

Heng Samrin Queries Dismissed as Irrelevant **Justine Drennan** **October 26, 2012**

Objections to mention of National Assembly President Heng Samrin's role in the Khmer Rouge by Nuon Chea's defence team brought Khmer Rouge tribunal testimony to a halt several times yesterday.

The prosecution objected that Nuon Chea defence counsel Jasper Pauw inappropriately sought to direct the testimony of witness Kong Kim, a former Khmer Rouge soldier, by reading from an interview in which Heng Samrin discussed commanding a division of the Khmer Rouge forces that captured Phnom Penh in 1975.

Pauw's reference to Samrin was the latest attempt by Nuon Chea's defence team to draw attention to the absence of current ruling party leaders from the proceedings against the regime of which they were once a part.

In 2009, investigating judges summonsed Samrin and five other top CPP officials including Foreign Minister Hor Namhong, Finance Minister Keat Chhon and Senate President Chea Sim to testify – all failed to appear.

Despite the judges' ruling in favour of the prosecution that Pauw's reference to Samrin was irrelevant, Pauw later asked Kim whether a Khmer Rouge division commander like Samrin would be able to say more about the occupation of Phnom Penh than would "a simple foot soldier like you".

Earlier in the day, Kim had testified that he participated in the capture of Phnom Penh as a low-level soldier tasked with fighting Lon Nol soldiers and then evacuating remaining soldiers and civilians from hideouts in the upper levels of buildings.

Following the Khmer Rouge's victory, Kim said he became leader of a small squad, but repeatedly told the court that his movement was restricted to the few blocks around Wat Phnom that he guarded, and that he knew only about this small area.

After the judges asked Pauw to revise his question asking Kim to compare himself to Samrin, Kim echoed his earlier testimony that he had acted without much information of the Khmer Rouge's larger operations or its leaders.

"I have no idea about the plans or the knowledge of the leaders because I only carried out the tasks rendered to us at [our] location and I never knew their plan or their knowledge," Kim said.

Proceedings will continue with a new witness on November 5, following a week-long recess.