

**“Broadcasting Was Like Carrying an Artillery”:
Witness Discusses Media Content**
By Mary Kozlovski

On Wednesday, August 22, 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 prosecution and civil party lawyers concluded their questioning of witness Kim Vun, alias Chhoam, in the morning, with defense lawyers for Khieu Samphan later wrapping up their examination in the afternoon.

Ieng Sary waived his presence in the courtroom and followed proceedings from a holding cell for the entire day. Khieu Samphan and Nuon Chea were present in the courtroom, but the latter retired to a holding cell midway through the hearing due to health complaints.

Prosecution Questions Witness on Comments about Chea Sim

International Senior Assistant Co-Prosecutor Keith Raynor began questioning by referring to a press release dated April 14, 1976, that the prosecution highlighted the previous day and which read, “The Standing Committee of the People’s Representative Assembly of Kampuchea is made up of following members,” followed by a list of 10 people¹. Mr. Raynor mentioned one of Mr. Vun’s interviews with OCIJ investigators, in which he listed 18 individuals and named certain ministries and described Chea Sim as Nuon Chea’s deputy. When Mr. Raynor asked on what information Mr. Vun had based that assessment, Mr. Vun asserted that, as he was not a party

¹ Mr. Raynor read out the following: Nuon Chea - President; Nguon Kang - First Vice President; Phea Suo - Second Vice President; and other members.

member, his knowledge of the roles of senior leaders was limited, and his knowledge at the time was gleaned from radio broadcasts. Mr. Vun testified that his “impression” then was that Nuon Chea was chairman of the assembly, and Chea Sim “maybe was the deputy chairman.”

In response to further inquiries from Mr. Raynor, Mr. Vun said he never saw Nuon Chea and Chea Sim together at gatherings and, though he knew Nuon Chea and had knowledge of his role, he had only heard of Chea Sim and obtained his knowledge of Chea Sim’s position from what other people told him. Mr. Vun testified that he never saw any documentation at the printing house that referred to Chea Sim as Nuon Chea’s deputy, and the standing of leaders other than Yun Yat, Khieu Samphan, Nuon Chea and Pol Pot was unknown to him.

Testimony Turns to Magazines and Broadcasts

Presenting the witness with a copy of a September/October 1978 special issue of *Revolutionary Flag*, Mr. Raynor inquired about the content of such special issues. Mr. Vun said he did not have direct knowledge of such subject matter or how often special issues were published. Mr. Raynor quoted an excerpt from the magazine that referred to speech on the 16th anniversary of the birth of the Communist Party of Kampuchea (CPK) – September 30, 1960, to September 30, 1976 – and asked Mr. Vun to describe such anniversaries. Mr. Vun replied that, historically, he understood the party could have been established in the 1950s, but Pol Pot wanted to set a new date for the CPK’s birth to “free himself” from affiliations with other communist parties.

Mr. Raynor quoted a comment from Mr. Vun’s interview with court investigators, that communications on the radio and in meetings about purges of “internal enemies” stated that “if any brother or sister is involved, Angkar will forgive them.” When asked how a person became an “internal enemy,” Mr. Vun gave another extensive response – referring to the pre-1975 period, the “White Khmer,” and the Lon Nol regime – stating that Vietnamese “aggressors” and CIA and KGB agents were treated as enemies. “At that time, Cambodian people themselves treated others as enemies or adversary,” Mr. Vun explained.

Asked if the characterization of internal enemies altered after April 17, 1975, the witness said that “those who were defeated did not surrender” and did not really agree with “communist political lines.” Mr. Vun emphasized that the situation was complex and contradictory because the strategy was to transform Cambodia into a communist country after it had been a monarchy and a republic. He testified that the upper authority identified enemies as CIA agents – and sometimes CIA agents were referred to as Vietnamese agents – but he did not understand what these terms meant until after the regime.

[I think] ordinary or grassroots people at that time did not understand that either, and when we studied or attended the political training we only studied the warfare and enemies in general, but they did not clarify what were considered CIA agents, what were considered KGB.

When asked by Mr. Raynor how he knew that Lon Nol soldiers did not surrender, Mr. Vun said that he could “feel” it at the bases and, after going to the northwest zone, he understood the situation on the ground. However, Mr. Vun maintained that security matters were not his responsibility. “I once told Minister Yun Yat and then she warned me that it was not my responsibility, I should pay attention to agricultural works as well as the reconstruction of the country,” Mr. Vun recalled.

