



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 20-Dec-2011, 14:18
CMS/CFO: Kouv Keoratanak

TRANSCRIPT OF TRIAL PROCEEDINGS
PUBLIC
Case File N° 002/19-09-2007-ECCC/TC

14 December 2011
Trial Day 10

Before the Judges: NIL Nonn, Presiding
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Jean-Marc LAVERGNE
YOU Ottara
THOU Mony (Reserve)
Claudia FENZ (Reserve)

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INDEX

THE ACCUSED, MR. NUON CHEA

Questioning by Judge Lavergne resumes..... page 2

Questioning by Mr. Lysak page 31

MR. LONG NORIN (TCW-395) - Videoconference

Questioning by Ms. Sarkarati resumes page 55

Questioning by Judge Lavergne page 61

Questioning by Mr. Son Arun..... page 73

Questioning by Mr. Pestman page 93

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
JUDGE CARTWRIGHT	English
MR. KARNAVAS	English
JUDGE LAVERGNE	English
MR. LONG NORIN (TCW-395)	Khmer
MR. LYSAK	English
MR. NHEM SAMNANG	Khmer
MR. NUON CHEA	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. PESTMAN	English
MR. PICH ANG	Khmer
MS. SARKARATI	English
MS. SIMONNEAU-FORT	French
MR. SON ARUN	Khmer
MR. VERCKEN	English

1 P R O C E E D I N G S

2 (Court opens at 0902H)

3 (Judges enter courtroom)

4 [09.02.54]

5 MR. PRESIDENT:

6 Please be seated. The Chamber is now in session.

7 Per schedule that we informed the parties and the public
8 yesterday, the Chamber intends to hear the testimony of a witness
9 named Long Norin via remote teleconference; however, the hearing
10 of the testimony at this stage is not possible, as the
11 audiovisual communication cannot be conducted at that location.
12 For that reason, the Chamber will continue questioning Nuon Chea
13 this morning. Security guards, you are now instructed to bring
14 Nuon Chea to the dock.

15 (The accused Nuon Chea is taken to the dock)

16 [09.05.46]

17 Good morning, Mr. Nuon Chea. This morning, the Chamber will
18 continue questioning you regarding the facts for the first
19 segment of the trial.

20 Yesterday, before the break, Judges of the Bench were questioning
21 you, and actually, yesterday, Judge Lavergne questioned you, and
22 I would now like to ask Judge Lavergne whether he has any more
23 questions for the accused Nuon Chea.

24 Judge Lavergne, you may proceed.

25 MR. NUON CHEA:

2

1 Mr. President, I'd like to make amendment to my statement
2 yesterday regarding the evacuation of people.

3 There was a meeting, an extraordinary meeting of the Central and
4 Standing Committees in mid-1974. I'd like to add that to my
5 statement.

6 So there was a meeting by the Standing Committee and members of
7 the Central Committee in mid-1974 in deciding to evacuate the
8 people from Phnom Penh and from other provincial towns. Thank
9 you.

10 MR. PRESIDENT:

11 Thank you for the information.

12 Judge Lavergne, you may now proceed.

13 [09.07.44]

14 QUESTIONING BY JUDGE LAVERGNE:

15 Thank you very much, Mr. President.

16 Q. Mr. Nuon Chea, with respect to what you have just informed us
17 of, can you please specify if Misterns Ieng Sary and Khieu Samphan
18 also attended that extraordinary meeting of the Central Committee
19 and the Standing Committee that took place in mid-1974 during
20 which the evacuation of Phnom Penh was discussed?

21 MR. NUON CHEA:

22 A. Mr. President, Your Honours, Ieng Sary or Khieu Samphan was
23 not present during that meeting.

24 Q. Were there any minutes or summaries or notes taken during the
25 meeting, was any record taken of the meeting of the Central

1 Standing Committee?

2 A. In that meeting, the Standing Committee participated in the
3 meeting except Mr. Ieng Sary, as he was abroad. And for the
4 Central Committee, only certain members attended and, after the
5 meeting, members of the Standing Committee and the Central
6 Committee were instructed to disseminate information in their
7 respective zone regarding the decision.

8 [09.09.59]

9 Q. Therefore, according to you, Mr. Nuon Chea, were Mistrs Khieu
10 Samphan and Ieng Sary aware of some of the decisions made during
11 that meeting?

12 Was it possible that they were unaware of the political line
13 formulated during that meeting to evacuate Phnom Penh?

14 A. From my understanding, as he did not attend the meeting, he
15 was not aware of it.

16 Q. It's not exactly the question I was putting to you, Mr. Nuon
17 Chea. You stated that, following that meeting, all participants
18 were ordered to disseminate news of the decision taken during
19 that meeting so that the decisions could be implemented. I'm not
20 sure what those decisions were, but that's what I gather from
21 your statement.

22 [09.11.22]

23 Once again, my question is this: Were either Mr. Khieu Samphan or
24 Mr. Ieng Sary informed of that decision? Did they receive news of
25 the decisions taken during that extraordinary meeting?

4

1 A. Let me make the following comments. Mr. Ieng Sary was abroad
2 at the time and, as for Mr. Khieu Samphan, he had his different
3 task. He was tasked to make a list of costing. He had no business
4 to do with the evacuation or otherwise of the people. It was not
5 his task.

6 Q. Mr. Nuon Chea, as of when was Mr. Khieu Samphan a candidate
7 member of the Central Committee? During that meeting, was he
8 already a full member of the Central Standing Committee?

9 [09.12.56]

10 A. From my recollection, he was not yet a candidate member of the
11 Standing Committee. Allow me to make the following comments.

12 The Standing Committee did not have any candidate members.

13 Candidate members only exist in the Central Committee recruited
14 from the members of the full-fledged Standing Committee members.

15 Once again, there is no candidate member for the Standing
16 Committee.

17 [09.13.40]

18 Q. Therefore, when did Mr. Khieu Samphan become a full-fledged
19 member of the Standing Central Committee?

20 A. I apologize, as I cannot recollect the date.

21 Q. Generally speaking, based on your memory, when do you think
22 Mr. Khieu Samphan became a member of the Central Standing
23 Committee for the Communist Party of Kampuchea?

24 [09.14.39]

25 A. Your Honour, as I already said, I was not close to Mr. Khieu

5

1 Samphan. I only knew that he was from France and he was a member
2 of the party, but I did not know when he joined the party.

3 One day in 1974 -- or 1973, rather, Pol Pot called me and told me
4 that: "Comrade, you don't have to worry about the intellectuals
5 who arrived from overseas because you, Comrade, you only have to
6 implement the lines for the front for those intellectuals". For
7 that reason, I do not have anything to do with the intellectuals
8 arriving from overseas.

9 [09.16.03]

10 I was also told that the situation had changed and that I should
11 only focus on the education, on training.

12 Q. I wish to return to the matter of the extraordinary meeting
13 that was held by the Central Committee and the Standing
14 Committee.

15 Was there a deliberate decision to exclude Mr. Khieu Samphan from
16 that very meeting?

17 A. What do you mean, by removing or sacking him? You mean to
18 remove him from the meeting?

19 Q. No, a decision to not summon him to the meeting. Was a
20 decision taken to leave him out of the meeting during which you
21 talked about the evacuation of Phnom Penh?

22 A. I don't believe there was any authority to exclude him from
23 the meeting. As I said earlier, only members of the Standing
24 Committees except Ieng Sary participated in the meeting as well
25 as some members of the Central Committee. That is all.

6

1 Q. However, Mr. Nuon Chea, if you tell me that only certain
2 members took part in that meeting, it was because some members
3 were invited and others were not. Therefore, why were some
4 members summoned to that meeting and why were others left out?
5 [09.18.17]

6 A. From my recollection, it was decided by the secretary of the
7 zone, and as for the centre, only some members of the Central
8 Committee were invited, and for the zone, it was up to the zone
9 secretary to decide on who to choose to attend the meeting.

10 Q. Was Mr. Khieu Samphan involved at the zone level, or did he
11 work with the Central Committee?

12 A. He was not a member of a zone and I did not know when he
13 became a member of the Central Committee, as I stated earlier, I
14 was only told by Pol Pot that I should not worry about him --
15 about them because Pol Pot will -- dealt with the intellectuals
16 arriving from overseas. He would manage them.
17 [09.20.01]

18 Q. You are well aware that Mr. Khieu Samphan was a member of the
19 Central Committee; is this true or not? Were you aware of it?

20 A. Your Honour, I did not know.

21 Q. Now, if you were unaware -- or you were unaware that he was a
22 member of the Central -- the Committee but you were not sure that
23 he was present at the meeting; is that accurate?

24 A. It was up to the Secretary of the Party -- that is, Pol Pot --
25 as who he would call for a meeting or how many, depending on the

7

1 necessity of the situation. If he deemed it's important, then he
2 would do so. Otherwise, they would have to just do the task that
3 they were assigned to.

4 Q. With respect to the interior forces and Mr. Ieng Sary, at the
5 time where was Mr. Ieng Sary? Was he in Peking?

6 A. I cannot respond to your question, Your Honour, as it was not
7 my responsibility.

8 Q. And therefore, you were completely unaware as to whether or
9 not members of the Standing Committee had any contact with Mr.
10 Ieng Sary. You were never informed of any form of communication
11 between the Standing Committee and Mr. Ieng Sary during that
12 period.

13 A. During that period, every five or six months, I saw Mr. Ieng
14 Sary returning from overseas. However, I did not have any
15 business to dealt with him. If he needed, he only contacted the
16 Secretary of the Party, that is, Pol Pot.

17 [09.23.26]

18 Q. Therefore, during the time that Mr. Ieng Sary was in Peking,
19 he had the means to be in contact with Mr. Pol Pot.

20 A. I did not know because they did their business by themselves.
21 Allow me to clarify further. In the internal affairs of the
22 party, everybody only minded his or her own business. I only
23 minded my own business. I was responsible for the task I was
24 assigned to. I had no business to ask about somebody else
25 business or affairs. The person shall be responsible for his or

8

1 her own affair. That is the principle of secrecy.

2 Even after the liberation, the principle of the party still exist
3 so we -- if we need to know something, then we will be allowed to
4 know by the Secretary of the Party and it's equal for every
5 member of the committee or the party. And some of the secret
6 informations were not revealed to any party.

7 [09.24.56]

8 Q. Mr. Nuon Chea, were you unaware of the role that Mr. Ieng Sary
9 played in Peking?

10 A. I only knew that Ieng Sary was in Peking in order to liaise
11 about a situation that was instructed by Pol Pot from Cambodia
12 about the internal situation of the country so that he would
13 convey the message to China. That's all I knew. I did not know
14 the details of his work.

15 Q. Very well. We are going to move on to another question.

16 Mr. Nuon Chea, you talked about the CPK political line. You
17 talked about political struggle and you talked about armed
18 political struggle.

19 Now, pursuant to those political lines, was there a difference
20 between the Sangkum Regime and the struggle concerning the King
21 Father? What was his role within that political struggle?

22 [09.26.40]

23 A. Your Honour, the Communist Party of Kampuchea did not have a
24 political line against Samdech Sihanouk. There was only a line of
25 respecting Samdech Sihanouk, of inviting him to take up the

1 position as the President of the State Presidium. That was the
2 highest authority--

3 [09.27.28]

4 Q. Mr. Nuon Chea, forgive me for interrupting you. I'm not
5 talking about what happened after 1975. We were still talking
6 about historical background, and I wish to talk about Sangkum.
7 So at the time, what was the CPK's position vis-à-vis His Majesty
8 Sihanouk?

9 A. At that time, the Democratic Kampuchea had a strategic line
10 and a front line. The front line of Democratic Kampuchea clearly
11 states that all forces from all strata shall be mobilized,
12 including the royal family, who are patriotic or who are
13 nationalists, including the King, in order to mobilize as much
14 forces as possible except, except in the circumstances where the
15 elements of the remnants of the elements of the imperialists.

16 Q. Mr. Nuon Chea, am I to understand, therefore, from the very
17 beginnings of the CPK political lines, it was conceived to form
18 an alliance with His Majesty Sihanouk?

19 A. During that time, the CPK not only formed an alliance with the
20 King, but also regarded the King as of a separate status for all
21 the Cambodian people.

22 Q. Mr. Nuon Chea, do you remember what happened in March, 1963
23 when 34 people considered to be leftists were summoned to the
24 Royal Palace in order, as they were told, to set up a unified
25 government?

10

1 [09.31.01]

2 A. Your Honours, I only receive that information, but as to whom
3 was summoned, I do not know because I was not involved in that
4 front. But I learned the information via radio broadcast.

5 Q. According to you, who was in the group of 34 people? Were the
6 two other co-Accused present in this room part of the list?

7 (No interpretation)

8 MR. PRESIDENT:

9 Counsel, you may now proceed.

10 MR. SON ARUN:

11 If I'm not mistaken, I would like to ask Judge Lavergne -- ask
12 for your clarification to avoid any confusion.

13 You mentioned that on March, 1973 that was the date when the --

14 His Majesty, Norodom Sihanouk, summoned 34 members of the
15 Communist Party of Kampuchea. If you pointed to that date, it was
16 not correct because on that date His Majesty Sihanouk was in
17 Beijing at that time. He was not in Cambodia.

18 [09.32.54]

19 I would like to ask for that clarification, Your Honour. Thank
20 you.

21 BY JUDGE LAVERGNE:

22 Q. In March, 1963 there was a summons to the Royal Palace.

23 Whether it was sent out by King Norodom Sihanouk, I think that

24 the invitations were clearly destined for a certain number of

25 guests who were considered to be leftists, and apparently the aim

11

1 was to prepare a left wing government.

2 Is this clear, Mr. Nuon Chea, or do you have different memories
3 of this event?

4 MR. NUON CHEA:

5 A. Your Honours, as I informed you earlier, I was not involved in
6 that and it was not my area of responsibilities either because my
7 main responsibility was to educate people at the base level. And
8 more importantly, I mainly focused on the, the political
9 standpoint of members as well as the consensus -- the concern of
10 the people. And as for the management at the operators' level, I
11 was not involved and I did not pay attention to that as well
12 because it was none of my business. My area of responsibility was
13 totally different.

14 [09.34.51]

15 Q. Mr. Nuon Chea, when did Pol Pot and Mr. Ieng Sary go
16 underground? When did they leave for the jungle?

17 A. (No interpretation)

18 [09.35.52]

19 Q. We did not hear the French interpretation of that, so, Mr.
20 Nuon Chea, could I please ask you to repeat your answer?

