



**THIRTY YEARS AGO, DUCH TOOK HIS TOENAILS;
TODAY, HE TOOK IT TO DUCH**

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In some respects, today was a lot like yesterday as a packed public gallery again listened to the testimony of an aging male survivor of Tuol Sleng prison (S-21) spared only because of a useful skill. However, mechanic Chum Mey's testimony was much, much more than a repeat of artist Vann Nath's testimony yesterday. With Chum Mey's testimony, finally, the passion and anger of an S-21 victim has been properly injected into the trial of prison chief Kaing Guek Eav (alias Duch).

Chum Mey's Story

When the Khmer Rouge came to power in 1975, 79-year-old civil party Chum Mey was a mechanic working in Phnom Penh. Chum Mey and his family were forced to evacuate the city, but a series of tragedies and events brought him back to Phnom Penh to fix sewing machines and other equipment in a Khmer Rouge factory where the black clothes worn by the soldiers were produced. After over three years there, Chum Mey was called away from the factory under the pretext of fixing a Khmer Rouge vehicle. He was delivered to a place he later learned was S-21 where he was arrested, accused of being CIA or KGB, handcuffed, blindfolded, photographed, and stripped to his underwear.

Chum Mey was shackled in a two meter by one meter individual cell containing only an ammunition box for feces and a plastic jug for urine. Any movement without permission resulted in 100 or 200 lashes and he was fed only "very thin gruel." He was interrogated for 12 days and nights. He had heard the terms CIA and KGB before, but he had no idea what those organizations did. This truth did not satisfy the S-21 staff, however, so he was tortured by three different men with several different techniques until he eventually confessed to joining the CIA and KGB and named other people in his supposed network.

In a room filled with fresh blood containing only a typewriter on a table and tools of torture, Chum Mey was beaten with sticks so hard they broke. He once tried to block the beating with his hands and as a result broke several of his fingers. He was electrocuted at least twice with a 220 volt wire running from the wall socket to his ear. His toenails were ripped out with pliers over a two-day period after which he could hardly walk for a month. The judges had the camera zoom in on his toes which are still deformed thirty

years later. Afterwards, he received no medical attention and was sent back to his cell where he wept silently because he did not have the right to make any noise.

Chum Mey refuted Duch's claim that interrogation was most often "cold," meaning torture was not used. Chum Mey said treatment of prisoners was "always hot." When asked if Duch beat him personally, Chum Mey passionately answered that if he had seen Duch's face at the time Duch would not be alive today, implying he would have killed Duch. President Nil Nonn sharply instructed Chum Mey to "refrain from being abusive" or "insulting" Duch, insisting it was not "appropriate."

After giving his confession to the S-21 guards, rather than being smashed in the normal course, Chum Mey was forced to work as a mechanic. Thereafter, he spent four months fixing sewing machines, typewriters, cooking materials, and plumbing equipment in a workshop just west of the S-21 compound next to a kitchen, a pig pen, and a huge pile of clothes taken from prisoners killed at Choeung Ek. From there he could hear guards laughing, prisoners being tortured, and children crying. Chum Mey adamantly insisted that in Duch's visits to S-21 he could not have escaped hearing those same sounds. At night, Chum Mey was shackled in a common cell with around 40 other prisoners, unable to speak or move.

When the Vietnamese seized Phnom Penh on January 6, 1979, Chum Mey was forced to flee S-21 at gunpoint with a group of more than 10 prisoners. Near the Prey Sar reeducation camp (S-24) also run by Duch, Chum Mey had a chance reunion with his wife who had apparently been detained at S-24 during which time she had given birth to Chum Mey's son. Chum Mey got to hold his two month old son for a few hours while they continued to dodge gunfire and flee Phnom Penh; however, at one point, his wife took back the baby and they were both shot and killed by "militia." As Chum Mey's two daughters and other son had perished earlier in the Khmer Rouge period, he was now completely alone and fled to his home village.

Chum Mey, who is one of the few civil parties in attendance every day, says he still cries every night after the proceedings because he cannot hear the words "Khmer Rouge" without thinking of his wife and children. When asked what he thinks when he hears the words "Tuol Sleng," Chum Mey said, "My tears just keep flowing... no matter how hard I try." He said he will not forget his suffering until the day he dies, but that he will feel better once justice is done by the judges. He said he was happy and excited to testify before the court and welcomed the opportunity to shed light on the past.

In response to a question from the defense, Chum Mey confirmed that it made him happy to hear Duch's apology and see him shed tears at an S-21 reenactment in 2008 because he had waited thirty years for it. However, he said that a few tear drops could not wash away the suffering of millions who died. He said, "Only the court can help to wash away the suffering."

Contrast with Yesterday

As reported yesterday, Vann Nath's testimony was very powerful and moving. He was calm and collected giving the appearance of objectivity. Chum Mey's testimony was a great contrast because he was animated, emotional, and angry – even aggressive – at times. Given that Chum Mey is an adorable little man who sits silently in the corner each day hanging on every word, this testimony had even more impact. While Vann Nath experienced torture at the hands of the Khmer Rouge, Chum Mey described the torture that occurred directly under Duch's command – and he did so vividly.

While Vann Nath's testimony was very clear, unfortunately, Chum Mey's testimony was plagued by translation issues and misunderstandings. It was very frustrating because much seemed to be lost. Apparently, Chum Mey used a lot of slang, which likely contributed to the problem.

Given that Vann Nath is not a civil party, he was not prepared as a witness by any of the parties. While leading questions are standard operating procedure in this trial, they do not always yield the desired response and yesterday was no exception. Both the prosecution and the civil party lawyers seemed to ask Vann Nath more questions he could not answer or did not answer in a manner helpful to them, rather than the other way around. Thus, they failed to maximize their short time to question this key witness. One civil party lawyer even argued that he had contradicted himself regarding two facts, pointing out his alleged inconsistent statements. I was baffled. Given the situation yesterday, I had high expectations today that Chum Mey, a civil party available everyday, would be well-prepared to respond to questions from his civil party lawyers. The questioning from the civil parties went relatively smoothly, but Chum Mey still was unable to understand the question or provide the answer sought in some cases.

While certain aspects of the proceedings today could have gone better, it was still the most powerful day of trial to date. After hearing the same sort of facts day after day in a somewhat dry manner, the Trial Chamber and the regular observer are bound to get desensitized a little bit. But today, after three months on the courtroom sidelines and thirty years of suffering, Chum Mey passionately shared his story with the world and put a face on the torture at S-21 – a very familiar face. He stood confidently at the end of his testimony as if to announce that although the Khmer Rouge had taken his four children, his wife, and his toenails, he had his day in court and no one could ever take that away from him. Even testimony plagued by communication problems can send a strong message.