Mr. Raynor asked about the definition of the word “smash,” to which Mr. Vun replied that it meant “crushing” something: to destroy or dispose of a document or, in the battlefield, to attack a base militarily. “In the battlefield, we have to be vigilant and consider the other opponent as enemies, so we have to smash them,” Mr. Vun said.

Referring to Mr. Vun’s comments about information on purges, Mr. Raynor asked whether this was broadcast through the radio, or another medium, during the DK period. Mr. Vun said he heard it from the minister at political training sessions, and that in special circumstances “extraordinary meetings” were held at the Ministry of Propaganda to disseminate information in order to “raise vigilance”. Mr. Vun said he had “constant fear” from “possible allegations” at the time and did not “move around” arbitrarily because there were many factions and it was not known who friends and enemies were.

Mr. Raynor referred to another special issue of *Revolutionary Flag* from September 1977, asking the witness why this edition has one large flag on the front cover instead of five flags. When Mr. Vun said he did not know, Mr. Raynor read an extract from the magazine that alluded to the 17th anniversary of the founding of the CPK and queried whether Mr. Vun thought there was a connection between the CPK and “Angkar” after 1975. Mr. Vun said “Angkar” was used more broadly and the CPK was mainly used internally, but they referred to the same thing. When asked if there was an official announcement to the effect that Angkar and the CPK were one and the same, Mr. Vun said Hu Nim usually told him at the printing house to change “CPK” to “Angkar” in FUNK (National United Front of Kampuchea) writings, and he thus understood them to be the same thing.

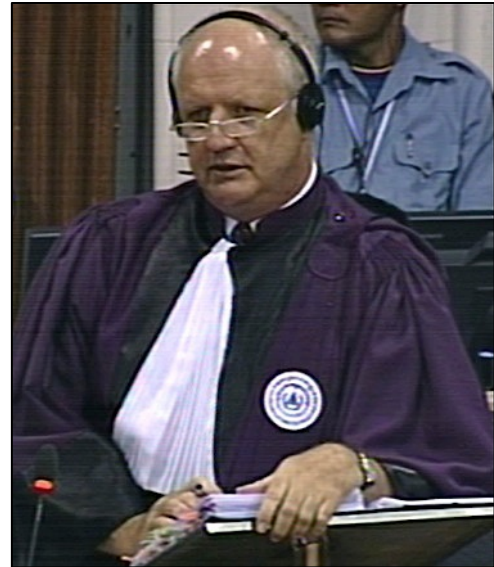
Mr. Raynor proceeded to present the witness with a document that had not been uploaded to the court’s interface prior to the day’s proceedings. International Co-Lawyer for Nuon Chea Jasper Pauw interjected, stating that he did not object to the prosecution using the document *per se*, but noted the defense felt if they attempted a similar maneuver, it would not be permitted and they were at times placed at a disadvantage. “We would like the chamber to apply one line whether or not documents are going to be relied upon by either the prosecution or the defense,” Mr. Pauw said.

Continuing with the examination, Mr. Raynor noted that the document was a speech by Khieu Samphan, as President of the State Presidium, at a mass meeting on the third anniversary of April 17, 1975, and the founding of DK, and he asked the witness if he recalled anything about this anniversary. At this point, National Co-Lawyer for Khieu Samphan Kong Sam Onn said the team concurred with the Nuon Chea defense and sought a ruling from the chamber. President Nonn said that if a document is relevant and has been put before the chamber, it could be used during questioning.

After the judges conversed briefly, Trial Chamber Judge Jean-Marc Lavergne asked Mr. Raynor why the document was not on the court’s interface. Mr. Raynor said the front page of the document was on the interface in English, but as the original document was in French, this version was being put to the witness. Judge Lavergne stated that there was no problem with using the document.

Mr. Raynor again asked the witness if he recalled the third anniversary, and Mr. Vun said the anniversary of April 17, 1975, would generally be conducted at his ministry, where the minister made speeches. Mr. Vun said he did not recall anything about this particular speech by Khieu Samphan, but Khieu Samphan would not have written it alone, as he normally wrote “long sentences.” Mr. Vun said he used to read Khieu Samphan’s writing for radio broadcasts, in which his sentences were long.

Mr. Raynor quoted a comment in Mr. Vun’s interview with investigators, which said he was “always with” Khieu Samphan during the “national united front.” Mr. Vun clarified that he was not with Khieu Samphan all of the time. Asked if he ever worked in Khieu Samphan’s department or ministry after April 17, 1975, the witness said he worked at a different ministry – the Ministry of Propaganda and Education – and only encountered Khieu Samphan once “accidentally” in that period. In response to further questions from Mr. Raynor, Mr. Vun said Khieu Samphan did not monitor his work and he never met Khieu Samphan in any study sessions. Mr. Vun testified that he did not visit the Ministry of Commerce, but he had taken photographs of people transporting goods at the Phnom Penh port for his work. The witness confirmed that his information about what he believed Khieu Samphan was doing at the time came only from his colleagues and that he had never attended meetings of the standing or central committees.