21 A. I cannot recollect it.

22 Q. You cannot recollect the question I asked you or the date when
23 Pol Pot went into the Maquis?

24 A. I do not -- I cannot recollect the date when Pol Pot and Ieng
25 Sary went into the jungle.

12

1 Q. And in your view, why did they go into the jungle?

2 A. Your Honour, to the best of my recollection, the government
3 back then, the Lon Nol administration and Sirik Matak, as well as
4 Son Ngoc Thanh, sought all the ways in order to allege or accuse
5 the intellectuals of being Rouge or Red. That's what I learned,
6 and I overheard it from rumors and word of mouth. And they
7 intended to arrest those intellectuals.

8 [09.38.12]

9 Consequently, those intellectuals, they are not live in Phnom
10 Penh. Instead, they took refuge in the jungle; they live in the
11 so-called Maquis Jungle.

12 And I did not know for myself what it was, what it was meant by
13 "maquis".

14 JUDGE LAVERGNE:

15 Is there a problem with the French channel? I didn't get the
16 translation.

17 MR. PRESIDENT:

18 (No interpretation)

19 [09.39.18]

20 JUDGE LAVERGNE:

21 (No interpretation)

22 I believe that there is a technical problem between the English
23 and the French channels.

24 (Short pause)

25 [09.40.11]

13

1 MR. PRESIDENT:

2 Yes, Judge Lavergne, you may continue.

3 BY JUDGE LAVERGNE:

4 Q. Can it be said that after Pol Pot and Ieng Sary's departure
5 you stayed in Phnom Penh and you were the most senior CPK
6 official in the city as a result?

7 MR. NUON CHEA:

8 A. That was correct. And even though I was residing in Phnom Penh
9 but I was not the senior -- the most senior person or most
10 responsible person because the overall management and leadership
11 of the party was led by the Secretary.

12 Q. In those days were you called Brother Number Two already, or
13 if not when did they start calling you that?

14 A. Your Honour, in the Communist Party of Kampuchea there was no
15 such a thing as Brother Number One, Number Two or Number Three.
16 Number One or Number Two here, I think, was derived from the cult
17 of Vietnam, particularly those Cambodians who left for Vietnam
18 following the Geneva Conference.

19 [09.42.13]

20 Certain number of Cambodian people -- approximately 1,500 of them
21 -- went to Vietnam. Those Cambodian returned to Cambodia and they
22 brought along with them this culture. But in the Communist Party
23 of Kampuchea there was no such a thing as Brother Number One,
24 Number Two, we only address each other by Brother or so.

25 Q. Were you Number Two in the hierarchy of the CPK?

14

1 A. Again, I am not Brother Number Two but I was the Deputy
2 Secretary of the Party. So Brother Number Two, to me, seems too
3 big for me but if I was addressed as the Deputy Secretary, which
4 means that I am just one step below the Secretary.

5 But I have never -- I had never used Brother Number Two in the
6 party and I did not want anyone to address me as Brother Number
7 Two and I believe that this name was given to me because those
8 who went to study in Northern Vietnam and returned to Cambodia
9 addressed me as Brother Number Two.

10 Q. Mr. Nuon Chea, in the hierarchy is there anybody between the
11 Deputy Secretary and the Party Secretary or does the Deputy come
12 straight after the Party Secretary?

13 [09.44.30]

14 A. Your Honour, I do not quite catch your question.

15 Q. All right, let me repeat it. Pol Pot was the Party Secretary,
16 you were the Deputy Secretary and in the hierarchy, was there
17 anybody in between the two of you, or do you come in position
18 number two in the hierarchy?

19 A. None.

20 Q. Let me come back to a very important event in the history of
21 Cambodia, which is the 18th of March 1970. In your view what
22 state were the forces of the CPK in when the coup d'état took
23 place? Was this a significant body representing thousands of
24 people? Tell us about it.

25 [09.45.52]

15

1 A. You refer to the 18th of March 1970, on the 18th of March
2 1970, it was the date when Prince Sihanouk was ousted from power.
3 Was that correct? Could you please present me the document?

4 Q. What document are we talking about? I believe that, in the
5 Closing Order, it is perfectly clear that on the 18th of March
6 1970 there was a coup d'état, unless you wish to contest that
7 date but I'm not quite sure how you would do that.

8 MR. PRESIDENT:

9 Judge Jean-Marc Lavergne, please refer to the exact date, because
10 when the coup d'état was carried out, it was on the 18th of March
11 1970, but if you refer to the 18th of April, there was no
12 significant historical event. So I would suggest that you refer
13 to a specific date, so he could respond to that specific event.
14 So I would like to ask you for a clarification of the date.

15 [09.47.52]

16 BY JUDGE LAVERGNE:

17 Q. I believe I was talking about the 18th of March. Perhaps
18 something was lost in translation and it became the 18th of
19 April. But, Mr. Nuon Chea, I'm talking about the 18th of March
20 1970 and my question is as follows: What sort of state were the
21 CPK forces in at that time? Give us a little bit of a feel for
22 that.

23 [09.48.32]

24 NUON CHEA:

25 A. Your Honour, on the 18th of March 1970, back then I was not in

16

1 Phnom Penh city, I was attending an assembly in the Eastern Zone.
2 But upon learning that at the National Assembly under Sirik Matak
3 and Lon Nol, carried out the coup d'état and it was successful,
4 so the training and education in the Eastern Zone was dispersed
5 immediately. Because at that time the voluntary group, designated
6 by Prince Sihanouk, who were considered loyal forces of Prince
7 Sihanouk, were sub-divided into small groups in order to attack
8 small posts of the government and they seized one or two rifles
9 -- or guns. It was actually the very outdated gun, it was not a
10 modern gun.

11 [09.50.29]

12 And at that time as well there was the mass protest against the
13 coup d'état and this mass protest was carried out in favour of
14 Prince Sihanouk. And these movements gained momentum, starting
15 from the Eastern Zone and it spread across to Phnom Penh and
16 those protestors were killed and sought by the Lon Nol soldiers.
17 But these protests gained momentum because there was a strong
18 support from the base in favour of Prince Sihanouk who maintained
19 his neutral political line. And this movement gains momentum
20 every time. Actually, we did not have any armed forces at that
21 time.

22 Q. Following up on that movement, were there some cadres who were
23 looking after the base movement but who didn't belong to the CPK?
24 Were there adherents of Sihanouk's -- were there royalists
25 involved as well and if so was there a sharing of

17

1 responsibilities between the CPK and the royal forces?

2 [09.52.23]

3 A. To my recollection, at that time there was no clear cut
4 division. Altogether, both loyal forces and members of the
5 Communist Party and Communist Party forces joined force in order
6 to resist against the coup d'état.

7 And in addition to that, people at the base protested and
8 demonstrated against the coup d'état designed and conducted by
9 Lon Nol clique. So at that time there was a lot of oppressions by
10 the then government.

11 Q. Who was at the very top of the FLPNK (sic)? FLPNK (sic); does
12 this mean something to you?

13 A. Your Honour, back then -- I would like to ask you once again
14 to which year you are referring to. Are you referring to the date
15 of the coup d'état, or the date following the coup d'état, or the
16 liberation date? I would like you to ask me on a specific date so
17 that I could respond to you.

18 [09.54.36]

19 Q. Let me remind you. Can you tell us about the FPLANK (sic) at
20 the moment of the coup d'état and the same thing for the moment
21 when Phnom Penh was taken?

22 A. Immediately after the coup d'état, individuals responsible for
23 each zone were the commander in military and each zone was
24 controlled by respective commanders and they did not actually
25 unify.

18

1 So even after the liberation, the Communist Party of Kampuchea
2 did not have its own army -- the Party relied on the military
3 from the zone. But Pol Pot had been recognized as the
4 Commander-in-Chief in army.

5 Q. Among the zone leaders, did some of them not belong to the
6 Communist Party of Kampuchea?

7 [09.56.27]

8 A. The majority of the zone leaders were members of the Communist
9 Party of Kampuchea.

10 Q. Could you tell us about the Paris Accords signed in 1973,
11 between the representatives of the Vietnamese Communists and the
12 Americans; and the consequences of those Accords for Cambodia, in
13 your view?

14 A. Your Honour, the Paris Peace Accord between Vietnam and the
15 United States in 1973, as you mentioned, at that time, Pham Hung,
16 who was a party member of the Communist Party of Vietnam, asked
17 me of my personal view or he asked me the overall perception of
18 Cambodian people, if Vietnam entered into a peace agreement with
19 the United States.

20 [09.58.47]

21 And I responded it was the internal affair of Vietnam. As for
22 Cambodian people, we would continue to resist and struggle. And
23 as for the question of the overall perception of Cambodian people
24 about that Accord, I said we did not have any comment. We mind
25 our own internal affairs and we were not involved in the Vietnam

19

1 internal affairs. At that time, Mr. Hung's face turned red. And I
2 responded to him at that time that Cambodian people would
3 continue to struggle. That was all about that event.

4 [10.00.07]

5 I also said that the Kampuchean revolution would not seek support
6 from the Vietnamese Communism. We are self-reliant and we decide
7 the fate of our nation by ourselves; that was what I added. His
8 face became red and then I reported that to Pol Pot.

9 Pol Pot scolded me that I was not familiar with the foreign
10 politics and that I told him: "This is not about foreign
11 politics. This is a talk between two parties, and that was all."

12 Q. To your mind, did those ceasefire accords intensify the
13 situation in Cambodia as a result?

14 A. As I understand, as a consequence, yes, there were some
15 impacts. In the past, Vietnam themselves lived in their own
16 territory. After the peace agreement, the Vietnamese prepared
17 themselves -- I believe it was during the election -- to enter
18 the Cambodian territory in thousands of numbers, and that caused
19 dissatisfaction on the Cambodian people's side. And not only that,
20 they pressured the Communist Party of Kampuchea to join hands
21 with them to come up with a peace agreement.

22 [10.03.04]

23 Pol Pot asked how could I sign a peace agreement with -- with
24 whom. And the response was to have a peace agreement with Lon
25 Nol. And Pol Pot said, "No, I would not make any peace agreement

20

1 with Lon Nol. If America wanted to cease war in Cambodia,
2 Kissinger should come down and sign a peace agreement with
3 Democratic Kampuchea". That was the event.
4 So the liaison with Vietnam and Cambodia was not that humble at
5 the time and was not that close. Vietnam tried their trickery to
6 compel Cambodia to sign the peace agreement with Vietnam, and at
7 that time Le Duc Tho conveyed his message that Kissinger conveyed
8 a message to the CPK that if we do not cease the war that they
9 would destroyed Cambodia within 74 hours. That was what was
10 conveyed, but we did not know whether that was actually the
11 speech by Kissinger, or it was the intention of the Vietnamese,
12 but that's what was the Vietnamese told us.
13 [10.05.04]
14 They even scared us. They said that the Americans had some very
15 modernized weapons, including the B-52. They could spot a bridge.
16 They could even spot a head of a person, or if three or four
17 people under the tree could be spotted by the B-52 bomber. And
18 they continued that, you, Comrade, you could not continue the
19 struggle alone. And in the world, no one ever struggled by
20 itself. We need to rely upon one another.
21 But then Pol Pot replied that, of course, I respect the
22 friendship between Vietnam and Cambodia but, at the present, the
23 Lon Nol forces were weakening and I must continue the war. If I
24 signed the peace agreement as of that proposed by Vietnam, my
25 struggle will fall, will disappear.

21

1 [10.06.43]

2 Pol Pot's message meant that Vietnam would then control Cambodia,
3 but he did not use the word directly. That was what happened,
4 based on my recollection, and that was the influence or the
5 impact as a result.

6 Mr. President, I feel exhausted.

7 MR. SON ARUN:

8 Mr. President, my client said he is exhausted and he could not
9 catch the question that well, and he would seek a break.

10 JUDGE LAVERGNE:

11 I have only two more questions to ask. Is Mr. Nuon Chea in a
12 position to answer only two more questions?

13 MR. NUON CHEA:

14 I'd like to request for leave to use the bathroom.

15 [10.08.06]

16 MR. PRESIDENT:

17 Yes, you can do.

18 Security guards, could you escort him to the bathroom?

19 (Short pause)

20 [10.08.35]

21 The time is now appropriate for a break. We shall have a
22 20-minute break and we shall resume after that.

23 (Judges exit courtroom)

24 (Court recesses from 1008H to 1032H)

25 (Judges enter courtroom)

1 THE GREFFIER:

2 All rise.

3 MR. PRESIDENT:

4 Please be seated. The Chamber is now back in session.

5 I will now hand over to Judge Lavergne to continue his
6 questionings to the accused Nuon Chea.

7 BY JUDGE LAVERGNE:

8 Thank you very much, Mr. President.

9 Q. Mr. Nuon Chea, during 1973 King Norodom Sihanouk came,
10 apparently, to pay a visit to Cambodia and went to Phnom Kulen.

11 Can you tell us who took the decision for that trip to be made;
12 what were the reasons behind it and how did it go?

13 [10.33.34]

14 MR. NUON CHEA:

15 A. Your Honour, in 1973 when the King was in Beijing, he intended
16 to conduct a visit to his children - so called his people -- in
17 the country and therefore he contacted, through China, the
18 Communist Party of Kampuchea and the Communist Party of Kampuchea
19 were pleased and accepted to receive his royal visit.

20 However, at that time, Vietnam opposed the visit. They said if
21 the King went there, the King had to go through the Ho Chi Minh
22 route before he arrived in Cambodia and it would be kept secret
23 if he went through the Ho Chi Minh route. No-one would be allowed
24 to go to that way except the Vietnamese and the Vietnamese
25 troops.

1 As a result, the King contacted the Vietnamese so that he could
2 travel through Ho Chi Minh Trail, and Vietnam did not allow the
3 Chinese countries to accompany the King. They appointed a general
4 -- a Vietnamese general -- and a number of troops to escort the
5 King from Hanoi through the Ho Chi Minh Trail to Stung Treng by a
6 small car.

7 [10.36.47]

8 When they arrived in Stung Treng, the Communist Party of
9 Kampuchea with Pol Pot, the Secretary, was in charge of the
10 safety of the King. That is why there were a number of troops put
11 in place to guard the safety of the King.

12 At the time, American planes were bombing tremendously in 1973.

13 Those planes included F-5, Phantom, B-52, and the spy planes were
14 flying back and forth to monitor along the Mekong River.

