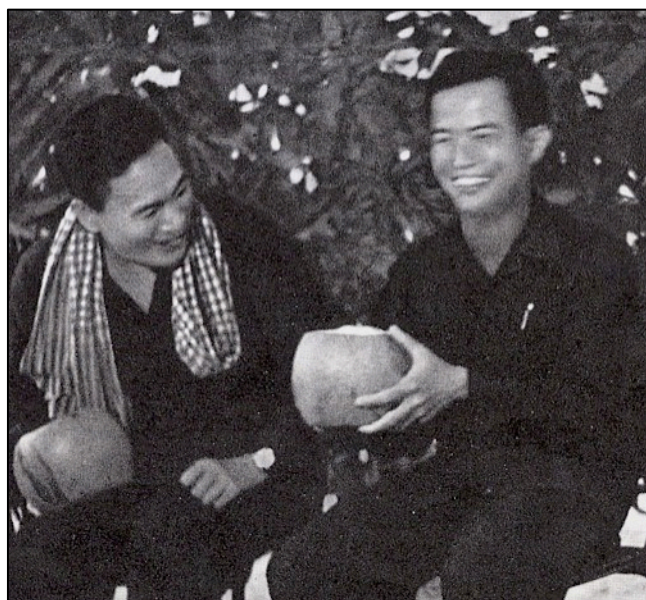
Khieu Samphan and queried the witness as to whether broadcasts of speeches were made through radio. Ms. Siek said she could not recall, prompting Mr. Abdulhak to again refer to her interview with OCIJ investigators. In the interview she was asked if Nuon Chea, Pol Pot, or Ieng Sary ever came to the Ministry of Propaganda to make live statements on the radio about their “instructions or principles” and she had replied that if they wanted to deliver a speech they recorded it on a small cassette player that would be brought in and copied. In response to Mr. Abdulhak, Ms. Siek testified that if leaders addressed the masses during important events, it was tape-recorded and given to the Ministry for broadcast. Ms. Siek said she did not recall whose speeches they were, or whether she heard the tapes, but if important speeches were delivered, she stated, she had to listen to the broadcast.

Turning again to the witness’s previous testimony regarding a meeting she attended with Hou Nim that was cut short when he was called away, Mr. Abdulhak asked what the purpose of the meeting was. The witness responded that it was to discuss lessons learned about art performances and reading radio news.

Mr. Abdulhak moved on to an April 10, 1977, letter from Hou Nim⁸:

Today, 10 April 1977, while I was extremely busy preparing a radio broadcast to memorialize the second anniversary of the great victory of 17 April 1975, Cadre Pang called me on the phone to work with Angkar. I was very surprised and did not expect to be arrested by our military.

In response to queries from Mr. Abdulhak, Ms. Siek said that she did not recall this detail of the meeting, nor the name ‘Pang’ written in the document. Mr. Abdulhak noted that the witness had discussed this individual in a separate document.



*Hou Nim and Khieu Samphan together in the jungle in 1973.
(Source: Documentation Center of Cambodia)*

⁸ Mr. Abdulhak read that the letter was addressed to: Pol Pot; Brother Nuon; Brother Van (Ieng Sary’s alias), Brother Vorn; Cadre Khieu, and Hem (Khieu Samphan’s alias).

Turning again to Ms. Siek's ties to Khieu Samphan and his wife, Mr. Abdulhak asked if Ms. Siek discussed Hou Nim's disappearance with the pair after 1979. Ms. Siek testified that she knew Khieu Samphan during the war but met his wife from 1979 to 1982 in Office 808 along the Dangrek Mountains. In response to Mr. Abdulhak's inquiries, Ms. Siek said she did not work with Khieu Samphan or his family but recalled that Khieu Samphan's wife visited her husband before he passed away, wanting to know if Khieu Samphan had ever been to the propaganda unit. Ms. Siek testified that at the time her husband was "not around," she did not have personal discussions with Khieu Samphan's wife, and she did not know how this woman knew where Ms. Siek and her husband lived. The prosecution concluded its questioning of Sa Siek.

