



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): 10-Aug-2012, 13:00  
CMS/CFO: Sann Rada

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

6 August 2012

Trial Day 90

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

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IENG Sary  
KHIEU Samphan

Lawyers for the Accused:

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Jasper PAUW  
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Michael G. KARNAVAS  
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Trial Chamber Greffiers/Legal Officers:

DUCH Phary  
Matteo CRIPPA  
DAV Ansan

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For the Office of the Co-Prosecutors:

CHAN Dararasmeay  
Vincent DE WILDE D'ESTMAEL  
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For Court Management Section:

UCH Arun

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MR. SUONG SIKOEUN (TCW-694)

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**List of Speakers:**

Language used unless specified otherwise in the transcript

<b>Speaker</b>	<b>Language</b>
MR. ANG UDOM	Khmer
MR. DE WILDE D'ESTMAEL	French
MS. GUISSÉ	French
MR. KARNAVAS	English
MR. KONG SAM ONN	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. PAUW	English
MR. PICH ANG	Khmer
MR. SUONG SIKOEUN (TCW-694)	Khmer

1

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

2 (Court opens at 0904H)

3 MR. PRESIDENT:

4 Please be seated. The Court is now in session.

5 This morning we will continue to hear the testimony of the

6 witness, Suong Sikoeun, who will be questioned by the

7 Prosecution.

8 And before I hand the floor to the Prosecution, Duch Phary, could

9 you please report the attendance of the parties and the

10 individuals?

11 THE GREFFIER:

12 Mr. President, this morning all parties are present except the

13 accused Ieng Sary, who is present in the holding cell downstairs

14 as he waives his direct presence in these proceedings through his

15 counsel. The letter of waiver has been submitted to the greffier.

16 The greffier also observes that there is a new civil party lawyer

17 present who has been recognized already by the Bar.

18 [09.06.41]

19 As for the reserve witness, TCW-490, he -- the witness has

20 arrived at the compound and is being sworn.

21 MR. PRESIDENT:

22 Thank you.

23 The Chamber will now decide on the request by Ieng Sary.

24 The Chamber indeed receives the request by Ieng Sary on the 6th

25 of August 2012 to waive his present directly in the proceeding in

2

1 the courtroom by his counsel and instead to follow it through  
2 audio-visual means in the holding cell downstairs.  
3 The treating doctor who treats him at the detention facility this  
4 morning and -- observes that Mr. Ieng Sary is fatigued, he has a  
5 back ache, and he has to use the bathroom frequently, and  
6 recommends that he should follow the proceedings through  
7 audio-visual means in holding cell downstairs. As Mr. Ieng Sary  
8 himself has these health problems and requests to waive his  
9 direct present in the courtroom and that he shall be allowed to  
10 follow the proceeding in the holding cell downstairs through  
11 audio-visual means and that he is in a position to directly  
12 communicate with his defence team, the Chamber does -- grants the  
13 request. And he is authorized to follow it through a remote means  
14 in the holding cell downstairs and this is for the whole-day  
15 proceeding.

16 [09.08.41]

17 The AV booth, you are instructed to link the proceeding to the  
18 holding cell downstairs for this whole day proceeding.  
19 As reported by the greffier, the Chamber observes that there is  
20 present of the international lawyer for civil parties, Mr.  
21 Ferdinand Djammen Nzepa.  
22 And in order to follow the Internal Rule 22 of the ECCC, the  
23 Chamber requests Mr. Pich Ang, the Lead Co-Lawyer for civil  
24 parties, to request for the recognition of this lawyer who has  
25 not yet recognized by the Trial Chamber. You may proceed.

3

1 MR. PICH ANG:

2 Good morning, Mr. President, Your Honours, and everyone. To my  
3 right is Mr. Ferdinand Djammen Nzepa, who is a registered counsel  
4 in France. He is French.

5 He already sworn in before the Courts of Appeal of the Kingdom of  
6 Cambodia in 2008 and he is a civil party lawyer in this Court in  
7 Case 002, and we therefore request for the Trial Chamber's  
8 recognition of this new lawyer so that he's able to defend the  
9 interests of the civil parties. Thank you.

10 [09.10.58]

11 MR. PRESIDENT:

12 Please stand, Mr. Ferdinand Djammen Nzepa.

13 You are hereby recognized by the Trial Chamber as the civil party  
14 lawyer for the purpose of the proceeding before this Chamber and  
15 pursuant to this recognition you have the right and privileges as  
16 other civil party lawyers. You may be seated.

17 The floor is now given to the Prosecution to continue their  
18 question to this witness. You may proceed.

19 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

20 Thank you, Mr. President, and good morning -- good morning to  
21 Your Honours and to the different parties and to the public. And  
22 good morning, Witness.

23 Q. I'm therefore going to put questions to you for the total  
24 duration of today, and since our time is a little bit short to  
25 cover many -- all the topics that we need to cover, I will ask

4

1 you to please be as clear and as precise as possible in your  
2 answers to my questions.

3 [09.12.21]

4 But before I turn to the core of my questioning, which revolves  
5 around the Ministry of Foreign Affairs, I wish to start with a  
6 few follow-up questions in relation to what you told us last  
7 Thursday.

8 So you said, regarding the trip that Khieu Samphan and Ieng Sary  
9 undertook, and who were in China, and then who travelled to  
10 Vietnam in May 1974 -- and you said that you were part of this  
11 trip and you said that Khieu Samphan and Ieng Sary had travelled  
12 to the Liberated Zone from Vietnam. And do you know how long Ieng  
13 Sary stayed in the Liberated Zone during this trip? So you were  
14 in Hanoi, but they continued on to the Liberated Zone. So how  
15 long -- or do you know how long Ieng Sary remained in the  
16 Liberated Zone then?

17 MR. SUONG SIKOEUN:

18 A. Good morning, Mr. President. Good morning, everyone.

19 [09.13.46]

20 Mr. Prosecution, could you please clarify your question? To which  
21 liberated zone are you referring to? Because there were many  
22 liberated zones in Cambodia, in Vietnam, and also in Laos.

23 Q. Yes. You spoke about the trip that you undertook with Khieu  
24 Samphan and Ieng Sary from China to Vietnam and you said that you  
25 spent about a week visiting Vietnam for an official visit and in

5

1 -- also you visited a liberated zone in Laos and then you  
2 remained in Hanoi to work for the "Voice of the FUNK" radio, and  
3 Ieng Sary and Khieu Samphan continued their trip to the Liberated  
4 Zone in Cambodia.

5 So what I'm trying to see is how long did Ieng Sary remain in the  
6 Liberated Zone in Cambodia, at that time, if you know.

7 A. I do not know.

8 Q. And the second point I wish to clarify, Witness, is your  
9 return to Cambodia after having worked for the "Voice of the  
10 FUNK" in Hanoi. Can you tell us when, specifically, you returned  
11 to Cambodia? Because apparently there is -- some of the  
12 information does not concur in the documents we have received.  
13 And you, in particular, spoke about April 1975 during last  
14 Thursday's hearing. So was it in April, was it before, was it  
15 after April 1975 that you returned to Cambodia?

16 [09.15.41]

17 MR. SUONG SIKOEUN:

18 Mr. President, can I decide not to respond to this question?

19 Because it seems not relevant.

20 MR. PRESIDENT:

21 You are obliged to respond to this question. The question is also  
22 relevant as it's related to the history of the CPK.

23 MR. SUONG SIKOEUN:

24 A. I said I arrived in Phnom Penh in May. That's all I can say  
25 because regarding the exact date of my departure was something



6

1 that happened long, long time ago, but at least I can say I  
2 arrived in Phnom Penh in May 1975.