The prosecutor again referred to Mr. Vun’s interview with OCIJ investigators, and the witness confirmed a comment that “propaganda and education” never saw Khieu Samphan. Mr. Vun said another comment read to him – that during the period after April 17, 1975, “mostly propaganda related to Khieu Samphan” – was incorrect and he meant that Khieu Samphan was not present at the ministry. Mr. Vun confirmed that Khieu Samphan made broadcasts after April 17, 1975, and that, generally, speeches and statements were made on anniversaries of the “great victory”.

Witness Speaks of His Wife’s Disappearance

Turning his questions to Mr. Vun’s first wife, Chhim Channary, alias Phan, Mr. Raynor asked what happened to her in 1977. Mr. Vun appeared to struggle to answer the question. After a pause of several minutes, Mr. Vun explained that before his wife disappeared, he was moved from Office 25 to Office 29 and did not work where his wife did. Mr. Vun testified that prior to her disappearance, his wife worked as a deputy head at the propaganda office – tasked with reading radio news – and was later transferred to Office 25 to be an assistant to Yun Yat and was tasked with compiling biographies of cadres at the ministry and teaching children.

It was during that period of time that she parted ways from me. I still did not know where she would be invited to attend the study session because it was the ordered by the minister. The minister did not even tell me where my wife could have been taken to. I met the minister after the disappearance. I could never have the guts to see the minister before, but then I felt that I have

nothing more to lose after losing my wife. So I had to meet the minister to ask why my wife was taken away to study sessions, but I was just told very briefly that only after she attended the study session for half a month, [] I could be told of the reason. And I was asked to go home. That's all I learned about the disappearance of my wife, and when she left, she left with nothing. She did not bring along any luggage.

In response to further questions from Mr. Raynor, Mr. Vun said he had a child with his first wife who was about 12 months old when Ms. Channary disappeared, and he did not know what happened to his daughter either. He explained that at the time people had to leave their children at a nursery or children's center to be picked up after work finished. Mr. Vun testified that since the day his wife and child disappeared he had seen neither of them.

When Mr. Raynor asked if Yun Yat ever gave Mr. Vun a reason for his wife's disappearance, Mr. Vun testified that after he attended a study session and his biography was rewritten, Ms. Yat told him that his wife was a CIA agent. Mr. Vun said he knew his wife's strengths and weaknesses, as they attended study sessions and distributed information about the three categories of enemies. She could "never be an enemy," Mr. Vun maintained.

She told me that her friends had been removed to do farming, and she said that she was not involved with any other agents. And she told me that she worked close to the center, and I worked close to the center, and I encouraged her to be strong because we were known by a lot of senior people, that she could never be killed.

In response to further questions from Mr. Raynor, Mr. Vun said his wife did not work directly in the center, but the ministry removed certain individuals and sent them to do farming. At this time, he became "terrified," he recalled, which he discussed constantly with his wife at night after they finished work. Mr. Vun said he did not know his wife's exact date or place of birth, but his father-in-law's hometown was in Santouk district in Kampong Thom province and his mother-in-law was born in Kampong Cham province's Stun Trang district. His wife was educated in Kratie province, Mr. Vun said.

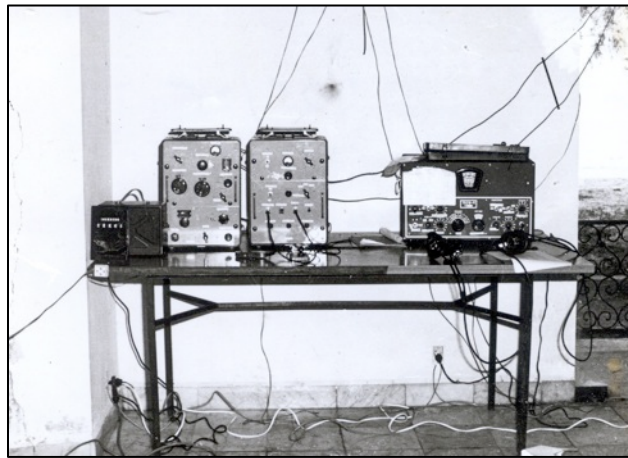
Mr. Raynor asked about other disappearances around the same time of his wife's removal that were mentioned in Mr. Vun's statement to OCIJ investigators. Mr. Vun confirmed that Pang, Koth, and Chhay were transferred; after working in the newspaper section, Koth was employed as director of the propaganda department in the Ministry of Propaganda, which was headed by Chhay, he said.