Civil Party Lawyers Examine Witness Sa Siek

Civil Party Lawyer Beini Ye began questioning of Ms. Siek by the civil parties by asking if, as a singer in the art unit at the Ministry of Propaganda, she had to memorize the songs she performed. Ms. Siek said that when live performances were held, rehearsals took place, and she remembered one song entitled "Liberation of Phnom Penh on 17 April 1975" but otherwise had forgotten most of them. One story was titled "Everything for the Revolution," Ms. Siek testified.

When asked by Ms. Ye who wrote the songs or stories for performances, Ms. Siek said that there were different sections in her department, such as a song composition section under the Ministry of Propaganda – which included some people who were blind and handicapped – to draft the text and compose songs. The songs were passed to somebody else to refine the language before being sent to the singers, Ms. Siek testified, and some songs were recorded and broadcast on the radio. In response to a query from Ms. Ye, Ms. Siek said she believed the primary motivation for broadcasting the songs was to encourage people in growing crops, and other agricultural work. She also testified that only the Ministry of Propaganda was entrusted to record songs for national broadcast, and songs recorded by other artists prior to the DK period were not broadcast because the regime had gained independence, and it was "not the situation of the previous regime."

Witness Testifies about Ministry of Propaganda Workers

Ms. Ye moved her questioning to the witness's mention of the removal of Ministry of Propaganda workers, and read a series of names, asking Ms. Siek if she recognized them. The first was "Chhay," whom Ms. Siek identified as overseeing the different sections after Hou Nim was gone. She testified that she later did not see Chhay anymore, but she also left the ministry before he did. Ms. Ye read from Ms. Siek's statement to the OCIJ, quoting her as saying that Chhay – who came from the Ministry of Education – was "arrested in approximately 1977"; she asked how Ms. Siek knew that he disappeared after she left the ministry. Ms. Siek said she did not know if he was replaced or transferred but only knew that he had disappeared. At this point, Ms. Ye made note of a revised S-21 prisoner list, which named Chhay, alias Sao Chan.

Asked next about the witness about a person named "Han," Ms. Siek identified two people: a man named Han who wrote and corrected radio broadcasts and a man named Hann who was in the music band group.

Ms. Ye directed her questions on the person named Hann, whom Ms. Siek said left the Ministry of Propaganda before she was sent to the printing house, though she was not sure if he was relocated. Ms. Siek testified that Hann told her he was an intellectual educated in Russia who had

returned to Cambodia, and she worked with him from 1973, up until he disappeared. Ms. Ye quoted the name Hann, alias Ngong Chhengly, a music teacher from the Ministry of Propaganda, in the revised S-21 prisoner list.

Ms. Ye asked Ms. Siek about a man named Man. Ms. Siek said Man was an assistant in the same group as Hann who had left the ministry, but she did not know where he went. From the revised S-21 prisoner list, Ms. Ye read the name Man, alias Mao Kim Srea, as a member of performance group K-33 at the Ministry of Propaganda.

Finally, Ms. Ye queried Ms. Siek about Sao, the head of the art section, whom the witness said was relocated from the ministry at an unknown date. Again, Ms. Ye cited the name Sao, alias Teng Sean, staff at the Ministry of Propaganda from the revised S-21 prisoner list.



Turning to 1978, when the witness was removed from the Ministry of Propaganda, Ms. Siek recalled how this removal had affected her whole family, crying as she recounted her marriage in 1976 and spoke about her daughter. Ms. Siek testified that her husband was removed and she had no information about him, and she was then taken to a “study session” but actually placed at Wat Botum pagoda with her daughter where she was told to remain so “visitors” would not see her. She continued:

Then I moved to an office where food would be offered to us, and I was told that I would be taken to Dey Krahom. On the trip I was asked whether I knew Dey Krahom and I said I knew Dey Krahom, and he told me that I had to be tempered there. Only after I re-corrected myself, I could be returned to Phnom Penh. I was saddened by the news because I never done anything wrong. My husband disappeared, and I would never meet him again. So now I did nothing wrong, and I had to be tempered.