3 BY MR. DE WILDE D'ESTMAEL:

4 Q. Thank you, Witness. So you left Hanoi before Ieng Thirith  
5 returned to Cambodia?

6 [09.17.04]

7 MR. SUONG SIKOEUN:

8 A. I cannot recall it clearly. It might be possible that she had  
9 returned prior to my return.

10 Q. Thank you.

11 Now, I would like to turn to the evacuation of Phnom Penh. So the  
12 evacuation had already taken place because you told us that you  
13 returned in May 1975 and then you worked at B-20. But you said to  
14 us on Thursday that -- and this happened at around 15.54 in the  
15 draft transcript of last Thursday's hearing -- you mentioned  
16 different reasons that were given to you to justify the  
17 evacuation of Phnom Penh and you mentioned, in particular the  
18 fear of American bombings, and then you spoke about the fear of  
19 famine, and the third reason that was given or that you gave was  
20 -- I quote - "the evacuation of Phnom Penh was to disseminate the  
21 spy networks from the enemy" -- end of quote.

22 So I wish to know when you were explained these three reasons  
23 justifying the evacuation of Phnom Penh, if you remember the  
24 year, the place, and the circumstances when this was explained to  
25 you.

1 [09.18.51]

2 A. Regarding -- the three reasons for the evacuation of people  
3 from Phnom Penh were the summaries of what I was told. There was  
4 no document or no direct instructions from the leadership level  
5 as regarding to the clear 1-2-3 points, but that was my own  
6 conclusion and a summary.

7 Q. Thank you. When did they tell you about this? Were you still  
8 working at B-20 then or were you already working at B-1?

9 A. I think my answer is already clear. I cannot recall the date  
10 or -- or the location because it's been so many years already.  
11 And although my memory is still working, but I cannot recall in  
12 details, I just give you my own summary of the event as I recall  
13 it.

14 Q. Witness, somebody must have spoken to you about this and who  
15 was that person? Do you remember exactly who that person was?

16 [09.20.38]

17 A. I just said I am the one who summarized the event based on the  
18 document on my own understanding and of course nobody has to tell  
19 me regarding this point. I'm not a person who is blind or  
20 uneducated. I can do that.

21 MR. PRESIDENT:

22 Mr. Witness, you are reminded you have been informed of your  
23 rights and obligations prior to your testimony. You have the  
24 obligation to respond to the questions posed to you regarding  
25 what you have known, have remembered, and have witnessed or that

8

1 you have observed. As a witness, you shall not provide a  
2 testimony based on your subjective conclusion. The question is  
3 clear, and if you know, you say so, based on what happened that  
4 you have known. And if you cannot recall it, please state so, and  
5 that will be it.

6 [09.22.07]

7 Try to avoid a conclusion or your personal understanding of the  
8 event. Your personal conclusion can only count if you're an  
9 expert witness based on your profession and expertise.

10 Please try to understand the question clearly and respond within  
11 the limit of what you have been asked. And if you're asked to  
12 respond briefly, please say so and don't make any unnecessary  
13 comment in your response unless the points are relevant to the  
14 question.

15 And as you have been reminded, you will be questioned by hundreds  
16 of questions during these few days, so please try to save your  
17 energy in fulfilling your obligation as a witness before this  
18 Chamber and try to concentrate on the questions posed to you and  
19 respond accordingly. And if you're unsure of the question, you  
20 may ask it to be repeated or rephrased. You can either do it,  
21 actually, with the people who question you or through the  
22 Chamber.

23 [09.23.55]

24 BY MR. DE WILDE D'ESTMAEL:

25 Thank you, Mr. President. Let me try again with this question.

1 Q. Witness, I'm going to be quite clear. Who spoke to you about  
2 the fact that the purpose of the evacuation of Phnom Penh was to  
3 disperse the spy networks of the enemy?

4 MR. SUONG SIKOEUN:

5 A. Nobody told me about that. I heard it through the radio  
6 broadcast.

7 And I thank you Mr. President, for your reminder. I clearly know  
8 of my response of what I have to do and, importantly, I only know  
9 that there will be hundreds of questions for me so I will try to  
10 reserve my energy.

11 Q. And according to the radio -- radio broadcast and based on  
12 what you knew of what the Party was claiming, were there many spy  
13 networks -- many enemy spy networks in Phnom Penh?

14 A. I do not know. Because I was a -- an active member of the CPK  
15 then -- and as you're all familiar as a Party's member we had the  
16 clear task of knowing exactly the task that we were assigned to  
17 and we had to accomplish it within the framework of the task  
18 assigned. Regarding that kind of enemy, it was beyond my  
19 competence. Probably other units were responsible for that kind  
20 of task.

21 [09.26.21]

22 Q. And during the period when you were a member of the Party,  
23 which was a long period, did you hear about class struggle? Did  
24 anybody talk to you about class struggle?

25 A. Regarding class struggle, I had known about class struggles

10

1 before I even joined the Party or became the Party's member. I  
2 knew about class struggle when I read the book by Karl Marx and I  
3 knew about this subject matter since.

4 Q. And according to the Party, there was -- when any particular  
5 classes with which there was antagonism -- clear antagonism--

6 A. Mr. President, I'd like the prosecutor to clarify the  
7 question. In the Communist term or in the Communist Movement, it  
8 was based on the statutes. During the democratic revolution,  
9 during the socialist revolutions, there were various stages  
10 regarding the conflict so I'd like the prosecutor to clarify the  
11 question again.

12 [09.28.13]

13 Q. Yes, I'm speaking still about the period of the evacuation of  
14 Phnom Penh. Can you tell us what the different social classes  
15 were back then? Which were the strategic classes of the CPK,  
16 first of all, and then maybe you could talk to us about the other  
17 social classes?

18 A. Let me respond. The strategic class of the Communist Movement  
19 was not only within the CPK. Actually, the CPK, of the Khmer  
20 Rouge was a student comparable to that status of -- the Laos  
21 status. We were kind of a junior compared to other Communist  
22 movements. So the conflicts within the Party was that which  
23 clearly showed the Workers' Party was the kind of a leading class  
24 within the movement.

25 Q. Thank you. So we had the working class. But were there other

11

1 classes that figured within the class struggle? Who -- which  
2 class was fighting which other class?

3 [09.30.00]

4 A. (No interpretation)

5 MR. PRESIDENT:

6 Prosecutor, you may continue.

7 Mr. Prosecutor, please be reminded -- be reminded to simplify  
8 your questions so that it is conducive to exerting answer from  
9 the witness.

10 BY MR. DE WILDE D'ESTMAEL:

11 Thank you.

12 Q. Mr. Witness, when Phnom Penh was liberated and then evacuated,  
13 how many social classes were there in society, according to the  
14 Party? And kindly specify these social classes by name.

15 [09.31.56]

16 MR. SUONG SIKOEUN:

17 A. When people were being evacuated from Phnom Penh -- all people  
18 were evacuated without any exception, whether they be from  
19 proletarian class or feudal class or whatever class. They were  
20 all evacuated.

21 Q. Well, you've answered one of my prior questions, but you  
22 haven't answered about social classes.

23 Now, among the people who were evacuated, were there, for  
24 example, capitalists, feudalists, landowners, bourgeois?

25 A. I have already answered to that question. I said all classes

12

1 were evacuated out of Phnom Penh city.

2 [09.33.10]

3 Q. In a few seconds, I'm going to be showing you a document, Mr.  
4 Witness. But prior to that, I shall ask you one or two  
5 preliminary questions about the person who is allegedly the  
6 author of the document.