Mr. Raynor noted that Mr. Vun's statement also referred to disappearances of Hu Him and Tiv Ol. The witness said he "learned" of these disappearances from his friends. Mr. Vun confirmed a comment in his statement, which said he learned of Koy Thuon's arrest when he read a *Revolutionary Flag* magazine that featured Koy Thuon's confession in its pages, but he could not recall the date of the edition. The witness also confirmed that Yun Yat assumed responsibility for both the propaganda and education ministries after Hu Nim disappeared.

Asked about his comments in interviews that there was a time when Nuon Chea was in charge of the propaganda office, the witness replied that Nuon Chea administered day-to-day work when Yun Yat was not present. Mr. Vun confirmed he had been sent to a study session for half a month after his wife was arrested and thereafter he was transferred to work as chairman of the

Kampuchea Krom radio program, still at the Ministry of Propaganda but across different sections.

Mr. Raynor quoted Mr. Vun as saying in his interviews with OCIJ investigators – when asked about broadcasts at the Kampuchea Krom radio program – that another program broadcast in Vietnamese aired confessions of Vietnamese prisoners of war. When pressed for more details by Mr. Raynor, Mr. Vun did not give the name of the program but said the confessions were “live interviews” with soldiers.



Khmer Rouge radio broadcasting tools. (Source: Documentation Center of Cambodia)

In response to questions about his time as chairman of Kampuchea Krom radio, Mr. Vun said program material came “from the border” and was written in accordance with information from confessions of Vietnamese prisoners of war. Mr. Vun said they sought assistance from Khmer Krom people on geographical knowledge, because they shared the same territory with the Vietnamese prisoners. He further testified that speeches were not broadcast on the Kampuchea Krom radio program.

Prosecution Seeks to Present S-21 Prisoner List to Witness

Mr. Raynor returned to the disappearance of the witness’s first wife, and Mr. Vun confirmed that he had remained uncertain about her whereabouts since 1977. Mr. Raynor then asked, “If such documents existed, would you like to be able to read them with your own eyes so that you could put your mind at rest?”

International Co-Lawyer for Ieng Sary Michael Karnavas cut in, stating that he understood the thrust of the prosecutor’s question, but it was a “gratuitous” one. Mr. Raynor remarked that Mr. Karnavas’ comment did not sound like a legal objection and moved to put a document before the witness.

President Nonn sought clarification from the prosecution on the identity and relevance of the document. Mr. Raynor identified it as a revised S-21 prisoner list; he noted that Mr. Vun had spoken about his uncertainty over his wife’s disappearance and his testimony gave reasonable cause to believe that she may be a victim. “It is for those reasons and out of a sense of humanity that I ask to put this document,” Mr. Raynor asserted.

Mr. Pauw submitted that it would be humane to allow the witness to see the document in private, rather than in the courtroom. International Co-Lawyer for Khieu Samphan Anta Guissé backed Mr. Pauw's comments, stating that the courtroom was not an appropriate venue for such a presentation. Mr. Karnavas noted that this was the purpose of his previous objection. International Civil Party Lead Co-Lawyer Elisabeth Simmoneau Fort supported the defense, stating that the document should be mentioned during proceedings but the witness should only view such a document in private. After Mr. Raynor said he was only concerned that Mr. Vun be able to see the document if he wished, the judges delved into discussion.

President Nonn concluded that in the interests of being humane and respecting privacy, the chamber did not wish for the document to be put before the witness in court. With this ruling, the prosecution ceded the floor to civil party lawyers.

Civil Party Lawyers Begin Their Examination of Kim Vun

International Civil Party Lawyer Beini Ye started her questioning by asking Kim Vun to describe Phnom Penh upon his arrival after April 17, 1975. Mr. Vun said people had been evacuated and there were very few people, and some front soldiers. He further testified that the mobile radio station left from Stung Trang district for Phnom Penh first and he came later in a truck carrying printing materials.

Ms. Ye asked when Mr. Vun began his work as a writer at the Ministry of Propaganda and Education. Mr. Vu said that during the front regime when he was assigned to the printing house, he sometimes wrote texts for Hu Nim and Tiv Ol but it was not his primary task. However, he testified, it was only after entering Phnom Penh in 1975 that he was assigned to be a writer by Yun Yat.