15 Nevertheless, the Communist Party of Kampuchea prepared
16 everything in order to safeguard the safety of the King.

17 Therefore, when the King arrived in Stung Treng, the King crossed
18 the Mekong River going forward to Kratie province.

19 And, as I remember, he went to Kampong Thom where he took a rest
20 in a commune called Ban Kroun (phonetic) in Preah Vihear
21 province.

22 [10.39.42]

23 The King stayed there for a while and Pol Pot appointed me and
24 Nuon Chea to prepare, to arrange the travels to Angkor Temple,
25 and there we built a house for the King and his wife.

24

1 It was very dangerous at that time; there were many planes flying
2 over back and forth. However, we were able to safeguard the
3 safety of the King so that he travelled safely and arrived in
4 Siem Reap. And he went to stay in the house that had been built
5 in a mountain and he praised the place. He said it was small but
6 it was beautiful; he was very satisfied. And he did not expect
7 that a Communist Party of Kampuchea had the ability to safeguard
8 his safety.

9 And after that, people in Preah Vihear province and in the nearby
10 provinces, including monks, were summoned to receive the King,
11 and religious ceremonies were held and the King greeted those
12 people.

13 It took about seven days for the King to stay there and he toured
14 Angkor Temple. He praised the leaders of the Communist Party of
15 Kampuchea that they were attentive to his safety and he felt
16 grateful to them.

17 And after that, they escorted the King back and they also took
18 the Ho Chi Minh Trail crossing the Mekong River, and on that way
19 there were submarines of the enemies going back and forth as
20 well. But they were able to deliver the King to the other side of
21 the river and, from that point onward, the Vietnamese troops took
22 charge escorting the King back to Ho Chi Minh through the Ho Chi
23 Minh Trail.

24 [10.43.45]

25 Q. What was the reason why Vietnam did not allow the Chinese to

1 escort the King?

2 A. That was because Vietnam was trying to grab the power from
3 China because Vietnam did not want China to have any influence on
4 Cambodia.

5 That is why, for whatever it would take, Vietnam would try to
6 take its job.

7 [10.44.23]

8 But as I understand, the King was not very happy with that
9 because the King already contacted China. So after that, the King
10 went back to Hanoi and he arrived in Beijing safe and sound to
11 continue his leadership of the struggle.

12 This is my narrative of his travel.

13 Q. As you recall it, Mr. Nuon Chea, was the King able to meet Pol
14 Pot? Or what members of the Standing Committee did the King meet?

15 A. Your Honour, there was a reception party for the King, but I'm
16 sure the King would have met Pol Pot, Son Sen, Ieng Sary. Ieng
17 Sary was accompanying the King and some other zone cadres. And as
18 for me, I did not attend the party. That is why I do not know for
19 sure who else were there, because my task was to safeguard the
20 King from Kampong Krom.

21 Q. Thank you. About the fighting that took place between 1970 and
22 1975, can you tell us if you were kept regularly informed about
23 how the military operations were evolving and what the outcome of
24 the battles and combat was? What information did you have at your
25 disposal?

26

1 A. As what I have told you, Your Honour, I was not responsible
2 for the military, I was responsible for education. However, I was
3 also aware of the fighting, but I was not sure myself because I
4 did not -- close to the fighting myself. The military cadres went
5 to the fighting.

6 [10.47.51]

7 Q. Mr. Nuon Chea, can you, for example, tell us about the
8 fighting that took place at Oudong. Were you told about this
9 fighting? Did anything particular happen at those events?

10 A. I was not aware of that.

11 Q. You talked to us about the evacuation of Phnom Penh. As far as
12 you are aware, were other towns that were also taken also
13 evacuated?

14 A. As far as I know, there were also evacuations in major - in
15 other major towns.

16 For example, the Kratie town; in Kratie town, there was no
17 evacuation because the evacuation was under the control of the
18 military.

19 For example, the evacuation of Phnom Penh; for that evacuation,
20 there was a military committee who were taking care of that. And
21 as for me, I was responsible for education. So that is different
22 jobs; they have the military administration and they have the
23 assembly job. For me, I am responsible for education, and not for
24 the military.

25 [10.50.10]

1 Q. Why were the other towns evacuated, in -- as far as you know?

2 A. It depended on the zone committees because at that time there
3 were divisions for different committees. As I remember, there
4 were the East - the East Zone, the North Zone, the Northwest
5 Zone, there was also the Northeast Zone. And so the authorities
6 to decide on the evacuations were on the zone committees. It was
7 for the zone committees to decide whether evacuation was to be
8 done or not.

9 [10.51.28]

10 Q. Just to be certain that I have understood, it was the zone
11 committees that decided, on their own without referring back to
12 the Standing Committee? They were the ones empowered to take
13 decisions such as that on their own? And in which case, what was
14 the reaction of the Standing Committee?

15 A. Zone committees had the authorities to do that, and there was
16 no reaction from the Standing Committee because the Standing
17 Committee was far from those people, and the power was delegated
18 to the zone committees to decide on this issue. That is, the zone
19 committee will have to see - it depends on the -- it depended on
20 the fertility of the land to decide how many people were to be
21 evacuated to their zone.

22 [10.52.36]

23 The Central Committee and the Standing Committee were not able to
24 understand the situations fully, as they already delegated the
25 powers to the zone committees.

28

1 Let me tell you this. Everything had to be decided very quickly.
2 Otherwise, they would miss their chance. For example, when there
3 were enemies attacking us, there was no need to seek approval
4 from the Central Committee or the Standing Committee. The zone
5 committees were entitled to deal with the situation. Otherwise,
6 they would miss the chance to respond to the situation.

7 As far as I know, it was the guerrilla attack plans that is to
8 attack as quickly as possible, to confiscate weaponry as quickly
9 as possible, and to retreat as quickly as possible. And there was
10 - there was no need to seek approval to do that from the
11 superior. And this is - this is what has been specified in the
12 lines, the party's lines, that we had to be self-reliant and to
13 be self-mastery.

14 [10.54.18]

15 Q. Mr. Nuon Chea, are we to understand that, in the delegation of
16 power that was made outwards towards the heads of the zones, the
17 Standing Committee had planned for the cities to be evacuated?
18 Was that something that had already been understood in the
19 delegation of authority even if the decision to actually do so
20 had not yet been taken?

21 A. As I have said, that this issue was under the decision of the
22 zone committees.

23 Q. Mr. Nuon Chea, I understand that the zone committees decided
24 on those questions, but you also talked about a delegation of
25 authority to the zone committees.

1 Who was responsible for delegating that authority? And how far
2 did it go? Was it already planned within the framework of that
3 delegation of power that towns and cities could be evacuated?

4 A. For this issue, as far as I know, the Central Committee held
5 meetings in order to decide, and the Standing Committee provided
6 their opinions and their analysis. They could provide their
7 opinions, but the decision was to be decided by the zone
8 committees.

9 Q. You talked about the criteria that were taken into
10 consideration when deciding about evacuations, and one of them,
11 if I understood correctly, was the fertility of the land.
12 Please tell us a little bit more about that particular criterion
13 of the fertility of the land.

14 [10.57.19]

15 A. With regards to the criteria, the fertility of the land, we
16 used plants as fertilizers. Chemical fertilizers were not allowed
17 to be used, but people were allowed to use the animals' remains
18 to transform those into the fertilizers to make the land become
19 fertilized, because using natural fertilizers would provide us
20 double outcome.

21 [10.58.24]

22 Q. I am not quite sure about the link between the fertilizers and
23 the evacuation of the cities. I am not sure there is one, but let
24 me ask you another question: Could the Standing Committee stand
25 in the way of the evacuation of certain towns? And did that ever

1 happen?

2 A. As far as I know, there had no opposition from the Standing
3 Committee because that job was already delegated to the zone
4 committees, and so the zone committees were to be responsible for
5 that.

6 Q. Well, finally, Mr. Nuon Chea, have you heard of a list of
7 seven super traitors? And who drew up that list? And when? And
8 what was its purpose?

9 [10.59.45]

10 A. I have never heard of that. I have never known of that, but I
11 have heard of that. But I was not one of those who made a
12 decision. I have heard of that through radio broadcasts.

13 JUDGE LAVERGNE:

14 Thank you very much, Mr. Nuon Chea.

15 Mr. President, I have no further questions to put to the Accused.

16 [11.00.24]

17 MR. PRESIDENT:

18 Thank you, Judge Lavergne.

19 I'd like to check if any other Judges of the Bench would like to
20 question Mr. Nuon Chea. If not, I'd like to give the floor now to
21 the prosecution to put questions to the accused Nuon Chea, if you
22 have.

23 MR. LYSAK:

24 Thank you, Mr. President. If you'd just give me a moment to set
25 up our podium.

31

1 Good morning, Mr. Nuon Chea. Mr. Nuon Chea?

2 [11.01.40]

3 MR. NUON CHEA:

4 Yes, I hear you.

5 QUESTIONING BY MR. LYSAK:

6 Q. In the statements you've made since the trial has begun,
7 you've repeatedly pointed the finger to Vietnam and made some
8 general assertions about how they exercised control over the
9 party in Cambodia.

10 So I wanted to start by clarifying one thing that's quite
11 important. You did not seem, to me, to be a person who would have
12 taken orders or instructions from Vietnam or from any other
13 country.

14 [11.02.20]

15 So what I wanted to ask you is: During the period that you were
16 the Deputy Secretary of the Party, can you confirm that you were
17 not a puppet of Vietnam?

18 MR. NUON CHEA:

19 A. Allow me to comment, Mr. Prosecutor.

20 The Indochinese Communist Party was not created by the Cambodia
21 people. Let me be specific on that: it was created by the
22 Vietnamese Communist Party since 1930. That is from my
23 recollection. And after the establishment of the party in 1930,
24 Cambodian people, as far as I know -- because at that time I was
25 still very young, but I heard people talking about that --

1 Cambodian people disliked the Vietnamese, they really hated the
2 Vietnamese.

3 [11.03.55]

4 So the Communist Party of Vietnam did not expand that much.

5 However, at a later stage -- it was around 1950, I cannot recall
6 the year that well -- Vietnam contacted a Cambodian person in
7 Kampuchea Krom who was a monk. His name was Achar Mean, and the
8 name he used as a monk in Wat Than. It was actually a Vietnamese
9 Buddhist pagoda; a lot of Vietnamese who were residing in
10 Cambodia liked to go to that pagoda.

11 [11.05.18]

12 So Achar Mean was contacted by the Vietnamese in order to
13 organize a revolutionary organization. However, the reason why
14 Achar Mean changed his name to Son Ngoc Minh was that, at that
15 time -- that is past the Geneva Agreement -- this so-called Son
16 Ngoc Minh was influential amongst the intellectuals and amongst
17 the public servants and he was also famous as a patriotic who
18 dared to oppose the monarchy and the French colonists.

19 For those reasons the Vietnamese instructed Achar Mean to leave
20 his monkhood and to return to Tay Ninh - actually, we call that
21 Rong Damrei -- and then his name was changed to Son Ngoc Minh.
22 And that person who was named Son Ngoc Minh organized a Moutkeaha
23 organization, and there were three or four main figures; they
24 were: Son Ngoc Minh, Achar Mean, formerly, Sieu Heng, Uncle Tou
25 Samouth, and Mr. Lam Phai. This latter was also a Khmer Krom.

1 Actually, all of them were Khmer Krom from Tay Ninh.

2 [11.07.49]

3 Vietnam - rather, Lam Phai -- Lam Phai was the in-law of Son Ngoc
4 Thanh. And as Vietnam observed that relationship, they instructed
5 Lam Phai to liaise and to convince Son Ngoc Thanh to join the
6 national committee Moutkeaha, which means the National Liberation
7 Committee.

8 At that time, Son Ngoc Thanh rode an elephant to the mountain.

9 However, he was ambushed by the enemy, and, as he could not go,
10 he returned.

11 After that, a party of the Indochina was formed. That was in the
12 year of 1951. And actually three parties were formed in that
13 year, even though the name entitled Indochinese Communist Party,
14 they could not mobilize the popular forces to join that party,
15 and for that reason, the party was divided into three separate
16 parties.

17 [11.10.06]

18 However, all the three parties were still under the control of
19 the Vietnamese. They have their people at every level, from the
20 central level up to the village level. They have what they call
21 Ban Can Su, that is the Vietnamese Party leading and directing
22 the National Liberation Committee.

23 That National Liberation Committee was under the control and
24 order of the Vietnamese Communist Party where Nguyen Thanh Son
25 was in charge, in the South Vietnam.

34

1 The Vietnamese actually controlled the Cambodian National
2 Liberation Committee, and below that, even at the zone level,
3 there was still the Vietnamese Committee controlling. And for the
4 army, at that time, it was the same. Although the name is
5 referring to the Cambodian people, like Achar Choum, Achar Chiev,
6 Achar Po Kambor or Achar Svar, the actual commanders were those
7 of the Vietnamese. The Cambodian commanders were just a
8 figurehead. This is a summary of the event.

9 So, in summary, Vietnam controlled everyone until after the
10 Geneva Convention in 1961.

11 Vietnam, even after that year, was still infiltrating inside the
12 Cambodian territory. For example, Le Duan was actually in Phnom
13 Penh, at the south of the Yukanthor School. I know this person
14 very well.

15 [11.13.00]

16 So, the so-called Indochinese Communist Party, which was later on
17 the divided into three separate parties, including one of the
18 Cambodian popular Communist Party -- and in Laos, it was named
19 similarly, and the Vietnamese was called the Vietnamese Labour
20 Party or Le Duan -- the changes were only in the name, but the
21 leadership and control was still that of the Vietnamese. That was
22 for that first of the movement. And by 1960, Vietnam started
23 their armed struggle to liberate South Vietnam, but they did not
24 have a territory to occupy. Then they came to request for seeking
25 their refuge in Cambodia.

1 [11.14.13]

2 So they came to take refuge in Kampuchea, including Nguyen Van
3 Linh, Hay So, etc. Even Le Duan himself also came to take refuge
4 in Cambodia, and I witnessed that personally. This attests to the
5 fact that the Vietnamese Party relied on the neutral political
6 line of Kampuchea in order to use it as a support base to
7 struggle to liberate their South Vietnam.