7 Do you know Mr. Thiounn Prasith, and did he work in the Ministry  
8 of Foreign Affairs during the Democratic Kampuchea regime?

9 A. Yes, I know Mr. Thiounn Prasith. He was one of my close  
10 friends and he worked with the Ministry of Foreign Affairs.

11 Q. Would you be able to recognize something that he had written,  
12 given that he was a close friend?

13 [09.34.08]

14 A. Could you please ask the prosecutor to ask the question?

15 Because he actually wrote in many different languages -- in  
16 Khmer, French, and English. So could the Prosecution be directed  
17 to put a precise question as to the language? And to my  
18 understanding, he may have asked me about his writing in Khmer.

19 Is my understanding correct that you are talking about his  
20 writing in Khmer?

21 Q. Yes, in Khmer.

22 A. It depends on the document, but to the best of my knowledge,  
23 Mr. Thiounn Prasith more often than not wrote in English rather  
24 than Khmer.

25 Q. But nevertheless I imagine that you could tell us if

13

1 indications on a document by Thiounn Prasith are indeed his own,  
2 since you were a close friend of the man.

3 [09.35.43]

4 MR. PRESIDENT:

5 Yes, National Counsel, you may proceed.

6 MR. KONG SAM ONN:

7 Through the translation, it seems that the question by the  
8 Prosecution elicits the conclusion from the witness, and I think  
9 that if that question is correct through that translation -- I  
10 think that question is not appropriate, because it will induce  
11 the witness to draw a conclusion.

12 BY MR. DE WILDE D'ESTMAEL:

13 Q. Let me reformulate. As a close friend of Mr. Thiounn Prasith,  
14 do you think that you would be able to recognize this person's  
15 identification data on a document, by which I mean his name, his  
16 revolutionary name, the person he's married to, and so forth?

17 [09.37.02]

18 MR. SUONG SIKOEUN:

19 A. Yes, I can recognize it because I know him very well --  
20 whether it be written in Khmer or in Latin, whether French or  
21 English. But it has been long times since then, so I need to see  
22 the document. But if I look at his writing in Khmer, I know that  
23 his handwriting is not that good. For other people they might  
24 have good handwriting I can recognize, but for his case I have to  
25 see the document.



14

1 Q. Thank you, Mr. President.

2 I'd like to show the witness D366/7.1.831. This is a biography by  
3 Mr. Thiounn Prasith -- or that is what it's believed, anyway --  
4 on Democratic Kampuchea written in 25th of December 1976. And the  
5 precise pages that we could show are right at the very start --  
6 the very first page -- and then page 19 in Khmer, which has  
7 number 00069554; in French, its page 13, ERN 00810048; and in  
8 English, it's page 12, 00082507.

9 [09.38.50]

10 Now, with your permission, Mr. President, I would like to show  
11 the document in Khmer to the witness, and also have it up on the  
12 screen.

13 (Judges deliberate)

14 [09.41.25]

15 MR. PRESIDENT:

16 You may proceed.

17 Court officer is now instructed to obtain the document from the  
18 Prosecution and present it to the witness for his examination.

19 BY MR. DE WILDE D'ESTMAEL:

20 Q. If the witness could kindly look firstly at the first page,  
21 which shows the names, the revolutionary names, and the people --  
22 American status of the document writer, the wife's name and the  
23 children's name, and so forth, and kindly tell us if we are  
24 indeed looking at something by Thiounn Prasith from the Ministry  
25 of Foreign Affairs--

15

1 MR. PRESIDENT:

2 Witness, please hold on because the defence counsel for Nuon Chea  
3 is on his feet.

4 [09.42.37]

5 You may proceed.

6 MR. PAUW:

7 Thank you, Mr. President. And good morning to everyone. I object  
8 to this technique of questioning by the Co-Prosecutor.

9 First, he announces he's going to speak about a document. Then he  
10 announces he's going to speak about the author of the document.

11 Then there's about five questions relating to Thiounn Prasith.

12 The way these questions are asked now, with the witness being  
13 asked to confirm whether or not this is, indeed, a document by

14 Thiounn Prasith -- I think the probative value, by this time --

15 now that the Prosecution has already spent five minutes talking  
16 about Thiounn Prasith -- will be nil. And I think the way

17 questions are formed in combination is a suggestive line of

18 questioning and I object to this.

19 MR. DE WILDE D'ESTMAEL:

20 Mr. President, I don't think I'm trying to suggest anything at  
21 all.

22 [09.43.44]

23 I'd like to ask the witness if the data regarding the identity of  
24 this person does indeed correspond to the individual he knew in

25 B-1. It's as simple as that.

16

1 MR. PRESIDENT:

2 Objection by the international defence counsel for Nuon Chea and  
3 his ground for objections are correct. And the question is  
4 leading by nature because the questions indicate the names of the  
5 author and then, later, the document be put to the witness for  
6 examination.

7 [09.44.36]

8 So the Co-Prosecutor should refrain from framing the question in  
9 such a manner. So you may reframe your question.

10 BY MR. DE WILDE D'ESTMAEL:

11 Thank you, Mr. President.

12 Q. Mr. Witness, could you tell us who the author of this document  
13 is and if you recognize this author, his writing, and the  
14 identity data?

15 MR. PRESIDENT:

16 Counsel, you may proceed.

17 [09.45.27]

18 MR. PAUW:

19 Thank you, Mr. President. I recognize that the Prosecution has  
20 rephrased his question, but the question is still substantively  
21 exactly the same.

22 First, he feeds the witness with the information that, according  
23 to at least the Prosecution, the author of this document is  
24 Thiounn Prasith then asks the witness to confirm it. It's simply  
25 a leading question.

17

1 I mean, what the Prosecution could have done is to show the  
2 witness the document, ask him do you recognize the author, do you  
3 recognize the handwriting of -- that we can find on this  
4 document.

5 [09.45.58]

6 Then, perhaps, there could be follow-up questions as to Thiounn  
7 Prasith. But the Prosecution should not be allowed to do it the  
8 other way around.

9 MR. DE WILDE D'ESTMAEL:

10 Mr. President, in this courtroom, it is normal to ask certain  
11 questions to see if somebody is able to identify a document, and  
12 that is what I did. If the witness then goes on to admit that he  
13 recognizes Mr. Thiounn Prasith, I think it's fairly legitimate to  
14 ask him if he recognizes the document or not. Whether the Defence  
15 wills this or not, the name on the first page of the biography is  
16 that of the individual.

17 MR. PRESIDENT:

18 The objection by the defence counsel is sustained.

19 [09.47.02]

20 So prosecutor may move on to the question, because just now you  
21 identify the author and the identity of the document before you  
22 put the question to the witness, so this question is leading.

23 That's why -- the reason -- objection. So you may move on.

24 Please move on to the next question, and if you do not have any  
25 further question that may lead the witness concerning this

18

1 document, then you may consider using other documents. There are  
2 many other issues concerning this particular witness. You may now  
3 move on.

4 MR. DE WILDE D'ESTMAEL:

5 Mr. President, am I at least allowed to ask the witness if he  
6 knows the author of the document that has been put to him, or  
7 must I move on to another subject?

8 [09.48.17]

9 MR. PRESIDENT:

10 Since you put the leading question, so I think that other  
11 follow-up questions will be leading, because this document was  
12 already identified as the one belongs to Suong Sikoeun -- Thiounn  
13 Prasith.

14 So it appears that the witness had that idea already concerning  
15 that document, so even if you rephrase your question, it still  
16 remains leading.