Ms. Ye asked when, after April 17, 1975, the witness became a newspaper writer. Mr. Vun said he first led a group of photographers in learning to take pictures for various materials and he then learned to write articles, which were mainly announcements. When Ms. Ye asked if an announcement was ever made about the evacuation from Phnom Penh, Mr. Vun said that they were not supposed to write about the evacuation and they mainly covered efforts at national reconstruction and defense, to encourage people to build irrigation, grow crops, and do agricultural work. "We could not write freely. We had to follow the policy line of the party," Mr. Vun said.

When Ms. Ye asked who restricted the writers, Mr. Vun said he was referring to the period when Hu Nim, Tiv Ol, and Yun Yat were leaders who advised them, and his director superior also received orders from senior people that were passed down. He testified that many copies of the newspaper were circulated to all bases across the country via couriers, though he was not certain it reached civilians. Mr. Kun said that in certain places people could cultivate rice well but did not have enough food to eat, and equipment sat in warehouses and was not given to the people.

Returning to the issue of newspaper delivery, Mr. Vun said transport was not easy at the time and sometimes civilians could be reached but in certain areas it was not possible. He testified that he encountered a different situation for people in Phnom Penh who had food and those in the



countryside who had nothing to eat. When asked if he reported food shortages in the news, Mr. Vun said he did not circulate the information. Mr. Vun said he reported anything irregular to the minister but the minister had told him he had to mind his own business.

Ms. Ye inquired as to the difference between the newspaper and *Revolutionary Flag* or *Youth* magazines. Mr. Vun said *Revolutionary Flag* was an “internal party document” disseminated to party members and cadres in the upper authority. Though he did not read every copy, Mr. Vun recalled, he had time to read various issues because he was attached to the broadcast department. Mr. Vun said the news was a “simplified form of information” for the public. Ms. Ye asked Mr. Vun what kind of newspaper articles he wrote based on reading the *Revolutionary Flag* magazines, to which the witness said the articles were about national construction and defense; he also

sometimes chose a portion of an article in the magazine to expand upon. When Ms. Ye asked if it would be fair to say the newspaper was a vehicle for conveying orders published in *Revolutionary Flag* to the masses, Mr. Vun agreed.

Asked about his reporting trips to the provinces, Mr. Vun said he covered all areas and travelled often – staying for up to a week at times – in coordination with sectors and zones, as certain areas were not secure. Mr. Vun said if reporters targeted a particular area, they had to request permission from the minister, who would seek a travel permit from the upper authority. Mr. Vun said reporters could target certain areas based on topics that were of interest to them; for example, they had to cover farmers who could not produce, or students in Phnom Penh who struggled to grow crops, and they were supposed to work closely with “poor peasants on the ground” to understand their difficulties. “We were supposed to be there with them and learn firsthand of their hardship,” Mr. Vun said.

Mr. Vun asserted that he did not witness any food shortages, starvation, or hardship in the countryside. When a worksite was opened the Ministry of Propaganda and Education was invited, he said; they took photographs and filmed the event to promote the movement. “We only went to the places where people had sufficient food to eat,” he concluded.

Ms. Ye attempted to clarify Mr. Vun’s comments on people who did not have enough food and reporters living with peasants to witness their hardships, with his statement that reporters only went to places where people had enough food. Mr. Vun explained that he only witnessed starvation at Sector 25, which was crowded with “new people” from Phnom Penh who ate “red corn,” and said at other times leaders only brought them to places where people had enough food. He did not know how the local authorities organized people there, though. Mr. Vun said that the writers were prevented from distinguishing between “old” and “new” people in the

articles, though the distinction was mentioned in *Revolutionary Flag*. They were told by superiors that broadcasting was “like carrying an artillery” as it had enormous impact, he recalled, and thus portions of articles slated for broadcast had to be selected carefully and revised by the editor-in-chief. He could not recall what *Revolutionary Flag* said about “new people.”

In response to inquiries from Ms. Ye, Mr. Vun said photographs were mainly taken for magazines and newspapers, along with video footage of important events. People were trained in the technical and political aspects of photography and reporters were instructed to write articles about building the country, the witness testified. “We never talked about traffic accidents like the news coverage of these days,” Mr. Vun said.

The civil party lawyers concluded their questioning of Mr. Vun.