Trial Chamber Urges Civil Party Lawyers to Stay within Scope of First Trial

Upon returning from a short recess, President Nonn reminded civil party lawyers to stay within the scope of the first trial of Case 002.

Ms. Ye sought further details about the removal of Ms. Siek, who testified that she was moved from the printing house in April 1978, leaving Wat Botum for Dey Krahom – or B-20 – and arriving three days prior to Khmer New Year. Ms. Siek said the department director Comrade Huon told her to pack her things to leave for “education,” which she understood to mean “re-education” or “refashioning.”

President Nonn again reminded Ms. Ye to remain within the confines of Case 002/01. Ms. Ye responded that she understood removal from the Ministry of Propaganda related to the structure, and the policy of removal and disappearance, that fall under Case 002/01.

Returning to her line of questioning, the counsel asked Ms. Siek if she was picked up in a vehicle, to which the witness said that she was driven in a truck that was used to transport Yun

Yat. When Ms. Ye asked what kind of education occurred in Wat Botum, Ms. Siek said there were no study sessions, and “they only warned me not to walk out of the premises freely.” There were all men at the pagoda, and a lot of luggage and clothes, Ms. Siek recalled.

Again, President Nonn interjected with a “final reminder” for Ms. Ye to remain within the scope of Case 002/01. Ms. Ye queried why Ms. Siek had to stay at Wat Botum for three nights before relocating to B-20, but President Nonn told the witness she did not need to answer the question.

Moving on to another subject, Ms. Ye inquired whether Ms. Siek had to seek approval from her superiors at the Ministry of Propaganda to marry her first husband in 1976. Ms. Siek said that if her superior was a woman, a man who loved Ms. Siek had to propose the marriage through her superior and if she consented the marriage would be arranged for the pair. Ms. Siek said six couples were married on the same day as she was. “So Angkar was like our fathers, like our parents as well,” Ms. Siek testified.

In response to questioning from Ms. Ye, Ms. Siek said that couples knew each other before marriage but worked in different departments – her husband was in the broadcasting section and she was in the art section – and none among the six couples refused the proposals.

Ms. Ye handed the floor to National Civil Party Lead Co-Lawyer Pich Ang, who asked that Ms. Siek describe Phnom Penh in the wake of the evacuation. Ms. Siek said that after the evacuation, she did not see “ordinary people or residents” in the city, only male soldiers, and she never went anywhere freely, needing permission from her superiors to do so. Mr. Ang asked if Ms. Siek ever sought permission to see her family. Ms. Siek said she did not make such a request, remaining in her workplace.

In response to questions from Mr. Ang about her second husband Sot Tha’s activities from 1975 to 1979, Ms. Siek said she did not know him before they married in 1983, and had heard his stories about battlefields in the early 1970s and other hardships. As Mr. Ang put another question about Sot Tha, Mr. Karnavas objected that Sot Tha was not available to testify, and the relevance of the questions was unclear. Mr. Ang argued that the chamber had already ruled on this issue and that Ms. Siek may have exchanged stories with her husband.



The chamber queried the relevance of Mr. Ang’s question. Mr. Ang said Sot Tha was a messenger for one of the accused and may have known about the activities of the accused and their ties to S-21. The chamber allowed him to proceed. However, Ms. Siek said that she did not know about his work.

Mr. Ang asked about Khieu Samphan’s wife’s visit to Sot Tha, but President Nonn stated that the question was repetitive. Mr. Ang queried Ms. Siek as to why Khieu Samphan’s wife went to ask Sot Tha for information

about Khieu Samphan's work and, again, President Nonn stepped in, telling Mr. Ang he should not ask questions that invite the witness to speculate.

Finally, Mr. Ang asked Ms. Siek if the radio programs through the Ministry of Propaganda described the hardships people endured. Ms. Siek said that after the liberation, broadcasts encouraged people to dig up canals and water reservoirs to supply rice paddies. With that answer, the examination by the civil party lawyers concluded.