17 (Judges deliberate)

18 [09.49.53]

19 The Co-Prosecutor, you may proceed. Well, you can put further  
20 question on substantive content of this document.

21 MR. DE WILDE D'ESTMAEL:

22 Thank you, Mr. President. In fact, I wanted to read an extract  
23 from the biography, which we believe is the biography by Thiounn  
24 Prasith. And as I said now, it's page 13 in the French version,  
25 page 19 in Khmer, and page 12 in the English. And I'd like to

19

1 read out an extract and then ask the witness for his reaction to  
2 that extract. It begins with the title "2. Socialist Revolution  
3 in Cambodia", on the page I gave you.

4 [09.50.55]

5 Am I allowed, Mr. President, to put the extract on the screen?

6 MR. PRESIDENT:

7 You may proceed.

8 BY MR. DE WILDE D'ESTMAEL:

9 Q. Very well. I'll read out the extract which is going to be  
10 projected on the screens in a minute. It goes as follows:

11 "2. Socialist Revolution in Cambodia.

12 "Before returning back to the country in late 1975, I did not  
13 notice that April the 17th, 1975, was the end of the People's  
14 Democratic Revolution. I thought that the revolution would be  
15 maintained for a certain amount of time. I did not realize that  
16 there had been major measures, such as the evacuation of people  
17 and the abolition of the currency. Then I realized that these  
18 were very important acts to continue the socialist revolution and  
19 to establish socialism. Then I realized that these were very  
20 important acts that need to be done after an exhausting war." End  
21 of quote.

22 [09.52.48]

23 What I want to know, Mr. Witness, is if what is written in this  
24 extract is the same as what you heard on the radio, or from  
25 certain members of the CPK with respect to the abolition of

20

1 currency and evacuation of Phnom Penh.

2 MR. PRESIDENT:

3 Witness, please hold on.

4 Counsel Karnavas, you may proceed.

5 MR. KARNAVAS:

6 Thank you, Mr. President.

7 [09.53.20]

8 Good morning, Your Honours, and good morning to everyone in and  
9 around the courtroom. If we read the passage carefully, it talks  
10 about someone's state of mind. Now he's being asked to comment on  
11 a state of mind. He's asking for this gentleman to read the state  
12 of mind of another witness who gave this biography, and to draw  
13 some sort of conclusion. We find it improper.

14 MR. DE WILDE D'ESTMAEL:

15 Mr. President, this brings us into what the witness himself said,  
16 which was that the evacuation of Phnom Penh was not supposed to  
17 disperse enemy networks. I simply want to have the witness's  
18 reaction to what was stated in a biography. Obviously, in a  
19 biography, you're not going to say something that runs counter to  
20 the Party line. Obviously, it's going to in keeping with it.

21 (Judges deliberate)

22 [09.55.36]

23 MR. PRESIDENT:

24 The objection and the grounds for objections by the international  
25 defence counsel for Mr. Ieng Sary is not valid and does not

1 sustain.

2 [09.55.37]

3 So the Chamber will direct the witness to respond to the last  
4 question posed by the prosecutor. Witness is now instructed to  
5 respond to the last question put by the Prosecution if you can  
6 still recall. Otherwise I suggest the Prosecution put the last  
7 question again.

8 MR. SUONG SIKOEUN:

9 A. Thank you, Mr. President. I would appreciate it if the  
10 Prosecution could repeat the question.

11 BY MR. DE WILDE D'ESTMAEL:

12 Q. Yes. In the extract which we read out, there was reference to  
13 "major measures" the evacuation of the population, the abolition  
14 of the currency.

15 [09.56.36]

16 And the comment made by the author of the document was to say  
17 that these were extraordinary measures of which he hadn't fully  
18 realized the significance at the time regarding the class  
19 struggle, the continuation of socialism, building socialism in  
20 the country.

21 Now, is what he said here in this document the same as what you  
22 may have heard on the radio or from the Party itself about the  
23 cancellation of the currency and the evacuation of Phnom Penh?

24 A. To my knowledge, the evacuation -- I mean, of all socialist  
25 countries, only Cambodia evacuated people out of the city, and



22

1 they abolished currency. And Mr. Thiounn Prasith shared the same  
2 sentiment with me as well that it was not the practice in other  
3 socialist countries. Even in China, they evacuated people out of  
4 the city, but currency were put in circulation. So that's all I  
5 could answer to that question. And to my understanding, this was  
6 something extraordinary in Cambodia.

7 [09.58.19]

8 Q. Thank you.

9 I'd now like to look at a different extract from the biography  
10 that you gave the Investigating Judge. It's document D504.3 and  
11 D154/3. I'd like to look at 0035122; in French, 00290787; and in  
12 English, 00816742.

13 MR. PRESIDENT:

14 You may proceed.

15 Court Officer, please obtain the hard copy document from the  
16 Prosecution and present it to the witness for his examination.

17 [10.00.14]

18 BY MR. DE WILDE D'ESTMAEL:

19 Witness, you gave the French version to the Co-Investigating  
20 Judges such as was translated from English. And does -- is the  
21 Khmer version the revolutionary biography that you wrote in the  
22 times of Democratic Kampuchea which you gave to the  
23 Co-Investigating Judges in the French version?

24 MR. SUONG SIKOEUN:

25 A. The document that I have in my hand is the -- actually my

1 biography.

2 Q. Thank you. So, on the page 3501 -- 3502 in Khmer, you said the  
3 following -- you said:

4 "I was in full agreement with the Party, conceptually as well as  
5 in regard to abolition of currency and of markets, salaries and  
6 the evacuation of the city populations, as well as in terms of  
7 cooperatives and the continuation of the socialist revolution and  
8 the construction of socialism, etc."

9 [10.01.59]

10 Were all of these questions important questions, issues that the  
11 Party had decided on and, therefore, that you could not contest  
12 in any case when writing a biography?

13 A. As a Party's member who would serve the task assigned to that  
14 member, we had to implement the Party's lines. For that reason,  
15 whatever decided by the Party -- whatever assigned by the Party,  
16 we would adhere to it and accomplish it. And there wasn't -- if  
17 nothing was a necessity for the Party, or what else, whatever it  
18 was, we would not bother asking all those questions. We would  
19 just adhere to the task and try to accomplish the tasks that were  
20 assigned by the Party.

21 MR. PRESIDENT:

22 The International Counsel for Nuon Chea, you may proceed.

23 [10.03.29]

24 MR. PAUW:

25 Thank you, Mr. President. No objection, but I cannot see the

24

1 document on the screen and I am informed that other parties  
2 cannot see any documents either. So maybe there is a technical  
3 problem, and perhaps before we proceed, it should be resolved.

4 BY MR. DE WILDE D'ESTMAEL:

5 Mr. President, I will return to this biography a little later on,  
6 as well as to the circumstances in which it was written. So I  
7 will not put any questions regarding this biography right now, so  
8 we will have the time to sort out this technical problem.

9 Q. Now I wish to turn to another chapter. And I am perfectly  
10 aware of the fact that you are not here as an accused person, but  
11 I simply would like you to shed light on the events that happened  
12 between 1975 and 1979. I would like to put to you a few questions  
13 regarding your relationship with Ieng Sary.

14 [10.04.32]

15 Last Thursday, you said that you had met him probably at the  
16 beginning of 196-- 1957, and that he had accepted your request to  
17 become a clandestine member of the Resistance Movement, and you  
18 also mentioned that in October or November 1957, Ieng Sary wrote  
19 a letter to Khieu Samphan and Khieu Samphan, after having  
20 received the letter, admitted you as a member of the circle of  
21 the Marxist-Leninist students in Paris. And then you also said  
22 that you became a full rights member of the CPK in 1971 during a  
23 ceremony that's -- that was presided over by Ieng Sary at his  
24 home.