8 Let me pause at this point.

9 Q. Mr. Nuon Chea, to give you another chance, I am not asking you
10 about the period of the 1930s, 1940s or 1950s, I'm asking you
11 about the period after September 1960, when you had formed your
12 own party and established your own political lines.

13 After that time, during the 1960s and 1970s, as the Deputy
14 Secretary of the Party, were you a puppet of Vietnam or did you
15 make your own decisions?

16 [11.15.55]

17 A. At that time, I was not a puppet of the Vietnamese. However,
18 for certain affairs, we had to have discussions with them.
19 Starting from 1960, the Communist Party of Kampuchea had its own
20 political and strategic lines, which were separate from the
21 Vietnamese ones.

22 At that time, we held to the view that, if we wanted our own
23 independence, we needed to have our own strategic and tactical
24 lines, independent from other parties, as I stated since the 5th
25 or the 6th of December, we would not be subordinate to Vietnam.

1 Q. So is it correct, then, Mr. Nuon Chea, that, during this
2 period, during the period from September 1960 forward, after you
3 had established your own political lines, that the Standing and
4 Central committees of the Communist Party of Kampuchea were not
5 puppets of Vietnam but made their own decisions? Is that correct?

6 [11.18.02]

7 A. We made our own decisions. Vietnam did not have the rights to
8 do so. However, if they said they were satisfied with our
9 decisions? No, they blamed us, they blamed that the Communist
10 Party of Kampuchea was leftist, that we struggled with a line
11 inappropriate to the Marxism-Leninism. That is what I can recall.
12 And they also blamed the Communist Party of Kampuchea that we did
13 not seek consultation with the Vietnamese Party, and then the CPK
14 replied that we are independent, neutral, and we have our own
15 sovereignty, and we solved -- conduct our business on the real
16 situation in our country. However, if Comrade Vietnam -- at that
17 time, we still used the word "Comrade" -- and if Comrade Vietnam
18 would like to give us some advice, of course we would accept it.
19 Otherwise, we would do it by our own initiative.

20 Q. When you said that the Vietnamese Party complained that you
21 were leftist, what did you mean by that?

22 A. "Leftist" in this sense means that we struggled, we conducted
23 armed struggle. And that they said the opportunity was not yet
24 arrived for armed struggle. They told us that: Comrades, do not
25 need to conduct armed struggle yet; wait 'til Vietnam liberates

1 the South Vietnam first. Then they would use -- then they would
2 deploy their soldiers to attack Phnom Penh, and it would only
3 take them 24 hours to do so.

4 [11.21.01]

5 So you, Comrade, you only need to prepare some guys to lead us
6 there. But Pol Pot replied that whoever wants to take an action,
7 that person of course would want to benefit from it. And that --
8 and for that reason, the CPK shall conduct its own affair or
9 business, educate itself and not to rely on another party, in
10 particular not to rely on the Vietnamese Party, because the
11 Vietnamese Party had numerous tricks under their sleeve in order
12 to encompass and control the Communist Party of Kampuchea, and
13 that they would be able to lead us if that is the case.

14 [11.22.00]

15 For that reason, there were conflicts, and later on it led to
16 armed conflict.

17 Mr. President, I'd like to seek your leave to use the bathroom.

18 MR. PRESIDENT:

19 Yes, you can do so. Security guards, could you take him to the
20 bathroom?

21 (Short pause)

22 [11.26.27]

23 The international deputy prosecutor, you may now proceed with
24 your question.

25 MR. NUON CHEA:

1 (No interpretation)

2 MR. PRESIDENT:

3 It's okay, now, as you already returned.

4 Deputy prosecutor, you may now continue with your question.

5 QUESTIONING MR. LYSAK:

6 Thank you, Mr. President. At this time, I'd like to show Mr. Nuon

7 Chea a document that's in the case file, which is D366/7.1.410 --

8 if it's possible to have this document shown to Mr. Nuon Chea.

9 (Short pause)

10 [11.27.56]

11 Q. Mr. Nuon Chea, you've been handed a document that are

12 handwritten notes entitled "[The] Past Struggle of Our Kampuchean

13 Peasants From 1954 to 1970" that, at the bottom of the first

14 page, are attributed to you and that appear to contain a history

15 of events provided by you.

16 Do you recognize this document?

17 MR. PESTMAN:

18 Excuse me for interrupting. Is it possible to get a copy of the

19 document so that we can have a look at it as well?

20 MR. LYSAK:

21 Counsel, it's on the case file. You have computer access, which

22 is how we're intending for all of us to access documents.

23 MR. PESTMAN:

24 Because it's not shown on the screen, and we have no reference to

25 any English translation, either.

39

1 [11.29.08]

2 MR. PRESIDENT:

3 Court officer, could you show the document on the screen -- that
4 is the document as cited by the prosecution -- so that the
5 parties and the Chamber are able to view it? Thank you.

6 MR. LYSAK:

7 Mr. President, if you may, we did intend, when we got to specific
8 questions regarding this document, to show the Khmer version on
9 the screen to help the witness. I certainly -- I have the ERNs
10 for the other languages, but in terms of other counsel following
11 along, these documents are available on the computers that we all
12 have here. So I can provide Mr. Nuon Chea's counsel with the ERN
13 in English, but in terms of what we intended to show on the
14 screen, it would be the Khmer - Khmer version of the document.
15 And, Counsel, the English version is ERN 00716409 through to
16 716430.

17 Mr. President, if -- we have the document up on our screen, if
18 you would like to switch to our screen.

19 [11.31.12]

20 BY MR. LYSAK:

21 Q. So my first question, Mr. Nuon Chea, is whether you recognize
22 this document. Is this your handwriting or is this the
23 handwriting of someone who took a statement from you in 1998?

24 MR. NUON CHEA:

25 A. Mr. President, allow me to speak. I have never seen this

40

1 document, and the handwriting is not mine. My handwriting is
2 different from this. I can show you, if you allow me to write.
3 This is the first time that I see this document.

4 Q. Can you look at the bottom of the first page? And do you see
5 there, where the words appear "by Nuon Chea"? Is that also not
6 your handwriting on the very first page, at the bottom?

7 A. This is not my handwriting, because I have never seen this
8 document before, and my handwriting is not this neat.

9 Q. Did you meet with a Khem Nuon in 1998, around May 1998, at
10 which you provided him with a statement regarding the history of
11 the movement from 1954 to 1970?

12 [11.33.18]

13 A. Can you clarify your question? Whom did I meet? I did not
14 quite catch your question. Please clearly state the name.

15 Q. I apologize if my pronunciation is not - is not correct. Do
16 you know a Mr. Khem Ngun, and did you meet with him in 1998 and
17 provide him with a statement regarding the history of the
18 movement from 1954 to 1970?

19 A. Mr. President, I never met this person Khem Ngun, nor I ever
20 handed this document to any person.

21 Q. Mr. President, my national counsel colleague has told me that
22 the name was not pronounced or translated correctly in Khmer, so
23 let me try again. And perhaps it would help if I spell it
24 phonetically. The way it is spelled phonetically in English is,
25 first, K-h-e-m, and then N-g-u-n, pronounced Khem Ngun.

41

1 [11.35.12]

2 Do you know this person? And did you meet with them in 1998?

3 A. Your Honour, I reiterate that I never known or met this

4 person. Could you clarify his occupation? And where do you think

5 I met him? Can you clarify this point?

6 Q. Well, Mr. Nuon Chea, I'm not the one who met with him, so I

7 will give you -- we also have a typed version of this document

8 that identifies the person, so I will provide the Khmer version

9 of the typed document, which is IS 20.28, in which you can see

10 the individual's name, and then I will ask you again whether you

11 met with him in 1998.

12 (Short pause)

13 [11.37.08]

14 Mr. President, if I may forward to the witness in -- this is a

15 document that is in the case file as IS 20.28. The Khmer ERN

16 pages that I'm going to ask be shown to the Accused are 00078183

17 through 78206.

18 And for the record too, this is one of the documents cited in the

19 portions of the Closing Order that were read and that therefore,

20 pursuant to the Court's previous order, were considered put

21 before the Chamber, subject to objections.

22 MR. PRESIDENT:

23 The court officer is now instructed to forward the document to

24 the Accused.

25 [11.38.28]

42

1 Can this document be also shown on the screen so that the parties
2 and the Chamber can examine?

3 MR. NUON CHEA:

4 (Microphone not activated)

5 MR. PRESIDENT:

6 Could you activate your mic before you speak?

7 MR. NUON CHEA:

8 For this document, as I remember, it was an unofficial document;
9 it was not an official document. And as for Khem Ngun, as far as
10 I know, he was sent by Mr. Hun Sen as a spy and his code number
11 is 09, but I acknowledge this is the case. I said during that
12 time the history of the party, but I don't think I talked about
13 this issue directly.

14 There was a tape -- a recorded tape. I never addressed someone by
15 the word "A" or "Mee" -- derogatory word - but, as I can see in
16 these documents, it appears that I use these words, but I
17 acknowledge that I did talk with Khem Ngun.

18 [11.40.35]

19 BY MR. LYSAK:

20 Q. You indicated that this was a discussion that was tape
21 recorded; is that correct?

22 MR. NUON CHEA:

23 A. Mr. President, there was no discussion, there was no tape
24 recording, there was only talking, something unofficially. I was
25 there alone so I could not record all the events because it had

43

1 been for a long time. It was like a chit-chat.

2 Q. Was there anyone present, other than yourself and Khem Ngun?

3 A. As far as I know, no, there was no other. It's not Khem Nun;
4 it's Khem Ngun.

5 Q. I apologize for my pronunciation. Were you truthful when you
6 had this chit-chat with him?

7 A. At that time, I was truthful, as I remember, I was not hiding
8 anything. I talked about the qualifications of the Communist
9 Party of Kampuchea. I also talked about the weaknesses of the
10 party.

11 [11.42.37]

12 Khem Ngun worked with Ta Mok.

13 Q. Thank you, Mr. Nuon Chea. We'll be getting back to this
14 document during the course of my examination.

15 I wanted now to just turn to some general questions about
16 interviews that you've provided in the past to reporters or
17 journalists about the background and history of the party.

18 Between 1998 and 2007, have you occasionally spoken to reporters
19 or journalists who came to visit and interview you?

20 A. I could not recall it. I could not recall who's who, but I did
21 talk to some people. I do not recall whether they were
22 journalists. And I talked to them, that's on my memory, and I was
23 truthful.

24 Q. I'm going to -- going to read you some names and ask you if
25 you remember speaking to these people.

44

1 [11.44.15]

2 Nusara Thaitawat, a reporter from Thailand who interviewed you
3 around September 2001; do you remember speaking to that person?

4 A. No, I don't remember that.

5 Q. Do you remember a Meng-Try Ea who came to visit you in June
6 2006?

7 A. No, I don't. I don't remember the name. I don't remember
8 anything.

9 Q. Do you remember a Japanese journalist who came to meet with
10 and interview you in October of 2006?

11 A. No, I don't remember that either.

12 Q. How about Mr. Thet Sambath? Do you remember the interviews you
13 gave to him?

14 A. Yes, I know him. I remember that because Thet Sambath tried to
15 contact me for the last 10 years. He contacted me for 10 years
16 until I trusted him, and I know him now.

17 [11.45.58]

18 But when he met me, he told me that what he would get from me
19 "will be used as archives for your family". I was not paying
20 attention that the document he would obtain from me would be made
21 into a film or a documentary film. I don't know whether he was
22 lying to me, but he told me that it was -- it will be used as an
23 archive for my family, and so I told him truthfully. I know him,
24 Mr. Thet Sambath.

25 Q. You were aware that you were being filmed, videotape recorded

45

1 when you were speaking to Mr. Thet Sambath; is that correct?

2 A. No, I don't think I was being videotape recorded. Maybe he was
3 hiding the camcorder, I don't know.

4 Q. I just want to make sure that's clear. You're saying you did
5 not see any camera filming your interviews when you were meeting
6 with Thet Sambath?

7 [11.47.45]

8 A. I was not paying any attention.

9 Q. And you said you were truthful in the conversations you had
10 with Thet Sambath; is that correct?

11 A. Yes, it's correct.

12 Q. Is it true that, after you were arrested and detained here at
13 the court, that you listed Thet Sambath as a relative so that he
14 could come and visit you at the detention centre and continue the
15 interview; is that true?

16 A. My wife - rather, Thet Sambath's wife may be a relative of
17 mine, but Thet Sambath himself is not. We are still in contact
18 with her; my wife frequently visits Thet Sambath's wife, but I
19 have never before known him and his wife. But when we talk --
20 when we talked together he realized that we were related. I have
21 some of my relatives in Chrab Krasang village.

22 Q. I understand that you and Thet Sambath are not actually
23 related, but my question was whether you had him listed as a
24 relative with the court so that he could come and visit you and
25 speak to you in the detention centre.

1 A. I don't remember that.

2 [11.50.05]

3 Q. Do you consider him a friend?

4 A. No, I don't. We just know each other, just like normal people.

5 Q. Did you have any understanding or agreement with Thet Sambath
6 as to when he could release, publicly release the information
7 that you provided to him?

8 MR. PESTMAN:

9 I'm sorry to interrupt, but I don't understand the relevance of
10 this question for the scope of the first trial segment, which is
11 only about the historical background, the pre-1975 period.

12 MR. LYSAK:

13 Mr. President, the relevance is that, in the book that Mr. Thet
14 Sambath published of his interviews -- based on his interviews
15 with Mr. Nuon Chea, there are parts that discuss the history and
16 the pre-1975 period. That is the relevance of the interviews that
17 the Accused had with Thet Sambath to this part of the
18 proceedings.

19 [11.51.27]

20 MR. PESTMAN:

21 I don't know which book the prosecutor's referring to, but as far
22 as I'm aware, that book is not on the case file.

23 MR. LYSAK:

24 Counsel, when that book was recently discovered, it was filed
25 with the Chamber either last week or the week before, and I've

1 seen it myself; it was posted onto the case file at some point.
2 I'm happy to find the case file reference number for you later,
3 but I'd suggest you get that information from me during the
4 break, and that I be allowed to proceed with my questions at this
5 time.

6 MR. SON ARUN:

7 As far as I know, if the Court requests Mr. Thet Sambath to send
8 the documentary film that he has shown in foreign countries, but
9 Mr. Thet Sambath does not allow the Court to use that documentary
10 film. He does not also allow the Court to use his book as a basis
11 to accuse my client, so I hereby reject the questions by the
12 Co-Prosecutors.