Trial Chamber Seeks Detail on S-21 Prisoner List

After a request for more information from President Nonn, Mr. Raynor said a copy of the revised S-21 prisoner list in its original Khmer was being found. He named the individual in the relevant part of the document as a woman named Chhim Nary, alias Phoan, wife of Chhaom, a competent of K-25 office. Mr. Raynor said the document states the arrest was made from the Ministry of Propaganda and Education on May 1, 1978.

Judge Poses Questions to Witness

After indicating he had questions for the witness, Judge Lavergne began by inquiring about Mr. Vun’s previous comments that statements by Khieu Samphan broadcast over the radio prior to the fall of Phnom Penh would likely have been cleared with Norodom Sihanouk. Judge Lavergne attempted to ascertain if the witness had any information supporting this assertion or if it was just a conclusion. Mr. Vun explained that while he could not recall seeing the two men make such decisions jointly, Sihanouk chaired the FUNK at the time and he felt statements would not be broadcast without clearance from the top level.

Judge Lavergne asked the witness if any other elements substantiated his prior comment that Khieu Samphan’s speeches during the DK regime were probably not written by him alone because his speeches during the front movement were written in long sentences. Mr. Vun maintained that he stood by his “analysis.”

Citing Mr. Vun’s interview with OCIJ investigators in which Mr Vun compared Khieu Samphan to “an elephant without any strength in his legs,” Judge Lavergne summarized the statement as meaning that people perceived Khieu Samphan as a victim during and prior to the DK regime, as he had no real power and his role during the DK period was supervising transport of supplies to the bases, receiving foreign dignitaries, and accompanying Sihanouk and his wife to the countryside. The witness confirmed the accuracy of this summary.

In response to Judge Lavergne’s questioning, Mr. Vun said he encountered Khieu Samphan once, by chance, when he was reporting in the countryside and was told Khieu Samphan was in a vehicle with Penn Nouth. Mr. Vun said he saw the vehicle and believed Khieu Samphan was inside but did not see him face-to-face at that time. He did not know where the leaders worked or their roles and functions.

Judge Lavergne asked if Mr. Vun had any information to support his analysis that Khieu Samphan “never enjoyed real power.” Mr. Vun said he was in the resistance for years and after the Khmer Rouge collapsed, he was aware of what happened.

Turning to the role of Nuon Chea, Judge Lavergne pressed the witness on Nuon Chea’s role at the Ministry of Propaganda and Education, to which the witness replied that Nuon Chea was involved in the agriculture education program and brought a thick book by a Chinese expert on rice-growing techniques from which he quoted. Mr. Vun said he had been transferred to the Kampuchea Krom radio section when Nuon Chea was assigned to the propaganda department. Nuon Chea usually came “when Yun Yat was not present,” Mr. Vun said.



Judge Lavergne asked if there was any connection between the Ministry of Propaganda and the Ministry of Foreign Affairs (MFA). The witness responded that there were few documents relevant to the MFA but did mention a foreign language radio program. He said he did not know if speeches by Ieng Sary or Nuon Chea were broadcast on the radio.

Judge Lavergne asked the witness if he met Hou Yun during the period of the front movement and if Hou Yun worked for the information department. Mr. Vun said he believed Hu Yun was minister in charge of rural development at cooperatives and met him on occasion to talk and cut his hair because he was a “good barber.” Mr. Vun said he also cut Khieu Samphan’s hair at the time. Mr. Vun testified that he did not meet with Hou Yun after April 17, 1975, and did not know what happened to him.

When asked about his role in producing *Revolutionary Youth* magazines, Mr. Vun said *Revolutionary Flag* and front magazines were made at the printing house but *Revolutionary Youth* magazines were not printed until 1972 or 1973 as he only came to know of them at Office 31. Mr. Vun said he believed Yun Yat initially wrote articles for the *Revolutionary Youth* magazine and was later assisted during the DK period by a team of people, including Mr. Vun. He further testified that people could read the magazine once they joined the youth league after turning 18.

Judge Lavergne inquired if the *Revolutionary Youth* magazines had an objective to arouse hatred of class enemies and incite youth to destroy enemies. Mr. Vun said the CPK considered the youth league a “close aide” and members were the vanguard forces of the party. “This particular youth organization was politically indoctrinated in a more intensive manner compared to ordinary youth,” he testified. When pressed on the nature of the indoctrination, Mr. Vun said that

not everyone was considered an enemy but at the time members were instructed to analyze people's strengths and weaknesses and spurring anger amongst youth was "planned very well."

Judge Lavergne inquired whether the witness recalled a poem entitled "Do Not Forget the Blood Grudge of Our Revolutionary Ancestors" published in an October 1975 edition of *Revolutionary Youth* magazine. Mr. Vun said he did not recall the poem. With this response, Judge Lavergne concluded his questioning.