Trial Chamber Judges Put Questions to Witness

Trial Chamber Judge Jean-Marc Lavergne began by inquiring about Ms. Siek's encounters with Khieu Samphan, to which the witness replied that she observed him after April 17, 1975, as being "not overjoyed" but "calm." Referring to a quote from Khieu Samphan's book – *The Recent History of Cambodia and My Opinions* – on being "anguished" over the evacuation, Judge Lavergne asked Ms. Siek about Khieu Samphan's appearance at the time. Ms. Siek said she did not know his sentiments.

Judge Lavergne asked the witness if she recalled any statements made by Khieu Samphan or made on behalf of him, in the days after the liberation. Ms. Siek said she did not take strong notice of the broadcasts. Judge Lavergne then referred to six statements attributed – recorded by FBIS (Foreign Broadcast Information Service) – in the days preceding and shortly following April 17, 1975. In response to questions from Judge Lavergne, Ms. Siek said she recalled none of the above broadcasts.

Judge Lavergne proceeded to ask Ms. Siek about three reports on standing committee meetings focusing on propaganda and information. The first was a record of a standing committee meeting of January 9, 1976,⁹ which referred to the undervaluing of ideology and lack of educational propaganda on the class struggle. Judge Lavergne asked Ms. Siek whether she heard about such concerns at the Ministry of Propaganda and if it was the intent of broadcasts to reflect class struggle. Ms. Siek said she did not understand what class struggle means.

Citing a report from March 8 1976¹⁰ about elections held in DK, the judge inquired whether Ms. Siek received instructions to restrict information on elections held in March 1976. Ms. Siek said that she did not recall. Judge Lavergne quoted from a third report from June 1, 1976,¹¹ about protecting the radio station with "extra revolutionary vigilance" and questioned if Ms. Siek remembered meetings in which such directions were given. Ms. Siek said she did not recall such meetings.

⁹ Judge Lavergne read that this meeting was attended by: Comrade Secretary (assumed to be Pol Pot); Comrade Undersecretary (assumed to be Nuon Chea); Comrade Doeun (spelling unclear in English translation); Comrade Hat; Comrade Phoas (assumed to be Hou Nim); Comrade Tauch.

¹⁰ Judge Lavergne read that this meeting was attended by: Comrade Secretary (assumed to be Pol Pot); Comrade Undersecretary (assumed to be Nuon Chea); Comrade Van (assumed to be Ieng Sary); Comrade Hem (assumed to be Khieu Samphan); (spelling unclear in English translation); Comrade Phoas (assumed to be Hou Nim); Comrade Tauch.

¹¹ Judge Lavergne read that this meeting was attended by: Comrade Secretary (assumed to be Pol Pot); Comrade Undersecretary (assumed to be Nuon Chea); Comrade Phoas; radio group; Comrade Kuoy; Comrade Song; cinema group; with Comrade Tauch, taking minutes.

Referring to the same document, Judge Lavergne quoted a passage that said radio “editors in chief” needed to be indoctrinated and trained at “the base.” He then asked Ms. Siek whether intellectuals were ever removed at the Ministry of Propaganda and replaced with base people. Ms. Siek responded that only Hann was removed.

Asked if Hou Nim’s children worked for the Ministry of Propaganda and were also arrested, Ms. Siek stated that Hou Nim’s children did not work there. Judge Lavergne asked if people committed suicide at the Ministry of Propaganda. The witness responded that she could not recall. When asked if confessions of people characterized as traitors were read out during meetings, Ms. Siek recalled “an announcement” about Koy Thuon being a traitor who should not be looked up to.

Judge Lavergne asked if Ms. Siek was also a theatre performer. Ms. Siek said that she was a theatre performer but, in response to Judge Lavergne, she could not recall plays entitled “The Road” or “The Path of Liberation.”

President Nonn adjourned the day’s proceedings, set to resume on Tuesday, August 21, 2012, at 9 a.m. with questioning of Ms. Sa Siek by the Nuon Chea defense team.