25 And as a full rights member of the CPK, did Ieng Sary ask you to

25

1 do something special for the Party, within the FUNK?

2 MR. SUONG SIKOEUN:

3 A. Well, I was a member of the FUNK in Beijing in 1970 through  
4 '73 and mid '74. Ieng Sary appointed me as a representative of  
5 the AKI in Beijing.

6 [10.06.30]

7 Q. Thank you. And then, a little later on -- and let's revisit  
8 the trip you did to Africa and Europe with Ieng Sary, Khieu  
9 Samphan, April 1974. And who told you that you would soon be  
10 returning to Cambodia? I believe that you were told this in the  
11 airplane.

12 A. At that time, it was Ieng Sary.

13 Q. Thank you. And in May 1974, when you accompanied Ieng Sary and  
14 Khieu Samphan on an official visit to Hanoi and to a liberated  
15 zone in Laos, who then ordered you to stay in Hanoi to work for  
16 the Voice of the FUNK with Ieng Thirith?

17 A. It was the same; that was Mr. Ieng Sary.

18 [10.07.44]

19 Q. And last Thursday you spoke about a stay at B-20 for about a  
20 month. After that, where did you work -- for which ministry?

21 A. At that time, the Ministry was not yet formed. I was working  
22 with Mr. Ieng Sary who was my superior.

23 Q. And then, did you join the Ministry of Foreign Affairs later?  
24 And who ran this Ministry?

25 A. The Ministry of Foreign Affairs was led by Mr. Ieng Sary in

1 his capacity as the deputy prime minister in charge of Minister  
2 (sic) of Foreign Affairs.

3 Q. Did you work at the Ministry of Foreign Affairs until January  
4 1979?

5 A. Yes, I worked there until January 1979.

6 Q. So we will revisit the different duties you were entrusted  
7 with at the Ministry of Foreign Affairs. But a question beyond  
8 this: After 1979, did you continue working with Mr. Ieng Sary, in  
9 particular within the DNUM?

10 MR. SUONG SIKOEUN:

11 Mr. President, do I have to respond to this question? Because  
12 it's beyond the scope of the Chamber.

13 [10.10.01]

14 MR. PRESIDENT:

15 The National Counsel for Ieng Sary, you may proceed.

16 MR. ANG UDOM:

17 Good morning, Mr. President, Your Honours. Good morning,  
18 everyone. Good morning, Mr. Witness. The question by the  
19 Prosecution is far beyond the temporal jurisdiction of the ECCC  
20 and it's beyond the 1979, and it is out of the scope of this  
21 trial, and we'd like to object to that question.

22 MR. DE WILDE D'ESTMAEL:

23 I'm aware, President, that we are beyond 1979, but this is simply  
24 to understand whether the witness continued to have contact with  
25 Ieng Sary after 1979. But I will not pursue this further.

1 (Judges deliberate)

2 [10.12.03]

3 MR. PRESIDENT:

4 The objection and ground by the national counsel for Ieng Sary is  
5 not sustained.

6 The Chamber -- we want to hear the response to the question last  
7 asked by the prosecutor. Witness, please respond to the last  
8 question.

9 MR. SUONG SIKOEUN:

10 Prosecutor, could you please repeat your last question?

11 MR. PRESIDENT:

12 Prosecutor, please repeat your last question, as he may not  
13 recall exactly what you asked.

14 [10.12.44]

15 BY MR. DE WILDE D'ESTMAEL:

16 Q. Yes, I simply wanted to know if -- whether after 1979 you  
17 continued working with Ieng Sary, in particular within the DNUM  
18 movement -- the Democratic National Union Movement.

19 MR. SUONG SIKOEUN:

20 A. Mr. President, I'd like the prosecutor to clarify, as there  
21 was a new historical context. I could both say that I continued  
22 to working with Ieng Sary, or that I started working with  
23 somebody else. I'd like to know the exact date of the time  
24 period. Could you please try to limit or specify the time period  
25 in your question?

1 [10.13.43]

2 Q. Yes, Witness, let's take a leap in time. We're going to speak  
3 about the date when the DNUM was created and we will continue on  
4 into Ieng Sary's redition in Phnom Penh, so that is to say until  
5 1996.

6 A. After 1979. Actually, what I wanted you to clarify is that  
7 Ieng Sary actually gave me instructions, but he did not have the  
8 authority to decide on the assignments that were tasked to me.  
9 Decisions were made at a Standing Committee level, and in  
10 particular by Pol Pot. So my assignments were not done by Ieng  
11 Sary. It was ordered by Pol Pot. So Pol Pot first had to make the  
12 decisions, then the ministers in charge would issue such orders  
13 or relay just such orders or instructions to the subordinate. And  
14 that's how they command hierarchy works.

15 [10.15.49]

16 Q. I'm not sure you answered my question, Witness. I was speaking  
17 about a period after 1979. I was speaking about the 1980s and  
18 1990s.

19 But, however, let me return to May 1975 and to the period that  
20 extended into January 1979. And you said that you worked for Ieng  
21 Sary during that period. Were you a close collaborator of Ieng  
22 Sary during that period?

23 MR. SUONG SIKOEUN:

24 Mr. President, I don't really understand the word "collaborator".  
25 What does it mean to by that? I'd like the prosecutor to clarify

1 that term further.

2 BY MR. DE WILDE D'ESTMAEL:

3 Q. Yes. We will return to the different duties you held within  
4 the Ministry of Foreign Affairs. As an employee at B-1, were you  
5 close to Ieng Sary -- close in professional terms?

6 [10.17.18]

7 MR. SUONG SIKOEUN:

8 Mr. President, I'd like the prosecutor to clarify the word  
9 "closely". Frankly speaking, I don't want to speak too much, but  
10 it seems that when a question is put to me by the international  
11 prosecutor, it doesn't seem that they are not familiar with the  
12 situations in Cambodia, neither the movement of that regime at  
13 the time. And what you refer to by the term "closely"? Could you  
14 please specify? Because, as a Party's member, we are not closely  
15 related as individuals; we are closely to the Party's lines. We  
16 are closely -- we closely worked with those who were assigned to  
17 a similar task. It doesn't mean that I had to -- just to work  
18 based on whatever he assigned. I had to adhere to the tasks that  
19 were assigned to me, and not by him personally.  
20 And of course, the subordinates had to adhere to the instructions  
21 from the superior. The minority had to listen to the majority.  
22 That were just some of the principles that we had to adhere to.  
23 But it seems, 14 years working in Cambodia do not understand the  
24 context of the country, and probably they had to understand the  
25 right movement -- or the movement of the Khmer Rouge first.



30

1 [10.19.19]

2 I don't want to wander into these things, but it is very  
3 difficult for me to define the term - quote -- "closely" --  
4 unquote. If you talk about the "closely related", of course I  
5 knew him since I was young. I knew his wife as well, but it does  
6 not mean that I just blindly followed him in terms of whatever he  
7 assigned to me.