Lawyers for Khieu Samphan Lead Defense Questioning of Kim Vun

Beginning the examination of the witness for the Khieu Samphan defense team, Mr. Sam Onn inquired about a story about Khieu Samphan Mr. Vun's brother – a civil servant – told him when the witness was a child in 1967. Mr. Vun said he recalled the story, noting that he was perhaps four or five years old at the time.

Citing Mr. Vun's interview with OCII, Mr. Sam Onn quoted the comments about Khieu Samphan that Judge Lavergne had previously summarized. When asked if he could recall the story his brother told about Khieu Samphan in Phnom Penh – where his brother went to study – Mr. Vun said he recalled being told that Khieu Samphan was a senior government official unlike others and would ride bicycles like ordinary citizens. Mr. Vun said his brother told him Khieu Samphan would one day be president but that other civil servants mistreated Khieu Samphan, which he was seen to have resisted.

Mr. Sam Onn noted a discrepancy in the age of the witness – who said he was born in 1959, stating that if Mr. Vun's brother told him the story in 1968 or 1969, he would have been around 10 years of age. The witness agreed that he could have been within that age range.

Turning back to Mr. Vun's whereabouts prior to 1975, Mr. Sam Onn asked how often he met Khieu Samphan while at the printing house in the forest. Mr. Vun said Khieu Samphan was not at his workplace often, but later when the printing house expanded and the workers had to prepare for radio broadcasts, the number of people increased.

Mr. Vun said he first recognized Khieu Samphan in 1971 after his friends told him that Khieu Samphan was an intellectual educated in France. Mr. Vun said he heard Khieu Samphan had endured many struggles and was supposed to have family at his age but did not. He also testified that Khieu Samphan liked to encourage people and to talk, especially to those younger than him. If Khieu Samphan was bored he would leave his office and walk around talking to people, Mr. Vun recalled; Khieu Samphan told people they could not visit home during the war and talked about the Lon Nol regime, the former prince toppled from power and the front, asking them to be vigilant.



*Khieu Samphan (left) meets with villagers in the liberated zone prior to the Democratic Kampuchea period.
(Source: Documentation Center of Cambodia)*

When asked if Khieu Samphan asked him to use force or violence, Mr. Vun said he never heard such things and Khieu Samphan always referred to the “12-point morality,” which included principles such as refraining from theft.

Mr. Sam Onn asked Mr. Vun how he could recognize Khieu Samphan’s writing, apart from noting long sentences. Mr. Vun responded that Khieu Samphan was “unique” among the front leaders but all intellectuals had different writing styles. He testified that Khieu Samphan normally wrote by hand in long sentences and ended paragraphs without a full stop. However, Mr. Vun said, speeches for broadcast were written in short sentences, and he believed Khieu Samphan alone did not write them.

Turning to the witness’s stated sighting of Khieu Samphan in the countryside from 1975 to 1979, Mr. Sam Onn asked Mr. Vun how he recognized Khieu Samphan. Mr. Vun said he could distinguish between Khieu Samphan and Samdech Ouv² and that Khieu Samphan was in a vehicle at the time.

Prosecution Requests that Document Be Released to Witness

After the court had returned from a recess, Mr. Raynor said a copy of the S-21 prisoner list had been located but it was a confidential document. The chamber granted a request from Mr. Raynor to release the document to Mr. Vun.

Khieu Samphan Defense Continues Witness Examination

Mr. Sam Onn returned to the witness’ account of seeing Khieu Samphan in the countryside. Mr. Vun said he was on the outskirts of Phnom Penh with a group of photographers when he believed he saw Khieu Samphan in a moving vehicle; this sighting was substantiated by his colleagues, he testified.

² “Samdech Ouv” is a reference to Norodom Sihanouk.

Mr. Sam Onn inquired about Mr. Vun's knowledge of Samdech Ouv's role, to which the witness responded that Samdech Ouv was in the CPK state presidium, and Mr. Vun believed that he enjoyed the same "little power" that Khieu Samphan did. Mr. Vun said he learned by chance that Khieu Samphan was Sihanouk's successor at the state presidium, when he read it in foreign language materials at Office 27. In response to Mr. Sam Onn, Mr. Vun said when he "lived" with Khieu Samphan, he believed Khieu Samphan did not render orders that negatively impacted on the forces or committed wrongdoing.