13 [11.52.58]

14 MR. VERCKEN:

15 Mr. President, to fully understand what is being stated by the
16 prosecutor, it would be useful to hear what file he is talking
17 about. When he says that the document has been filed, what file
18 are we talking about? Are we talking about documents that have
19 been appended to the Closing Order? Are we talking about
20 documents that are in the investigative documents? It would be
21 useful for the clarity of these discussions to have a little more
22 precision here.

23 [11.53.47]

24 MR. PRESIDENT:

25 Can the Co-Prosecutor clarify or indicate the identity of the

48

1 book which you have referred to, the book that you referred to as
2 the book written by Mr. Thet Sambath and you are basing on it as
3 the evidence to talk about the history or historical background
4 of Democratic Kampuchea?

5 MR. LYSAK:

6 Yes, Mr. President, I'm happy to do that. Just so we're clear,
7 I'm not intending at this point, right now, to start asking
8 questions from this book. I was -- I was asked for the relevancy,
9 and these are foundational questions to establish the
10 conversations. But I'm somewhat surprised; this document was
11 posted on the case file just this week and recently, and if
12 counsel are not following the information that's being posted and
13 provided them on the case file, that is certainly not our
14 problem.

15 [11.54.51]

16 The ERN for this document is 00757471 to 568. There's a
17 e-document filing number that I will provide to the Court after
18 the break; I don't have it here right now. It is a book called
19 "Behind the Killing Fields", by Thet Sambath and Gina Chon, and
20 I'm told that the case file number is E152.2.

21 MR. VERCKEN:

22 Mr. President, I thank the prosecutor for reminding us of our
23 duty to keep a close eye on the case files, but it seems to me
24 that, when he's talking about the document having been filed,
25 he's saying that this document has been communicated to the

1 parties. When you talk about putting things on the -- on the
2 file, it's not quite the same as communicating the document to
3 all of the parties to the trial, and submitting evidence that can
4 be accepted as such by the Chamber isn't quite the same thing
5 either. And I don't think, therefore, that we should be at the
6 receiving end of too many lessons on this, Mr. President. Thank
7 you.

8 [11.56.35]

9 MR. PRESIDENT:

10 Mr. Karnavas, please go ahead.

11 MR. KARNAVAS:

12 If I may just very briefly, I believe it was on a Friday
13 afternoon that we received an email from Mr. Cayley with an
14 attachment about this particular book, and I believe it was after
15 opening statements.

16 In the very first page, it indicates that the book was the
17 product of, or from a thousand hours of interviews -- 1,000 hours
18 of interviews with Mr. Nuon Chea.

19 When reading the book -- those of us who may have read the book
20 -- it's quite apparent that this is more of an autobiographical
21 -- or somewhat autobiographical, with Thet Sambath talking about
22 himself, also drawing certain conclusions from the interviews,
23 not necessarily quoting all the time.

24 [11.57.30]

25 My objection would be -- unless Mr. Thet Sambath is definitely

50

1 going to be appearing, I would be objecting to this book coming
2 in, unless -- unless -- the prosecution were able to get a hold
3 of the 1,000 hours of tapes and of course, wherever he wishes to
4 quote from the book, a verification can be made that what Mr.
5 Nuon Chea actually did say is in fact what is being reported. A
6 summary -- a summary -- of what Mr. Nuon Chea may have said or
7 some sort of a conclusion drawn is not the same. And for those
8 reasons, I would object.

9 But I do recognize that the prosecution, in doing their due
10 diligence, did provide it to us, albeit late. It has been around
11 for about a year or so, but I certainly wasn't familiar with the
12 book, so I can understand how this may have fallen through the
13 cracks. Thank you.

14 (Judges deliberate)

15 [12.00.04]

16 MR. PRESIDENT:

17 Yes, Mr. Nuon Chea?

18 MR. NUON CHEA:

19 I wrote a book about my biography and I asked Mr. Thet Sambath to
20 publish the book in Cambodia. He told me that it would be more
21 worthy if we published the book in New York because people in
22 Cambodia do not like reading. I don't understand very much about
23 this book publication either. So I allow him to do that. It has
24 been some years before its publication.

25 [12.01.12]

51

1 I wrote about the history of the regime, and Mr. Sambath
2 translates that into English and he entitled the book as the
3 "Enemies of the People" but he did not consult with me before he
4 did that. My original book was about the history of the party and
5 to analyze the strength and weaknesses of the party.
6 He took the book and published it in New York because he believed
7 that it was more valuable to do so, but I was not aware of that.
8 I do not know how the book has been changed from my original
9 version. I asked for a copy of the book so that I can compare the
10 new book with my original book, but I was not given the new book.
11 So this is the point. I was not even informed that this book has
12 been made into a documentary film. My rights have been violated
13 for this action.

14 [12.02.48]

15 MR. PRESIDENT:

16 Thank you, Mr. Nuon Chea for your information, but the
17 proceedings before the Court may be different from what you have
18 described, that the document needs to be presented before this
19 Chamber, need to be examined before it can be accepted as
20 evidence. And for any evidence to be examined will be determined
21 pursuant to the facts, determined to be discussed during the
22 first phase of the trials so that we can avoid any confusion.
23 If we are not this strict in terms of the management of the
24 trial, it would not be possible for us to manage this trial. This
25 is a technical issue with regards to the management of the trial.

52

1 [12.04.08]

2 However, there may be instances that a party point to documents
3 or refer to documents which have not been examined, but he may be
4 referring to the documents which they intend to be put before the
5 Chamber at a later stage.

6 And you are here being presented with a document, for example the
7 documents that you talked with Khem Ngun.

8 And now I would like to hand over to Judge Cartwright to provide
9 further clarification on this matter.

10 JUDGE CARTWRIGHT:

11 Thank you, President. Mr. Prosecutor, my understanding is that
12 you refer to this book, "Behind the Killing Fields" by Sambath
13 Thet, in order to establish that there was a relationship by way
14 of interviews between the Accused and Sambath Thet, and not as to
15 the contents of the book at this time; is that correct?

16 MR. LYSAK:

17 Yes, Judge Cartwright, that's correct. We -- at this time, we're
18 not intending to ask any questions from the book, we just wanted
19 to clarify the history between the two of them, and whether they
20 did in fact have these conversations, and how this book came
21 about.

22 [12.05.47]

23 JUDGE CARTWRIGHT:

24 So, although at a later stage you may wish to put the book before
25 the Chamber, you are not doing that at this time; is that also

1 correct?

2 MR. LYSAK:

3 That is correct.

4 JUDGE CARTWRIGHT:

5 Thank you, President.

6 [12.06.07]

7 MR. PRESIDENT:

8 It is now appropriate for the Court to adjourn for lunch. This
9 morning's session is now adjourned, and we will resume at 1.30
10 this afternoon. Parties and the public should be informed of this
11 and return to the court by 1.30.

12 Detention - detention personnel are instructed to bring the
13 Accused back the holding cells downstairs and return them to the
14 courtroom by 1.30.

15 (Judges exit courtroom)

16 (Court recesses from 1206H to 1331H)

17 (Judges enter courtroom)

18 MR. PRESIDENT:

19 Please be seated. The Chamber is now back in session.

20 [13.32.46]

21 For this afternoon's session, since the videoconferencing system
22 for Long Norin has been set up, we will then continue to hear the
23 testimony of the witness Long Norin through that
24 videoconferencing system.

25 Before that, I'd like to inform the parties and the public that,

54

1 because Long Norin is in his senior age and due to his clinical
2 health issues, he needs his son, Long Sotheareak, who is a
3 medical doctor, to sit next to him in order to assist in his
4 medical check-up, and also an ECCC officer, Nhem Samnang, who
5 will be sitting next to him.

6 And due to the health issue, the duration for hearing his
7 testimony will not be that long. He may take a break every 15 or
8 20 minutes.

9 ///And in order to expedite the proceeding, we would like to
10 request all the concerned parties to prepare your questions in a
11 precise and brief form so that his response can be exactly to the
12 meaning in your questions, brief and precise that is.

13 Last time before we adjourned the hearing of his testimony it was
14 the Lead Co-Lawyers who spent 10 minutes to question -- to ask
15 questions to the witness, and I would like to inquire whether the
16 Lead Co-Lawyers would still wish to continue questioning that
17 witness.

18 [13.35.21]

19 MR. PICH ANG:

20 Mr. President, we still wish to continue questioning the witness
21 and would like your permission for Ms. Sarkarati to use the
22 remaining time.

23 MR. PRESIDENT:

24 Thank you.

25 Good afternoon, Mr. Long Norin. Mr. Long Norin, can you hear me?

1 MR. LONG NORIN:

2 Yes, I do.

3 MR. PRESIDENT:

4 The Chamber will now continue to hear your testimony via this
5 videoconferencing system. Before we continue, we would like to
6 inform you that if you wish to take a break or to use the
7 bathroom, please inform Mr. Samnang and he shall then notify us.
8 Can you hear that?

9 [13.36.33]

10 MR. LONG NORIN:

11 Yes.

12 MR. PRESIDENT:

13 The Chamber would now like to give the floor to the Lead
14 Co-Lawyers for the civil parties to continue with their
15 questioning for the remaining time.

16 MS. SARKARATI:

17 Thank you, Your Honour.

18 May I remain seated during my questioning?

19 MR. PRESIDENT:

20 Yes, you may.

21 [13.37.08]

22 QUESTIONING BY MS. SARKARATI:

23 Q. Good afternoon, Mr. Long Norin.

24 Before we finished last week we were talking about the returnees
25 who came to B-1. Do you remember this?

1 INTERPRETER:

2 The interpreter cannot hear the voice of Mr. Long Norin.

3 BY MS. SARKARATI

4 Q. Mr. Long Norin, can you repeat what you just said?

5 A. (No interpretation)

6 Q. Okay, well I'd like to continue questioning you about the
7 returnees who came to B-1. So when we left off I had asked you a
8 question but we broke up, so I'll repeat my question to you,
9 okay.

10 [13.39.01]

11 So my question was, when the returnees -- when the returnees were
12 brought to Cambodia, did they have to write their biography when
13 they returned?

14 A. I did not know whether they were asked to write their
15 biography. If there was an allegation that someone was a CIA or
16 CAA agent, then Mr. Ieng Sary would ask me to write the biography
17 of that concerned individual.

18 Regarding that person that I mentioned last time that we studied
19 together at the pedagogical school, we studied in a few similar
20 subjects including playing soccer together. So we were rather
21 close and maybe for that reason that person was accused. This is
22 just based on my presumption. And I was asked about the biography
23 of that person Chea, that he -- he came to study in that
24 pedagogical school together with me, and then we were in years
25 five and six together, but then we were in a separate class when

1 we reached year four, and Chea left somewhere -- to go somewhere,
2 maybe to become a teacher or a professor.

3 [13.41.36]

4 Q. Okay, thank you.

5 Who else did Ieng Sary have you write a biography for?

6 A. I did not know and I did not know whom that he would ask to
7 write the biography. I only knew about the time that he asked me
8 to do so regarding that person Chea, and once I told him about
9 the person, then he asked me to write the biography.

10 Q. Okay, thank you.

11 So you had mentioned last week that some of the returnees had
12 disappeared. Did Ieng Sary ever talk about those people that
13 disappeared?

14 [13.42.31]

15 A. No.

16 Q. When you also mentioned last week that after people continued
17 to disappear, staff at the ministry began to talk, and they
18 talked about people going to study and that everyone became
19 fearful about going to study. What were they fearful about?

20 A. They word "study" was rather difficult to comprehend. To study
21 could also mean to do labour or to go to S-21.

22 Q. What kind of labour would people be sent to do?

23 A. I could not know that because it was at the central and
24 standing committee levels to decide. I was just a youth.

25 Q. Why did you think the word "study" would refer to labour or

1 going to S-21? Did anyone tell you this?

2 A. No.

3 Q. All right, last week you testified that both Boeng Trabaek and
4 Chrang Chamreh were a part of B-1 during the DK period and some
5 of the returnees were placed there. What was the use of these two
6 locations under B-1?

7 A. Could you please repeat your question?

8 [13.45.23]

9 Q. You mentioned that Boeng Trabaek and Chrang Chamreh were a
10 part of B-1 last week. What were these locations used for by the
11 Ministry of Foreign Affairs?

12 A. Chrang Chamreh or Boeng Trabaek, in particular Chrang Chamreh,
13 was the place where people were sent to engage in labour to grow
14 vegetable or to do the fishing.

15 Q. You mentioned that some of the returnees were placed in these
16 locations. What kind of work did they do? Did they also have to
17 grow vegetables there and do fishing there?

18 A. People at B-1 also grew vegetable, so they looked after the
19 vegetable for self-consumption based on the stance of independent
20 and self-reliance.

21 [13.47.10]

22 Q. Okay, who assigned the returnees to these locations? Who
23 placed them in Chrang Chamreh and Boeng Trabaek?

24 A. I did not know because the decision was made at the higher
25 level -- that is at the central level -- or maybe the candidate

1 member of the central committee would make that decision. I was
2 at a lower level so I could not know about that decision.

3 Q. Were the returnees referred to as "intellectuals" when they
4 were brought back to Cambodia?

5 A. When they arrived in Peking, Uncle Ieng Sary -- actually, they
6 came to the country based on the request by Ieng Sary because he
7 was a special rapporteur or special delegate.

8 For those who arrived some of them entered B-1 but I could not
9 know about the rest.

10 [13.49.06]

11 Q. And for those that arrived, were they referred to as
12 intellectuals amongst the members in B-1?

13 A. When they arrived at B-1 they were not referred to as
14 revolutionary -- revolutionaries. They were referred to as
15 intellectuals. They need to re-freshen themselves first before
16 they were referred to as the revolutionary.

17 Q. What do you mean by needing to re-question themselves?

18 A. Re-freshen oneself means the person has to rebuild or
19 re-freshen himself or herself. It means somebody starts to work
20 hard and that refers to both physical and mental work.

21 Personally, I woke up at four or 4:30 a.m. to water the vegetable
22 at B-1. We have a vegetable garden there. So we looked after that
23 vegetable garden and the cook would use the vegetable for our
24 consumption.

25 [13.51.33]

60

1 MR. PRESIDENT:

2 I think your time is almost running out. How many more questions
3 do you have for the witness? Do you only have another question to
4 ask?