8 In general, it's the same thing when it comes to Mr. Khieu  
9 Samphan. I'd like to tell you we're the Communist, and we are the  
10 members of the Leninist -- Marxist-Leninist Circle in France. The  
11 Movement was solid, was very strong, despite some contradictions,  
12 or we understood things differently. We loved each other as  
13 brothers and sisters. So I feel the pain when the Khmer Rouge  
14 leaders fought amongst themselves. And of course, I felt the pain  
15 when I saw the brothers who were sitting on the other side--

16 [10.20.50]

17 MR. PRESIDENT:

18 Mr. Witness, you have been reminded on a number of occasions that  
19 -- try to limit your response to the question or the content of  
20 the questions put to you, and try not to make unnecessary  
21 comments. It would be a waste of your time and energy, so that we  
22 can to conclude today the assigned scheduled to hear your  
23 testimony. Please, try not to make comments which would affect  
24 other parties who will later put questions to you. Just respond  
25 based on your knowledge.

31

1 The Prosecution, you may continue with your questioning.

2 BY MR. DE WILDE D'ESTMAEL:

3 Thank you.

4 [10.21.41]

5 MR. DE WILDE D'ESTMAEL:

6 Witness, I was simply basing myself on the terms that appear in  
7 your statement and that were translated into French. And in this  
8 regard, I wish to read an excerpt from your statements -- that  
9 is, E3/42, which is also referred to as D167. This is a statement  
10 you made on 6 May 2009. And I wish to give a copy to the witness  
11 of the documents and to read an excerpt which, in Khmer, is at  
12 page 00327209 through 010; in French, it is on page 8; and in  
13 English, the ERN is 00327219.

14 And with your leave, may we please display part of this answer on  
15 the screen?

16 MR. PRESIDENT:

17 You may proceed.

18 Court Officer, could you bring the hard copy of the document for  
19 the witness examination?

20 [10.23.10]

21 MR. DE WILDE D'ESTMAEL:

22 I'm not going to read everything but I'm just going to read the  
23 answer you provided to -- to the following question. And the  
24 answer is:

25 "Ieng Sary did not inform me personally. He said this during a

1 meeting at the Department of General Politics, if I remember  
2 correctly, which his closest collaborators attended -- that is to  
3 say, Thiounn Prasith, Keat Chhon, Touch Kham Doeun, Ok Sakun,  
4 Chan Yourann, Pech Bunreth, and myself, as well as Saur Se, who  
5 was a secretary of the Party's cell. Thiounn Prasith and Keat  
6 Chhon were accused of being CIA agents, and the Security  
7 Committee wished to arrest them. Ieng Sary explained that the  
8 ministry could not operate without them, and you must understand  
9 that he had complete trust in them. All of these people, like me,  
10 were part of the Marxist-Leninist group of Khmer Students in  
11 Paris, of which Ieng Sary was the founder with Keng Vannsak and  
12 Rath Samoeun."

13 So, in this segment, "close collaborators" and "trust" are  
14 mentioned. So, Ieng Sary, did he trust you in his work?

15 [10.25.07]

16 MR. SUONG SIKOEUN:

17 A. It is difficult for me to respond. During the class struggles  
18 and the struggle internally, the word "trust" was difficult to  
19 define. We judge a matter based on the reflection of the Party's  
20 line. I don't want to say that we should go back and ask him.  
21 That's not appropriate. However, there was a limit to the word  
22 "trust", because there was not a hundred per cent trust. It  
23 doesn't exist that way. Let's say it's 51 per cent. That's just  
24 the percentage I could give. This is just for the sake of the  
25 understanding.

33

1 The word "trust" within the internal Party was not really a  
2 matter. Everything was an evolution -- was a resistant. For  
3 example, at one point in time we trusted our leaders, but at  
4 another time, the trust could change according to the situation.  
5 And that is my response.

6 [10.27.06]

7 Q. Thank you.

8 I wish now to return to the different duties you had within the  
9 Ministry of Foreign Affairs. Can you tell us, quickly, what were  
10 the different duties that were entrusted to you successively  
11 within the Ministry of Foreign Affairs between 1975 and 1979? And  
12 then we will return to some of these duties later.

13 A. I'd like to say that Mr. Ieng Sary, at the Ministry of Foreign  
14 Affairs, assigned to the three of us -- that is, Keat Chhon and  
15 another friend of mine who was a member of the Marxist-Leninist  
16 Circle, Tun Sirinn and myself to organize the Ministry of Foreign  
17 Affairs, which was at the time known as "Pteah Kaong", which is  
18 the current Council of Ministers.

19 And later on, also in 1975, I was in charge of the Southeast Asia  
20 and the Europe sections, and later on I became -- from June '77,  
21 I was the Director of Information and Propaganda of the MFA and a  
22 spokesperson for the ministry until 1979.

23 [10.29.00]

24 Q. Were you also the Deputy Director of Protocol and of Politics?

25 A. Yes, I forget. I was the deputy director of a protocol

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1 section, and a member of the protocol section of the MFA. And the  
2 MFA – and for that section was charged by Ieng Sary himself.

3 Q. Thank you. Who was the head of protocol when you were the  
4 deputy?

5 A. It was Madame Saur Se, the wife of Pech Bunreth. Pech Bunreth  
6 was the representative of Democratic Kampuchea through the ESCAP  
7 in the ASEAN Pacific.

8 [10.30.18]

9 Q. Were you also responsible for the Kampuchea Press Agency after  
10 1975? There was reference to this during your stay in Peking. But  
11 after May '75, were you in charge of the agency in its entirety?

12 A. In Cambodia, Pol Pot assigned me to be the Director of the  
13 Information Agency. It is -- It was Kampuchea Information or  
14 Press Agency.

15 MR. PRESIDENT:

16 Thank you.

17 The time is now appropriate for an adjournment. The Court will  
18 adjourn until 10 to 11.00.

19 Court officer is instructed to facilitate the place for the  
20 witness and his duty counsel and have them back before us by 10  
21 to 11.00.

22 The Court is now adjourned.

23 (Court recesses from 1032H to 1052H)

24 Mr. PRESIDENT:

25 Please be seated. The Court is now back in session.

35

1 I note that defence counsel is on his feet. You may proceed.

2 MR. PAUW:

3 Thank you, Mr. President. I will be very brief but I just wanted  
4 to give the Trial Chamber notice that we will be filing a written  
5 Rule 35 motion later this week in connection with Mr. Hor  
6 Namhong's statements in the "Phnom Penh Post" and the "Cambodia  
7 Daily" last Friday.

8 His statements amount to an interference with the--

9 [10.53.42]

10 MR. PRESIDENT:

11 You are not allowed to proceed.

12 And the Chamber has already advised parties already that if there  
13 is any issue to be raised, you may submit it in writing to the  
14 Chamber so that the Chamber has the basis for its decision.

15 I now hand over to the Prosecution to continue his line of  
16 questioning.

17 BY MR. DE WILDE D'ESTMAEL:

18 Thank you, Mr. President.

19 Q. Before we break for coffee, Mr. Witness, we were talking  
20 briefly about the AKI, the Kampuchea Press Agency, and you were  
21 appointed as director. And who, in fact, proposed your name?

22 [10.54.52]

23 MR. SUONG SIKOEUN:

24 A. No, it was not at the behest of anyone, but he appointed me by  
25 himself.

1 MR. DE WILDE D'ESTMAEL:

2 Mr. President, there's a very small sentence I'd like to quote in  
3 document E3/100 or D91/25. I don't know if we need to put it on  
4 the screen, but the witness says in that that Pol Pot appointed  
5 him on a proposal from Ieng Sary.

6 If necessary, I can give the references for this. In Khmer it's  
7 00204148; in French, it's page 3; and in English, it's 00223636.

8 If you wish, sir, we can have this put up on the screen so the  
9 witness can see it, or if not, we can simply ask the witness for  
10 his reaction to what he in fact said to the Investigating Judges.