When Mr. Sam Onn asked if Khieu Samphan rendered decisions on removal, promotion, or disciplinary sanction for CPK members, Mr. Vun said that Thuch Rin³ – a secretary of state at the CPK Ministry of Information – told him Khieu Samphan learned of allegations made against Mr. Rin and attempted to save him. Mr. Vun asserted, however, that as a person who had "no authority," Khieu Samphan could not have saved someone.

Mr. Sam Onn inquired about Mr. Vun's impressions of the Khmer Sar, or "White Khmer." The witness said he had heard that people were not allowed to return to the former base along the Chinit River and he was prevented by the North Zone from going because they told him Khmer Sar were there.

At this point Mr. Sam Onn handed the reins to Ms. Guissé, who referred to Mr. Vun's July 25, 2009, interview with OCIJ investigators and asked if the fact that the witness' father was pro-Sihanouk contributed to his commitment to the front. Mr. Vun said several factors made him join the revolution as Cambodia was in a difficult situation, facing aerial bombardments that caused great suffering and killed families in his village. Mr. Vun said he heard radio broadcasts – from Peking and also Voice of America – of the appeal from Norodom Sihanouk concerning the maquis and of demonstrators being shot at Chroy Changvar and badly treated in Kampot province. He said they supported the king and wanted him back in power and wanted Khieu Samphan, Hu Nim, and Hou Youn to lead the movement.

Ms. Guissé questioned if Mr. Vun knew what Khieu Samphan's duties were in the front when he met him around 1971, to which the witness replied that he believed Khieu Samphan was just below Sihanouk within the leadership.

Ms. Guissé asked if people other than messengers would normally bring food. Mr. Vun said leaders usually brought food supplies and sweets – such as a bundle of bananas from B-20 – and whenever Khieu Samphan visited the printing house he brought a messenger with food.

In response to a query from Ms. Guissé, Mr. Vun said messengers who brought statements from the leaders for printing included Song, Toeung, Thiet, and several others. The primary task of a messenger was to courier letters from superiors or leaders and they often brought food, Mr. Vun said.

³ Spelling unclear in English translation.

Citing Mr. Vun's prior testimony, Ms. Guissé then asked how the witness was able to recognize Pol Pot's handwriting. Mr. Vun replied that he was in charge of the front magazine at the printing house and explained that articles had a code number identifying them but that leaders' speeches or statements had only a handwritten annotation from the leader beside the text that was easily recognizable.



Ms. Guissé referred to two comments about Mr. Vun's encounters with Khieu Samphan: one in his testimony that said he met Khieu Samphan once, and the other in his interview with OCIJ investigators that said he saw Khieu Samphan "several times" on trips with Sihanouk to Kandal, Takeo, Kampong Cham and Phnom Penh. Mr. Vun clarified that he saw Khieu Samphan clearly only once and heard about other visits from his colleagues.

Citing his earlier testimony to civil party lawyers, Ms. Guissé asked who Mr. Vun considered to be "the leaders" who sent him to places where there was enough food to eat. The witness said the term referred to those in the upper and middle level who supervised the work of others. He explained that Yun Yat gave him directions when he was told to go to various zones but a different ministry issued work permits for such travel. Mr. Vun said his writing team had more materials and management was more autonomous but they were within K-25 and had to go to the minister with requests. He did not know from whom Yun Yat received orders, though.

Referring back to Khieu Samphan's trips with Sihanouk, Ms. Guissé asked if Mr. Vun was allowed to practice journalism in Kandal, Takeo, and Kampong Cham. Mr. Vun said he would be able to cover a story but needed approval from the upper authority first. Ms. Guissé inquired if those three provinces were places where there was enough to eat. Mr. Vun maintained that at the time he rarely encountered starvation when he was living in Phnom Penh and he assumed there was plenty of food in the country. He testified that he later heard about hard labor, food shortages, and starvation, but at the time he usually attended inauguration ceremonies for worksites and "thought that everything was fine."

Ms. Guissé quoted from Mr. Vun's statement to OCIJ investigators that said Khieu Samphan was in charge of "transporting supplies to the different regions and zones" and asked who informed Mr. Vun of this. Mr. Vun replied that his nephew Ol worked with Khieu Samphan or other leaders, and some of his relatives worked in the department of transport and knew what Khieu Samphan did. Mr. Vun contended that he heard this indirectly from others who were "reliable."

The Khieu Samphan defense team concluded its examination of Kim Vun.

President Nonn adjourned the day's proceedings, set to continue on Thursday, August 23, 2012, at 9 a.m. with further questioning of Kim Vun by defense teams for Nuon Chea and Ieng Sary.