5 MS. SARKARATI:

6 Thank you, Your Honour.

7 I have two more questions but I can ask one if you would prefer.

8 BY MS. SARKARATI:

9 Q. Were there any training or education meetings held at Boeng
10 Trabaek and Chrang Chamreh?

11 A. I did not know about that either at Chrang Chamreh or Boeng
12 Trabaek because I did not go to the two locations. I only know
13 about the place where I stayed across there were educational
14 meetings, work meetings and the self-criticism meetings.

15 [13.52.50]

16 MS. SARKARATI:

17 Thank you very much, Mr. Long Norin.

18 MR. PRESIDENT:

19 Thank you.

20 Before I hand the floor to the Defence counsels I'd like to check
21 with the Bench if the Judges have any questions for the witness.
22 Judge Lavergne, you may proceed with your questions.

23 JUDGE LAVERGNE:

24 Thank you very much, Mr. President.

25 [13.53.30]

61

1 Mr. Long Norin, good afternoon. My name is Judge Jean-Marc

2 Lavergne. I have a few questions to ask you, sir.

3 First and foremost, were you given a document that is numbered ES

4 20.3(sic), entitled "The Truth About Pol Pot's Dictatorial

5 Regime"?

6 I just want to make sure that the witness, Mr. Long Norin, has

7 received this particular document and if he has been made aware

8 of it. Would it be possible to know whether or not Mr. Long Norin

9 has received Document E 20.3(sic) and if he has been given the

10 time to go over it?

11 MR. PRESIDENT:

12 Mr. Samnang, if you have the document in your hand, could you

13 please show it to the witness?

14 QUESTIONING BY JUDGE LAVERGNE:

15 Q. Mr. Long Norin, can you hear me? Mr. Long Norin, are you able

16 to hear me?

17 MR. LONG NORIN:

18 A. Yes, I do.

19 [13.57.02]

20 Q. Have you been able to become familiar with this document? Do

21 you recognize this document? Mr. Long Norin, are you familiar

22 with this document? Does this document remind you of anything, or

23 is this the first time that you've seen this document?

24 A. I am not familiar with this document.

25 Q. Therefore you are unable to explain the fact that this

62

1 document, which is from the Research and Documentation Centre of
2 the Democratic National Union Movement -- can you please tell us
3 what your duties were within the Democratic National Union
4 Movement?

5 Where you able to hear my question, sir? What were your duties
6 and functions within the Democratic National Union Movement?

7 [14.00.17]

8 MR. PRESIDENT:

9 Judge Lavergne, could you please ask the question again?

10 And, Mr. Samnang, you're advised to write down the question and
11 repeat it to the witness in case that he cannot hear it properly.

12 Please repeat the question so that he understands the question
13 and be able to respond, otherwise we do not have any other
14 ability to hearing the testimony of this witness Long Norin.

15 Judge, may you please repeat your question.

16 And I would like to remind the interpreter that when the
17 translation is being done it should be noted that once there is a
18 question it has to be asked in a question form.

19 [14.01.58]

20 BY JUDGE LAVERGNE:

21 Q. Mr. Long Norin, could you please tell us what your role was as
22 Secretary General and what your duties were within the Democratic
23 National Union Movement?

24 MR. LONG NORIN:

25 A. That role was only on paper.

1 Q. As part of this activity, did you have meetings with the media
2 and the press?

3 A. With medias, of course there was when we established the
4 Democratic Union Movement, and it was a continuation of a task
5 and then we established this movement and it has been known as
6 National Democratic Union Movement.

7 Q. In the case of these contacts with the media, were
8 communiques, or declarations, or notes transmitted to them?

9 A. They were sent to the central committee or to the standing
10 committee, which I did not have the knowledge of because it was
11 the upper level meeting.

12 [14.04.27]

13 Q. Did you tell the press -- in D56442 -- in a press article that
14 is about growing pressure for a Khmer Rouge trial, a "USA Today"
15 article, in which it says that their spokesman, Long Norin, had
16 forecast a trial and said that the Khmer Rouge could claim that
17 the United States is keeping the whole movement alive in order to
18 oppose the Vietnamese? Does this statement emanate from you?

19 A. No, I am sorry it was too long ago and I cannot remember. But
20 I think I have never made any statement, but I may have forgotten
21 it, I am not sure. I am not sure.

22 Q. In D366/7/1.584, there's another statement, and this is an
23 article published in "Indradevi", in Phnom Penh, in September
24 2000. You were asked a lot of questions there and you were also
25 asked about the massacres committed under the Khmer Rouge Regime,

64

1 "Do you believe that Cambodians massacred their compatriots or
2 was there an external intervention?" and your answer was "I do
3 not know. I stayed at home."

4 Did you hear my question? Are you the author of that statement,
5 Mr. Long Norin?

6 A. Your Honour, could you please repeat your question? I
7 understood the question but when you referred to my statement I
8 do not -- I cannot understand the statement that you refer to.

9 [14.08.58]

10 Q. The question you were asked was this one: "About the massacres
11 that were committed during the Khmer Rouge Regime, do you believe
12 that Cambodians were massacring their own compatriots or was
13 there some kind of external intervention?" To which you answered:
14 "I do not know. I never left my home."

15 A. Yes, of course I did not know because I was a combatant, I was
16 not a cadre.

17 Q. (No interpretation)

18 [14.10.22]

19 A. I - honestly, I do not know.

20 Q. Mr. Long Norin, can we come back to this document called "The
21 True Fact About Pol Pot's Dictatorial Regime" and in that paper
22 there were references to a certain number of important events,
23 such as on page 6, where it tells us that in the North of Vietnam
24 the Khmers came together after the Geneva Conference of 1954.
25 After that, 2,000 Cambodian resitants were sent to North Vietnam

1 on a Polish ship. In March 1970 a coup d'état by General Lon Nol
2 overthrew Prince Sihanouk, then Chief of State of Cambodia.
3 The war broke out in Cambodia after Vietnam and Laos, in this new
4 situation, all the Khmer refugees in North Vietnam, usually
5 called the "Khmer Hanoi", voluntarily returned to Cambodia. Among
6 them were a number of technicians, especially in the military
7 field. For fear they would become an obstacle to his dictatorial
8 power, Pol Pot ordered to kill our compatriots one by one, group
9 by group, until they were all liquidated, except for two or three
10 widows who have survived until now.

11 Do you have any comments on what I have just read?

12 [14.13.02]

13 A. I do not know. I do not know who wrote that and who survived.

14 Q. In that case I shall read another excerpt that might trigger a
15 memory. It's entitled "The Evacuation of the City Dwellers After
16 April the 17th, 1975":

17 "On his return home from Beijing on March the 23rd, 1975 -- I'm
18 quoting the text, it may not be accurate -- His Excellency, Ieng
19 Sary found Phnom Penh a ghost town, already emptied of its
20 inhabitants. The decision was taken by Pol Pot, without the
21 knowledge of His Excellency Ieng Sary. Pol Pot divided the whole
22 Khmer people into two categories; the old people were those who
23 had participated in the struggle and were already living in the
24 co-operatives, while the new people -- or the 17th of April
25 People -- were those evacuated from different provincial cities

1 and more especially from Phnom Penh. The new people were sent to
2 working sites, rice fields, dam construction, railway
3 construction in the countryside to be trained through hard labour
4 to ensure moral and physical sufferings. Families were broken
5 because their members were separated into different work groups
6 according to their age and strength; it was really heart-rending.
7 Those who dared show family affection were accused of being
8 traitors. Moreover, for lack of adequate living quarters and
9 food, and because of hard labour, a great number of the former
10 city dwellers died, especially children and old people."

11 Do you have any comments on what I have just read?

12 [14.16.05]

13 A. As a matter of fact, at that time I learned the news from the
14 radio broadcast by the Democratic Kampuchea and I learned
15 information from that radio broadcast. There was no any other
16 source of information. For example, they broadcast that people
17 had enough food to eat, they had food three times a day or so, so
18 I learned from that broadcast.

19 But once I went down to Svay Rieng Province and I witnessed
20 people were living in misery. Then I thought to myself that,
21 well, the information that I have learned might not be true,
22 things might have gone wrong.

23 Q. All right, let's move on to another paragraph, which is
24 entitled, "The Massacre of the Intellectual Personalities and
25 Diplomats Coming Home from Abroad".

67

1 [14.18.04]

2 "The Liberation of Phnom Penh on April the 17th, 1975 was
3 welcomed by the majority of intellectuals living abroad. They
4 voluntarily came home, hoping to be able to use their knowledge
5 to serve the country, but alas, soon after landing at Pochentong
6 Airport they were rounded up and sent to different camps in the
7 country in order to endure moral and physical sufferings like the
8 17th April people. The "Gang of Four" -- Pol Pot, Nuon Chea, Son
9 Sen, and Yun Yat -- did not even care to inform His Excellency
10 Ieng Sary of their arrival. Through hard labour, illness and lack
11 of food, most of them died while a number of them were executed
12 for being traitors, CIA, and KGB agents, according to the
13 countries they came from. Even His Excellency's mother in-law and
14 sisters in-laws arrival was kept secret from him. Later one of
15 his sisters in-law, Ms. Khieu Thirith, was strangled to death by
16 her warders in a camp at Takhmau near Phnom Penh."
17 Same question, Mr. Long Norin, does this elicit any particular
18 comment on your part?

19 [14.19.45]

20 A. Frankly, I do not know anything. I did not know the execution
21 of the relatives of him. And as I mentioned earlier, I received
22 information from only one source, that this is the radio of the
23 Democratic Kampuchea, and what was announced in that radio. I
24 understood and learned the information from this source and I did
25 not have any other sources to appropriately analyse the news.

68

1 Q. The document describes a certain number of other facts, purges
2 within the party between '75 and '78 and it ends as follows:

3 "So, the murder of the people of Cambodia is nobody else than Pol
4 Pot. The war criminal is nobody else than Pol Pot. It is Pol Pot
5 and his handful of henchmen, Nuon Chea, Ta Mok, Son Sen, called
6 Khieu, and Yun Yat, called At, who are the mass murderers of the
7 people of Cambodia. Committing up till now enormous crimes
8 against mankind, as such, they must be sentenced to death."

9 Any comments, please? Is this a text you have already heard about
10 or is what I have just read a surprise to you?

11 [14.21.56]

12 A. I have never heard that.

13 Q. Thank you. Mr. Long Norin, you said, I believe, that you had
14 to provide protection for His Majesty King Sihanouk, the King
15 father. What exactly were your duties in the Royal Palace,
16 please?

17 A. When I was working in the Royal Palace, there were two
18 persons: Chhorn Hay -- Mr. Chhorn Hay and myself. Mr. Chhorn Hay
19 was a person who liaised from one office to another, and I was
20 responsible for protecting His Majesty the King. I did not know
21 the reason why I was designated to provide protection for His
22 Majesty the King. So at that time we had to guard the Royal
23 Palace day and night.

24 [14.23.53]

25 Q. When you were providing protection for the King, could he

1 travel around where he wanted?

2 A. Actually, wherever His Majesty the King wanted to go, he would
3 instruct Mr. Chhorn Hay to organize his itinerary; and for
4 myself, I simply went along to provide protection for him.

5 Q. Mr. Long Norin, you were interviewed by investigators, and
6 your interview is in Document D94/3 (sic). And on page 9, in the
7 French version, you were asked the following question: "Why did
8 the King resign, was he upset about something?" and your answer
9 was that he resigned because he was not free to move about as he
10 wished. If he wanted to move or travel he had to take the request
11 through Chhorn Hay to the Central Committee and those of lower
12 rank than him could not move around at all and never even
13 requested to be allowed to go outside.

14 Could you confirm what I have read?

15 [14.25.58]

16 A. Back then, on that particular issue Chhorn Hay was a
17 spokesperson for His Majesty to make a request to the Central
18 Committee. Once, His Majesty went out of the Royal Palace and I
19 went along with him to provide him protection. Son Sen was
20 driving on a jeep and I, at that time, was trying to stop him
21 because I was afraid that he might do something to harm His
22 Majesty, then I ask him to stop but he did not stop, he went
23 forward.

24 Q. Would you say that your work was more that of a guard than
25 that of a special personal bodyguard? Did you have instructions

1 to look after the safety of King Sihanouk?

2 A. While I was working in the Royal Palace and I had to protect
3 the security of His Majesty. We had to guard to ensure his safety
4 day and night. We had to ensure that nobody could go in and out
5 arbitrarily.

6 [14.28.46]

7 Q. Can you confirm what you also said in this paper when you were
8 asked if you had ever seen Ieng Sary going to B-1, in Chamreh,
9 and other places, and you said that he was going to deal with
10 education matters in Boeng Trabaek. Before working in B-1, he was
11 in charge of political education of intellectuals or people from
12 other Ministries? Is that the case?

13 MR. NHEM SAMNANG:

14 Your Honour, could you please repeat your question?

15 BY JUDGE LAVERGNE:

16 Q. During this interview, you were asked the following question,
17 "Did you ever see Ieng Sary go to the ministry B-1 site at Chrang
18 Chamreh or anywhere else?" And you said he went to training at
19 Boeng Trabaek.

20 [14.31.06]

21 He, which we assume is Ieng Sary, educated intellectuals in
22 politics before they entered B-1 or other ministries.

23 MR. LONG NORIN:

24 A. I did not know whether he provided training to whom. I only
25 know about those at B-1 when he came to open the training

71

1 sessions, everyone would attend that session.

2 MR. NHEM SAMNANG:

3 (No interpretation)

4 MR. LONG NORIN:

5 Did you mean that I answered that he went to training at Boeng
6 Trabaek? Those at Boeng Trabaek?

7 BY JUDGE LAVERGNE:

8 Q. Yes, indeed, Mr. Long Norin, at Boeng Trabaek.

9 [14.32.32]

10 A. However, those people at that location also went for labour in
11 order to re-freshen themselves.

12 Q. Did Mr. Ieng Sary lead any educational sessions at Boeng
13 Trabaek?

14 A. I cannot recall. It's been so many years already.

15 Q. During that same interview. Mr. Long Norin, you were asked
16 questions with respect to arrests made at ministry B-1.

17 You were asked: who gave the order; and who received the order?

18 You replied the following: "The order came from the Central

19 Committee or Pol Pot. The order was given to S-21. The militia

20 men at S-21 collected people directly from B-1 -- from that very

21 building. They were told that Angkar had instructed them to

22 attend re-education classes, and from that point on, we never saw

23 them return. Those at B-1 were Koy Thuon as well as another

24 person named Koy Chhun (phonetic), Hu Nim, who -- where there

25 were self-criticism in group meetings and that was the end of it

1 if the German did not report it up."