11 [10.56.36]

12 MR. PRESIDENT:

13 Court Officer, please obtain the hard copy document from the  
14 prosecutor and present it to the witness, and please make sure  
15 that the document is up on the screen as well.

16 BY MR. DE WILDE D'ESTMAEL:

17 Q. In the quote, Mr. President, and the page 3 in the French:

18 "On the proposal from Ieng Sary, Pol Pot assigned me to take  
19 charge of the Kampuchea Press Agency regarding work in foreign  
20 languages and the morning broadcast. I received instructions from  
21 Ieng Sary." End of quote.

22 So, Mr. Witness, what did the AKI Agency do? What was its  
23 purpose?

24 [10.58.08]

25 MR. SUONG SIKOEUN:

1 A. According to this document, on section 2 concerning  
2 Information Office, Pol Pot appointed me at the behest of Ieng  
3 Sary -- or as proposed by Ieng Sary. When I gave this testimony,  
4 I did not read this part carefully. Actually, it was not the  
5 case. At that time, Mr. Ieng Sary did -- neither disagreed or  
6 agreed to the appointment, because it did not have any impact on  
7 my work with the Ministry of Foreign Affairs.

8 And this Information Agency was supposedly be within the  
9 portfolio of Ministry of Information and Propaganda. But then it  
10 was given to me, so I did not really understand the term  
11 "proposed by Ieng Sary" in this context. But as a matter of fact,  
12 Mr. Ieng Sary did not agree with the contents of this appointment  
13 and I did not accept the appointment.

14 But then Pol Pot told me that it was not a big issue, because I  
15 could merely produce only five articles per day. And I told him  
16 that, well, it was not difficult, then, if I produced only five  
17 articles or so; if it were up to 20 or 30 articles, then it would  
18 be difficult and challenging.

19 [11.00.01]

20 But actually, it was not the AKI, but it was the AKP. During the  
21 Sangkum Reastr Niyum, it was the AKP. But during the Democratic  
22 Kampuchea it tends to be Kampuchea, but they used the same  
23 acronym.

24 Q. Thank you. So what did this AKP Agency do? What articles did  
25 you write and for whom?



1 A. It was also the Information Agency in order to disseminate  
2 information, both local news and international news. So it was in  
3 a similar situation to other news or information agencies.

4 Q. And in the excerpt that I read out to you earlier, it is  
5 stated that you were also the head of the Foreign Language Bureau  
6 of the Democratic Kampuchea Press Agency. So which languages --  
7 foreign languages were broadcasted?

8 A. At that time, I was in charge of writing, translating, and  
9 broadcasting. So, during the 1977 or '78 I usually worked until  
10 4.30 a.m. in the morning, as the voice had to be recorded before  
11 it is delivered to be broadcast at the radio station in Stueng  
12 Mean Chey. During these two years, per day I only had half an  
13 hour rest, and the broadcast was made in Vietnamese, English,  
14 French, Chinese and it was prepared to be also broadcast in the  
15 Thai language.

16 [11.02.55]

17 Q. We understand who would be listening to the programs in  
18 Chinese, but what about French and English? How can you explain  
19 that there were broadcasts, radio broadcasts in those languages  
20 and for whom?

21 A. In fact, the English broadcast was also intended for the  
22 Southeast Asian countries. Also in Vietnam and Laos people also  
23 listened to our English broadcast.

24 [11.03.36]

25 Q. And now, regarding the content of these programs, what were

1 these programs about exactly? Were these propaganda programs, or  
2 were these speeches, or were these reportages on events occurring  
3 in Cambodia? Can you tell us a bit more about the content of the  
4 program?

5 [11.04.08]

6 A. The broadcast was about the production activities, about the  
7 events occurring inside the country, also about the activities at  
8 the international level by the leadership.

9 Q. And who gave you instructions in regard to the foreign  
10 language radio broadcasts?

11 A. The broadcast was far from the charge of Ieng Sary. I was  
12 directly charged in this regard by Pol Pot.

13 Q. And you said that you had been nominated head of the  
14 propaganda and information department as of June 1977. How were  
15 your duties different from those at the AKI and at the AKP? And  
16 what did this department do within the Ministry of Foreign  
17 Affairs?

18 [11.06.13]

19 A. That section directly related to the international activities,  
20 including international news, or the dissemination of information  
21 of our diplomatic activities at various other countries. Also it  
22 would broadcast -- it would deal with the credentials of other  
23 diplomatic activities in the Democratic Kampuchea.

24 Q. And in this information and propaganda department within the  
25 ministry, was there also a translation section to translate press

1 articles or documents into -- from foreign languages to Khmer?

2 A. Translation was done to both ways, from Khmer into foreign  
3 languages and vice versa. It was a daily task of that section.

4 Q. And among the documents to be translated into Khmer, were  
5 there articles coming from Western countries, articles relating  
6 to Cambodia?

7 [11.08.09]

8 A. I cannot recall it. However, that was not the direct task of  
9 that section, since there were other assigned sections to deal  
10 with this matter besides the Ministry of Foreign Affairs.

11 Q. And was there a department in charge of listening to foreign  
12 radio broadcasts within the Ministry of Foreign Affairs?

13 [11.08.48]

14 A. Yes, it was my section charged in listening to the broadcast  
15 in French, English, Chinese, and Vietnamese languages of the  
16 foreign broadcast.

17 Q. And why did you listen to these foreign language radio  
18 broadcasts? What was the purpose of this, were you asked to  
19 report on the content of these broadcasts?

20 A. Yes, there was a daily, weekly, and monthly bulletins  
21 regarding that broadcast. It was to deal with the foreign  
22 broadcast in relation to the context of the situation inside  
23 Democratic Kampuchea.

24 Q. And among these radio programs, were any of them from Radio  
25 France Internationale, or from the BBC, or from Voice of America,

41

1 or from other international radio stations of this kind?

2 A. Yes, there were. I was in charge of listening to all those  
3 radio broadcasts.

4 Q. And in these broadcasts, were any -- was there any mention of  
5 crimes committed by Democratic Kampuchea against its own  
6 population?

7 A. Usually, yes. There was some programs related to that,  
8 however, I did not report that matter through the leadership.

9 [11.11.17]

10 Q. And as Ieng Sary's subordinate, weren't you obliged to report  
11 on the content of these radio broadcasts?

12 A. My duty was to broadcast and to report, and as I knew him that  
13 was his proposal. That I should report to him of what exactly was  
14 reported and try not to limit or omit anything. However, the  
15 report was made to him verbally, but if I were to report to him  
16 in writing then the report would go through the committee and  
17 that would be a different matter.

18 Q. I'm not sure I understood exactly what you just said. So you  
19 would report orally to Ieng Sary on the content of the radio  
20 programs we just spoke about -- that is to say, radio programs  
21 from -- foreign radio programs that were accusing the regime for  
22 crimes committed within Cambodia. So was Ieng Sary made aware by  
23 yourself of the contents of these programs?

24 [11.13.01]

25 A. As I said, that was his proposal, that I shall report to him

42

1 exactly the reports made by other foreign broadcasts and his  
2 instruction was the accuracy of what was reported that I shall  
3 not add or omit anything, and as I knew him that what his  
4 instruction, he did not like to add or delete anything. He only  
5 liked things exactly as it was and for that reason that's how it  
6 was reported to him and there was no problem.

7 The situation at that time, if I reported as what was broadcast  
8 on the VOA, then I would be accused that I would have the same  
9 view as that broadcast on that VOA for example. So I tried to be  
10 a pacifist. But personally, when I reported to him, he did not  
11 have that same view. I reported to him as he was in charge of  
12 the Ministry of Foreign Affairs and he himself shall know about  
13 all the situations of what exactly happened, not based on our  
14 subjective conclusion or estimation, or not try -- just try to  
15 please him or other leadership.