2 Can you please confirm this statement?

3 A. I do not really understand your question.

4 MR. NHEM SAMNANG:

5 (No interpretation)

6 MR. LONG NORIN:

7 I cannot recall that question and answer session.

8 MR. NHEM SAMNANG:

9 Mr. President, the witness will seek your permission to have a
10 short break.

11 MR. PRESIDENT:

12 Thank you, Mr. Long Norin. Since it's time appropriate for a
13 short break, we will have a 20-minute break and we shall resume
14 after that.

15 (Judges exit courtroom)

16 (Court recesses from 1436H to 1456H)

17 (Judges enter courtroom)

18 MR. PRESIDENT:

19 Please be seated. The Chamber is now back in session.

20 Good afternoon again, Mr. Long Norin. Can you hear me?

21 MR. LONG NORIN:

22 Yes.

23 MR. PRESIDENT:

24 The Chamber would like now to give the floor to Judge Lavergne to
25 continue his questions for this witness.

73

1 Judge Lavergne, you may continue your questions.

2 [14.56.47]

3 JUDGE LAVERGNE:

4 Thank you, President. I believe I have no further questions to
5 put to the witness.

6 MR. PRESIDENT:

7 Judges of the Bench, do you have any questions to be put to this
8 witness? If not, then the Chamber would like to give the floor to
9 the Defence teams so that you are able to put questions to this
10 witness.

11 First, I would like to give the floor to the Defence team for
12 Nuon Chea be it you have questions.

13 [14.57.33]

14 QUESTIONING BY MR. SON ARUN:

15 My name is Son Arun, a defence lawyer for Mr. Nuon Chea. Good
16 afternoon, Mr. President, Your Honours.

17 Q. First of all, let me ask Mr. Long Norin as an intellectual who
18 survived until today and that you went through a number of
19 historical activities in the Democratic Kampuchea as a senior
20 officer of the regime. When you left Czechoslovakia for Cambodia
21 you had to stay for a while in Peking and while you worked for
22 FUNK there was a royal government formed called GRUNK headed by
23 King Sihanouk in 1970. That government was in exile -- that is,
24 in Beijing, in China; is that correct, Mr. Long Norin?

25 [14.59.19]

74

1 Do you hear my question? Let me repeat my question slowly. It is
2 a bit long, but you can make your response brief: When you went
3 to study in Czechoslovakia and upon your return to Cambodia you
4 had to transit and stayed for a while in Peking -- that is in
5 China -- in order to assist the FUNK and, at that time, the Royal
6 Government was formed; it was called GRUNK and headed by King
7 Sihanouk in 1970. That Royal Government was in exile, that is, in
8 the Republic of China; is that correct?

9 [15.00.25]

10 MR. LONG NORIN:

11 A. When I returned from overseas, I stopped over in Peking and
12 then I left Peking.

13 Q. In short, your response is correct. Let me continue my
14 questions.

15 And later you went to work in Hanoi with Madam Ieng Thirith, that
16 is to work with a radio broadcasting service from 1972 to 1973;
17 is that correct?

18 A. After arriving from Peking, I went to work for the radio
19 broadcasting service.

20 Q. Thank you.

21 And later the -- your government, GRUNK, sent you back to
22 Cambodia in 1973 and when you reached Steung Trang in Kampong
23 Cham province -- that is, in Cambodia -- when you left Hanoi that
24 is from Vietnam, you went through the Ho Chi Minh Trail in order
25 to arrive in Cambodia; is that correct?

75

1 A. I left Hanoi to Cambodia and I reach Steung Trang at B-15.

2 Q. At that time, which route did you use? Did you use the Ho Chi
3 Minh Trail or by plane?

4 A. I went through Ho Chi Minh Trail.

5 [15.03.14]

6 Q. When you came to Cambodia, how many people were there with you
7 at the time?

8 A. I do not remember.

9 Q. Were there many?

10 A. There were not too many.

11 Q. Thank you. Can you tell the Chamber that the Ho Chi Minh Trail
12 that you think was a transport road or was a strategic road for
13 wars -- the road built by Vietnam at that time?

14 (Short pause)

15 [15.04.49]

16 A. It was the strategic road used for wars.

17 Q. Thank you for your very short answer.

18 When you went through this Ho Chi Minh Trail, did you see the
19 leftover damage by the American bombing or did you see any other
20 damages, including any casualty -- human casualties on the way?

21 A. No, I did not, but I saw pits from the bombardment.

22 Q. Thank you. You told the Investigating Judges, in the -- on the
23 20th of April 1975, that, when you arrived in Phnom Penh, you
24 were living under Chrouy Changva Bridge.

25 How could you live under the bridge? Could you tell us about

1 that?

2 A. I do not understand the question.

3 Q. Can you explain the question to the witness, Mr. Samnang?

4 MR. NHEN SAMNANG:

5 (No interpretation)

6 MR. LONG NORIN:

7 I was living under Chrouy Changva Bridge. We had a mat and we
8 sleep on that mat. I was not working or doing any work.

9 [15.0711]

10 BY MR. SON ARUN:

11 Q. What was Phnom Penh like at that time, the overall image of
12 Phnom Penh at that time -- that was on the 20th of April 1975 --
13 meaning that it was after people were already evacuated out of
14 Phnom Penh? Can you describe what it was at that time?

15 My apology, I would like to put my question again.

16 When you arrived in Phnom Penh -- as I read the document, you
17 arrived on the 20th of April 1975. It was after the Khmer Rouge
18 evacuated the people in Phnom Penh. What did you see in Phnom
19 Penh? Did you see any people in Phnom Penh? What activities did
20 you see during that time?

21 [15.08.57]

22 A. I saw people were walking on the way -- on the road, but I did
23 not ask them where they were going.

24 Q. You said you saw them walking away. Can you describe that a
25 bit further? Were there many people or there were many -- were

1 there many people at that time?

2 A. I did not know where they were heading to and I did not ask
3 them where they were going because knowing too much would be a
4 problem or so.

5 Q. I did not ask you whether you knew where they were going. I
6 want to know -- I want you to describe the events at that time.

7 A. When I was under the bridge, the Chrouy Changva Bridge, people
8 were walking on the way, but I just do not know. I did not know
9 where they were heading to. But it does not mean that there were
10 no people in Phnom Penh, because, when I was brought out of that
11 bridge or from that bridge to B-20, I still saw people were
12 walking.

13 [15.10.30]

14 Q. According to the figure, there were about more than 2 million
15 people before the evacuation. Phnom Penh was very crowded at that
16 time, and I want to know, when you arrived in Phnom Penh -- that
17 is, a few days after the evacuation -- can you describe the
18 events during that time? Did you see any people in Phnom Penh?

19 I state again that, before the evacuation, there were about more
20 than 2 million people in Phnom Penh. Do you understand my
21 question?

22 A. When I was in B-1, I did not go out of that place, so I did
23 not know whether there were people in Phnom Penh. I just
24 encountered people walking along the road.

25 Q. When you went to work in B-1 -- I understand that you answered

1 this point once already, but I want to seek clarification. When
2 you worked there, what was your role?

3 A. I was a typist.

4 [15.12.22]

5 Q. When you arrived in Phnom Penh, were you forced to do this
6 typing work by the superior or you volunteered to do that job by
7 yourself?

8 A. No one forced me. There was a messenger who took me from the
9 Chrouy Changva Bridge to B-1.

10 Q. Did you see any chaos in B-1 when you went to work there? Did
11 you see people were running around?

12 A. I was only confined to this B-1 campus. I did not go anywhere.

13 Q. Did you notice any chaotic activities because at that time
14 people were being evacuated?

15 [15.13.21]

16 A. Some people went to work to Chrang Chamreh and some other
17 people went to work at Boeng Trabaek.

18 Q. Was there enough food to support people at that time?

19 A. There was enough food at B-1. In the morning, we have
20 porridge. For lunch and dinner, we have rice.

21 Q. You were an intellectual coming from a foreign country when
22 people were evacuated out of Phnom Penh, and at that time you
23 were also considered a "new people".

24 I would like to know whether you were forced to go out of Phnom
25 Penh along with other people as well.

1 [15.14.36]

2 A. No, I was not.

3 Q. Thank you. When -- or after you worked for a while there, you
4 were promoted a guard for His Majesty in the Royal Palace; is
5 that true? Do you understand my question?

6 A. Yes, I do. But I went to the Royal Palace for only a short
7 period of time. After that, I came back to B-1.

8 Q. For how many days or how long did you work in the Royal
9 Palace?

10 A. It was about six months.

11 Q. When you were promoted Deputy Chief of Security Unit, can you
12 tell me whether -- or what role did His Majesty hold at the time?

13 [15.16.06]

14 A. He was the President of the State Presidium.

15 Q. So it -- at that time, he was still working as the President
16 of the State Presidium; he did not yet resign from this post
17 because there was one time that he resigned from his position
18 from the GRUNK.

19 I just want to know, when you worked there in the Royal Palace,
20 did you notice whether His Majesty had any power like he used to
21 have during the Sangkum Reastr Niyum?

22 A. As for His Majesty, after his resignation he went to live in
23 Beijing, but I do not know how he communicated with the Communist
24 Party of Kampuchea.

25 Q. I'm afraid at that time the position was not yet called the

80

1 President of the State Presidium yet, at that time. Do you agree
2 with me?

3 A. When he went to Beijing -- after he went to Beijing, I no
4 longer was his bodyguard. The Chinese were protecting him
5 already.

6 Q. My next question concerns the interview that you had with the
7 Investigating Judges, as document D91/3.

8 [15.18.28]

9 In that document, it states that the question was asked once by
10 the Chamber, but you said you did not know. But you said in that
11 document that you saw the King going out of the Royal Palace and
12 you also witnessed that San drew a car in front of the King.
13 Did you answer that before the Investigating Judges?

14 A. I attempted to stop the car, but he did not stop.

15 Q. I want to know whether the King had any power when he was in
16 the Royal Palace, because after 1979 or 1980, when the King went
17 abroad, he announced from the foreign that the Khmer Rouge
18 detained him.

19 [15.19.41]

20 Are you aware of this issue?

21 A. Yes, he did announce that.

22 Q. So that means you are aware of this issue.

23 So again, I want to know whether you know whether the King had
24 any power during that time. If you don't understand, perhaps the
25 one who is sitting next to you can explain the question further.

81

1 A. When I was his bodyguard, he did not have any power. The power
2 was with the Central Committee, was with Pol Pot. But I was not
3 connected to these people. There were other people. Whenever the
4 King would like to go somewhere, those people would forward his
5 message.

6 [15.21.05]

7 Q. A while ago, you answered the Judge's question with regards to
8 Mr. Chhorn Hay, who would deliver the messages of the King.

9 Do you still remember when did -- when the King resigned from the
10 GRUNK?

11 A. I just knew that he did not have any position there.

12 Q. I did not ask you about his position, but did you know when he
13 resigned.

14 A. No, I did not.

15 Q. Did you know the reason why he resigned from his position in
16 GRUNK?

17 A. No. No, I'm not aware of that unless you ask the King
18 yourself.

19 Q. Mr. Nuon Chea told the Chamber this morning that the King
20 appealed to the Cambodian people to enter the Maquis Jungle in
21 order to fight against the American imperialists.

22 [15.22.45]

23 Where were you at that time?

24 A. I was in Czechoslovakia.

25 Q. Did you hear the appeal?

82

1 A. I did. The King was appealing from Beijing. He was appealing
2 within the GRUNK and to people in Hanoi.

3 Q. In the same document, it reads: "When the King was in power
4 until the time that he resigned from the GRUNK". Can you tell me
5 what position did the King hold?

6 You said you were there in the Royal Palace.

7 A. The King was there in the Royal Palace at that time.

8 Q. Did you know what he did in the Royal Palace?

9 A. No, I do not know.

10 Q. In that same document, there was a question asked to you when
11 the King resigned from his position in early 1976, probably in
12 March of that year, Mr. Khieu Samphan, Ieng Sary and other
13 Central Committee cadres went to beg the King for him not to
14 resign.

15 Were you aware of that?

16 [15.25.06]

17 A. Yes, I was. I saw those people coming to meet with the King
18 and begging the King.

19 MR. PRESIDENT:

20 Can you try the battery of your headset, Mr. Counsel?

21 Mr. Long Norin can continue your question -- rather, your answer.

22 BY MR. SON ARUN:

23 Q. Did you hear my question?

24 MR. LONG NORIN:

25 A. Yes, I did. I knew at that time; I saw those people coming to

83

1 the Royal Palace to beg the King not to resign.

2 Q. And what did the King say?

3 A. No, I do not know about that. I did not know what he said. But
4 we cannot stop him -- we could not stop him.

5 [15.26.19]

6 Q. When His Majesty resigned from the GRUNK, did you know what
7 the people said about his resignation?

8 A. No, I did not know anything. I did not know what the people
9 said about that.

10 Q. You answered to these similar questions during the interview
11 with the -- interview.

12 Back in 2007, you told the Investigating Judges that the King
13 visited outside the Royal Palace each time, which lasts for one
14 hour. And there was one time that Mr. Son Sann threw a car in
15 front of him without stopping the King, so I would like to know
16 what you thought at the time when seeing that someone driving a
17 car in front of the King without expecting the King.

18 A. As a bodyguard, I gave a signal that the car had to stop, but
19 the car did not stop. Fortunately, I was not hit by the car.

20 [15.28.08]

21 MR. PRESIDENT:

22 Counsel, can you check whether you -- check that you are not
23 asking the same questions and make sure that your questions will
24 not let the witness to draw conclusions regarding what he did not
25 know.

1 BY MR. SON ARUN:

2 Thank you, Mr. President, for your advice.

3 Q. When he was in the GRUNK, His Majesty was the state President.

4 And who was the Prime Minister at that time?

5 MR. LONG NORIN:

6 A. When His Majesty was the state President, the Prime Minister
7 was also the King.

8 [15.29.22]

9 Q. How about Samdech Penn Nouth?

10 A. Yes, you are right. It was Penn Nouth who was the Prime
11 Minister.

12 Q. Mr. Norin, did you know Keat Chhon and Thiounn Prasith well?

13 A. I knew them because we worked in the same ministry.

14 Q. When you were at the ministry B-1, Mr. Keat Chhon and Thiounn
15 Prasith, what were their roles?

16 A. I did not know of their roles.

17 [15.30.24]

18 Q. In your interview in the same document, you said that Samdech
19 Sihanouk went to the Chup Rubber Plantation and visited the
20 military rice field; is that correct?

21 A. Yes, the King went to visit the Chup Rubber Plantation.

22 Q. Did you go to escort him?

23 A. Yes.

24 Q. When the - when Samdech went there, what was about the
25 security in the local, at the base? What was it like?

1 (Short pause)

2 [15.31.20]

3 A. I do not really understand the question. At that area, when I
4 went there -- before I went, I knew that at the local regiment
5 security arrangements was made, so I joined them in providing the
6 security for the -- for Samdech. That was all.

7 Q. Based on your response to the Co-Investigating Judges, that
8 the King went to visit that area, did the King go to other
9 places?

10 [15.32.30]

11 A. He went to visit the farmland -- that is, the military
12 farmland near the -- he went to visit the farmland a little bit
13 further than the Chrouy Changva. It was near the vicinity around
14 the outskirts of Phnom Penh.

15 Q. I only have another question. In that same document, it states
16 that, when Ieng Sary was not available, nobody could make any
17 decision in B-1; is that true? So it means, if Mr. Ieng Sary was
18 not in, nobody would make any decision?

19 A. That was only him. When he went outside, for example to work
20 with the cadres, he would instruct the rest not to make any
21 decisions without his knowledge.

22 [15.34.18]

23 Q. Thank you. But Mr. Ieng Sary hates to follow the instructions
24 from the Central Committee where Pol Pot was the head. Whatever
25 Ieng Sary did, he had to provide -- he had to get an approval

86

1 first from Pol Pot; is that correct? For instance, Mr. Ieng Sary
2 went to the United Nations to make his speech about Democratic
3 Kampuchea regime; the speech had to be approved by Pol Pot. That
4 is on a daily basis, this is just an example.

5 Do you agree to that?

6 A. No, I do not know about that, but the speech might have to be
7 approved properly first before it could be made at the United
8 Nations.

9 Q. Thank you.

10 [15.35.43]

11 MR. LYSAK:

12 Mr. President, I just wish to make an objection to counsel making
13 assertions about Ieng Sary having to take instructions from the
14 Central Committee. He's leading the -- misleading the witness on
15 a fact that is clearly incorrect, and I would ask him to restrain
16 himself to not leading the witness on incorrect information.

17 MR. PRESIDENT:

18 Thank you for your observation. Let me clarify the matter.

19 Next time, if you wish to make your objection, please be on your
20 feet and make it clear so that your objection is known. If the
21 question is asked and the witness already responded and then you
22 stand up, that it's too late already, and it's difficult for the
23 Chamber to make any decision. If at once you hear the question
24 and you believe it is inappropriate, then you be on your feet to
25 express your objection. The Chamber will then listen and whether

1 your objection is correct or not; and do not wait until a witness
2 or an expert or a civil party already responds to the question.

3 Let me remind all the parties of that.

4 [15.37.34]

5 And once again, leading questions shall be avoided. Repetitive
6 questions shall be avoided, as we remind all the parties in our
7 guidelines.

8 The prosecution, you may proceed again.

9 MR. LYSAK:

10 Thank you, Mr. President. I just want to note that, because the
11 translation is delayed in English. By the time we're getting the
12 questions translated in English, they're already on to the next
13 question, sometimes. So I did get on my feet, but one of the
14 problems is, because of the delayed translation, that's not
15 always possible.

16 MR. KARNAVAS:

17 If I may be heard --

18 MR. PRESIDENT:

19 Defence Counsel, yes, you may proceed.

20 MR. KARNAVAS:

21 Thank you, Mr. President. Thank you, Your Honours.

22 [15.38.31]

23 The question, though it refers to my client, was verbatim taken
24 from the Summary Statement, which the prosecutor last week said
25 that he was going to get to it step-by-step. So if you were to

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1 look at page 5 in the English version, you would see -- and I can
2 give you the ERN number in a second, but it says here, according
3 to the gentleman, that Ieng Sary worked according to the Central
4 Committee. For example, even his speech to be given at the United
5 Nations had to pass through the Central Committee, which was
6 shared by Pol Pot, so that he could examine and approve it in
7 advance. So I don't understand the gentleman's objection. I think
8 it's improper.

9 MR. LYSAK:

10 That's not what the question -- at least it's how it was
11 translated. The question included a statement that Ieng Sary took
12 orders from the Central Committee; that's quite a different
13 matter than what you just read.

14 [15.39.46]

15 MR. SON ARUN:

16 Let me briefly respond to the prosecution.

17 The question I asked were extracted from that same document --
18 that is D91/3.

19 And after that I would have a few extra questions. Let me
20 continue.

21 BY MR. SON ARUN:

22 Q. Was it true that there was an allegation that the Cambodian
23 people, under the three years, eight month, 20 days period, died
24 in massive numbers under the orders of Pol Pot, or was it under
25 another person's order? Can you respond to that?

1 Let me repeat my question because I noticed you were coughing
2 just then. My question is, if that's so, by some of your previous
3 response, the allegation that the Cambodian people, during the
4 three years, eight month, 20 days period, died in massive numbers
5 under the order of Pol Pot, or was it under the order of somebody
6 else?

7 MR. LONG NORIN:

8 A. I do not know about that.

9 MR. SON ARUN:

10 Thank you. I do not have any further questions for this witness.
11 My client would like to ask Mr. Norin one question if the
12 President permits.

13 MR. PRESIDENT:

14 Yes, he can ask the question through his counsel, and then the
15 counsel can put it through the President, and the President can
16 put the question to the witness.

17 MR. NUON CHEA:

18 Through the President -

19 And, first, let me say good afternoon, Mr. President.

20 I would like to ask a question to Mr. Long Norin, as follows.

21 In your biography, in the Khmer language, you described about Son
22 Ngoc Thanh. My question is: Were you influenced politically by
23 Son Ngoc Thanh because you said that you were sympathetic to Son
24 Ngoc Thanh as Son Ngoc Thanh was the one who opposed the King and
25 opposed the French?

1 That is my first question.

2 [15.43.01]

3 MR. PRESIDENT:

4 Mr. Long Norin, Nuon Chea has put a question to you that in your
5 biography in the Khmer language you described about Son Ngoc
6 Thanh, and the question is whether you were influenced by Son
7 Ngoc Thanh and the influence could be the result that he was the
8 one who opposed the Monarch and the French?

9 MR. LONG NORIN:

10 I was not influenced by Son Ngoc Thanh. At that time, he opposed
11 the French in public and I satisfied with his action and I did
12 not know about any other affairs of his.

13 MR. NUON CHEA:

14 You said you were sympathetic to him because Son Ngoc Thanh was
15 the one who opposed the monarchy and the French.
16 These two points, could you provide your clarification on this?

17 MR. PRESIDENT:

18 The second question is that you were sympathetic to Son Ngoc
19 Thanh because Son Ngoc Thanh was the one who opposed the Monarch
20 and the French? What do you mean by that?

21 MR. LONG NORIN:

22 At that time, the youths were in that position; everybody was the
23 same. All the Khmer youth, if they say "bravo", I would say
24 "bravo". If they say "long live", I would say the same. I
25 received my education and I learned that it was not a good thing

1 to do.

2 [15.45.43]

3 MR. NUON CHEA:

4 Point number two. You knew Hang Thun Hak, who was the right-hand
5 man of Son Ngoc Thanh, and in 1972, Hang Thun Hak became the
6 Prime Minister.

7 What was your political tendency? Was it also related to the
8 Khmer Serei Movement of Son Ngoc Thanh and Hang Thun Hak?

9 MR. LONG NORIN:

10 I have no political tendency with Hang Thun Hak.

11 MR. NUON CHEA:

12 Question number three, Mr. President: Do you know the name Ea
13 Sichau, who was one of the right-hand men of Son Ngoc Thanh?

14 [15.46.40]

15 MR. LONG NORIN:

16 I heard of the name Sichau, but I never knew the man.

17 MR. NUON CHEA:

18 Question number four: All the names of the youth you described in
19 your biography, were they all engaged in the movement in the Son
20 Ngoc Thanh group? And what activities did they engage in?

21 MR. LONG NORIN:

22 I did not know what activities they engaged in.

23 MR. PRESIDENT:

24 Thank you.

25 MR. NUON CHEA:

1 Mr. President, I do not have any further questions.

2 MR. PRESIDENT:

3 Thank you.

4 MR. SON ARUN:

5 Mr. President, since the microphone on my colleague's desk does
6 not work--

7 MR. PRESIDENT:

8 Court officer, could you go and check it out?

9 [15.48.35]

10 MR. PESTMAN:

11 It does work, Your Honour. It's -- I didn't get the translation,
12 but if you can hear me, then I can start my questions. I have
13 approximately 20 minutes of questions. If that's okay, hopefully
14 I can finish today.

15 MR. PRESIDENT:

16 Court officer, could you check the translation system that
17 everybody could be heard? Nuon Chea's Defence counsel is about to
18 ask questions to the witness.

19 [15.49.52]

20 MS. SIMONNEAU-FORT:

21 Mr. President, I don't wish to be disruptive, but we have been
22 allotted time for our questioning, so can we just please be
23 informed of the time that has been allotted to each respective
24 Defence team?

25 MR. PRESIDENT:

1 Parties have been notified by the Chamber that the Chamber does
2 not have the opportunity to allocate concrete time for listening
3 the testimonies of the witnesses or for questioning the Accused
4 due to the various level of knowledge and understanding of the
5 relevant facts and, number 2, due to the interruptions of the
6 proceedings.

7 While videoconferencing, as you aware of, it is difficult for us
8 to make any proper time allocation; we face a number of
9 challenges: videoconferencing system, the health issues and also
10 the Internet issue.

11 So we try our best effort, for example, to conclude the testimony
12 of this witness this afternoon and it may be possible to do so,
13 so then we would allocate a time to the Defence counsel until the
14 time for the adjournment for today.

15 The Defence Counsel, you may now proceed.

16 [15.51.41]

17 QUESTIONING BY MR. PESTMAN:

18 Thank you, Your Honour.

19 Q. Mr. Long Norin, you just mentioned the name Keat Chhon, and
20 you said that he worked with you at B-1, but that you don't know
21 what his responsibilities were; is that correct?

22 MR. LONG NORIN:

23 A. (No interpretation)

24 [15.52.35]

25 Q. I saw you responding, but I didn't hear a translation. I'll

1 repeat my question.

2 A couple of minutes ago, you said that you and Keat Chhon were
3 colleagues at B-1 but that you do not know what his
4 responsibilities were at the time; is that correct?

5 A. Yes, Mr. Keat Chhon was in a separate group. He was in the
6 group of the writers and I was in a separate group, so I did not
7 know of his work.

8 Q. What did the writers do at B-1?

9 A. I did not know what they did.

10 Q. Were you and Keat Chhon friends?

11 A. He was in a separate section. We were working in the same
12 ministry together; that was all.

13 Q. Did he give you instructions on how to write your biography?

14 A. No.

15 Q. Was Keat Chhon not one of the people that was asked to write a
16 biography?

17 A. I could not know.

18 Q. In 2007, you told the investigators that he was one of the
19 people that was asked to write a biography. Do you remember
20 telling the investigators that?

21 A. I cannot recall that.

22 Q. Last week, you were questioned about a meeting that took place
23 at B-1 in 1977 where Ieng Sary told staff that he would not allow
24 any arrests while he wasn't in Phnom Penh. Do you know which
25 meeting I'm talking about?

1 A. I cannot recall it.

2 Q. You mentioned this meeting in 2007 when you were talking to
3 the investigators or the Co-Investigating Judges, and last week
4 you were questioned about this meeting. You don't remember?

5 [15.57.02]

6 Should I repeat my question? You don't remember talking about a
7 meeting last week and in 2007 where Ieng Sary told staff, your
8 colleagues at B-1, that he would not allow any arrests while he
9 was not in the office. You don't remember that meeting at all?

10 (Short pause)

11 [15.58.18]

12 A. I do not understand your question. What I can recall is that
13 he once told us about that. It was during a meeting at the
14 ministry. He talked to the cadres there about that. I was a youth
15 at the time.

16 Q. You told the investigators in 2007 that you were not present
17 at that meeting; is that correct?

18 MR. NHEM SAMNANG:

19 The witness would like to ask what meeting you're referring to.

20 BY MR. PESTMAN:

21 Q. Well, Ieng Sary told staff at B-1, your colleagues, that he
22 would not allow any arrests when he was not in the office in
23 Phnom Penh. You told the investigators that you were not at that
24 meeting but that somebody else told you about that meeting; do
25 you remember?

1 MR. LONG NORIN:

2 A. I was not present at that time because I was not a cadre, I
3 was only a combatant.

4 [16.00.40]

5 Q. Do you remember who told you about the meeting?

6 A. Because when there was a ministerial meeting that everybody
7 would go there to attend the meeting and I could not recall who
8 told me.

9 MR. NHEM SAMNANG:

10 Mr. President, the witness would seek your permission to rest.

11 The witness would like to seek your permission to rest.

12 MR. PRESIDENT:

13 Thank you. Due to the exhaustion and due to his health condition
14 the questioning of this witness is adjourned for today.

15 And, Mr. Long Norin, can you also provide your testimony for one
16 morning or probably less than a whole morning?

17 [16.02.21]

18 MR. LONG NORIN:

19 I don't think my health would allow me to do that. I feel my head
20 is heavy right now.

21 MR. PRESIDENT:

22 Thank you for your response. You may take a break now and we will
23 discuss with the WESU Unit to see whether or when would be the
24 appropriate time for you to continue your testimony. It may take
25 another two hours to finish off your testimony, but we will check

1 further on that with the WESU.

2 [16.03.17]

3 The time is now appropriate for today's adjournment.

4 The Chamber will now adjourn for today and we'll resume tomorrow
5 morning, starting from 9 a.m.

6 It is expected that we shall continue to hear the testimony of
7 this witness and in case that he is unavailable, as he just
8 indicated, due to his poor health, the Chamber will proceed with
9 questioning the Accused tomorrow, so this information is for the
10 parties and also for the public.

11 Security guard, you're instructed to take the Accused back to the
12 detention facility and bring them back here before 9 a.m.

13 The Chamber is now adjourned.

14 (Judges exit courtroom)

15 (Court adjourns at 1604H)

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