16 And that's the point that I lied to stay alive upon during the  
17 time that I worked with him.

18 [11.15.07]

19 Q. Thank you. Did Ieng Sary told you if he related this  
20 information you gave him regarding these allegations of crimes to  
21 other leaders of Democratic Kampuchea?

22 A. I do not know.

23 Q. What were your duties as a spokesperson of the Ministry of  
24 Foreign Affairs and who was your direct superior?

25 A. Ieng Sary was my direct superior. However, in some other

1 sections or tasks, I directly worked for Pol Pot in his capacity  
2 as the Party's secretary. In that capacity he could assign me to  
3 any task legally.

4 [11.16.19]

5 Q. Now, let me turn to the meetings at B-1 -- that is to say, the  
6 Ministry of Foreign Affairs. What kind of meetings were held at  
7 B-1 -- meetings that you attended between 1975 and 1979?

8 A. Meetings existed in various forms. There would be the meetings  
9 of the Party branch within the entire ministry, it occurred every  
10 fortnight. Then there were working meetings at various sections,  
11 it occurred every three days, and also there were monthly  
12 meetings for all staff at the ministry. There were also detailed  
13 study meetings occurred every three months or every six months.  
14 And there were other meetings that occurred every week or every  
15 three to four days when it comes to self-view and criticism for  
16 individuals attending that kind of meeting.

17 [11.17.59]

18 Q. Thank you. Now, let me revisit some of these meetings.  
19 But first I would like to have some clarification regarding the  
20 study meeting that occurred every three to six months. Was this  
21 study meeting the same as the general assembly of the ministry,  
22 or was this something that happened separately?

23 A. As I recall, these were -- this was two different meetings.  
24 The -- I cannot recall if there was any general assembly of the  
25 ministry. However, there was a kind of an assembly; it lasted for

1 about one week.

2 Q. Thank you. What kind of meetings did Ieng Sary attend? And  
3 what kind of meetings did he preside over? Did he preside over  
4 all of these meetings or only some of them -- let us say,  
5 meetings regarding the ministry as a whole, or certain  
6 departments of the ministry?

7 A. When it comes to long political training sessions, he would  
8 participate and present each the documents, and for other  
9 meetings when it -- in terms of policy or politics -- he would  
10 attend, and he would or would not attend various other meetings.

11 [11.19.53]

12 Q. And what about the branch or Party meetings did he preside  
13 over these?

14 A. Let me respond that the MFA are divided into two sections.  
15 One was the department section and the other one was the Bureau  
16 Section, and the Bureau dealt with production, security, food,  
17 for example.

18 As for the Department Section, it dealt with diplomatic affairs,  
19 and they were under different organizations under the different  
20 Party branch organization, for instance.

21 Ieng Sary attended the meetings when it dealt with the parties in  
22 both of these sections -- that is, both the Department Section  
23 and the Diplomatic Affairs Section as well.

24 [11.21.21]

25 Q. And regarding the Bureau, you were not part of the Bureau, you

45

1 were part of the department involved in diplomatic affairs; is  
2 that correct?

3 A. The Bureau Section has a Party branch, and so Madam Saur Se  
4 was the Party secretary, and I was a member.

5 As for the Diplomatic Section, it was subdivided into a  
6 secretariat of the Ministry of the Protocol, the Production, and  
7 the Political Affairs, and the Propaganda and Information  
8 Section, which was under my charge.

9 Q. And did Saur Se tell you that he (sic) chaired the branch of  
10 the Bureau? Was Saur Se subordinate to -- Saur Se one of Ieng  
11 Sary's subordinates?

12 MR. SUONG SIKOEUN:

13 Mr. President, could you ask the prosecutor to clarify the term  
14 "subordinates"?

15 [11.23.30]

16 MR. PRESIDENT:

17 Prosecutor, could you rephrase your question? He doesn't  
18 understand the term "subordinates" that you used, because in  
19 Khmer, the word "kaun chao" means both a subordinate or the  
20 family members or relatives. So you try to specify whether you  
21 are referring to the cadres or to the staff of the department or  
22 the ministry.

23 BY MR. DE WILDE D'ESTMAEL:

24 Thank you for this clarification, President.

25 Q. Yes, of course, I'm speaking about the Ministry of Foreign



1   Affairs. And since Ieng Sary was the Deputy Prime Minister in  
2   charge of Foreign Affairs, therefore Minister of Foreign Affairs.  
3   So Saur Se, who led the Party branch of the Party at the Ministry  
4   of Foreign Affairs, was she under Ieng Sary's orders?

5   [11.24.41]

6   MR. SUONG SIKOEUN:

7   A. Yes, he was both in charge of the secretariat, also the  
8   protocol, the Party branch as part of the Diplomatic Section. So,  
9   clearly it falled under the responsibility of Ieng Sary.

10   Q. Thank you. And among the meetings that you mentioned, were  
11   there any re-education sessions that might have been lengthy? And  
12   who attended these re-education sessions?

13   A. In terms of the long-term study sessions, mainly of the cadres  
14   of the ministry, not only they had all the sessions, it included  
15   all the cadres and members. They would -- all participated.

16   [11.26.05]

17   Q. And what was the aim of these study or re-education sessions,  
18   as you said?

19   A. The study sessions were to first, to grasp the revolutionary  
20   situation and the building of socialism in the country. The  
21   participants should be able to grasp the practical task assigned  
22   to each staff member and there would be also a session of  
23   introspection of each attendee.

24   Q. Can you tell us a bit more about the topics that were  
25   discussed during these sessions? For example, what did Ieng Sary

1 speak about during these sessions, what did he speak about  
2 exactly?

3 A. During the long term study sessions we would mainly have the  
4 Party documents that he would present to the attendees. He would  
5 present those Party's documents. However, I cannot recall clearly  
6 what documents were presented by him. They were about the general  
7 situation inside the country, as well as outside the country, as  
8 well as the status of the revolution in Democratic Kampuchea and  
9 the task that they need to fulfil.

10 [11.28.50]

11 Q. And now, regarding domestic affairs, what were the different  
12 subtopics that were discussed? For example, did people speak  
13 about enemies boring from within?

14 A. Yes, that was for sure. The documents talking about the  
15 domestic affairs would talk about the infiltrated enemy.

16 Q. We can come back to this, but could you very briefly tell us  
17 who these enemies were who had infiltrated into the ranks and who  
18 appear in the Party documents that Ieng Sary presented at the  
19 study sessions?

20 A. The enemies were categorized into different types, the foreign  
21 enemies, the domestic enemies, as well as the enemies within  
22 ourselves. As for foreign enemies, we knew who they were, namely  
23 the American Imperialists. And then, from late 1977 onward,  
24 Vietnam were considered our common enemies, and there were also  
25 other spies appointed by Kuomintang and others.

1 As for domestic enemies, they included the agency and lackeys of  
2 those imperialists, particularly enemies burrowing from within  
3 and they hid themselves among the people. But documents at that  
4 time emphasize on the enemies within ourselves.

5 [11.31.45]

6 They were the targets for the socialist revolution and those were  
7 considered the remnants of the previous regimes, those who  
8 exploited the people in the previous regimes. Particularly, we  
9 wanted to get rid of those who were greedy, those who loved to  
10 hold on to their power and exploited people's labour and those  
11 who were extravagant.

12 And they exploited people's labours and they enjoy at the expense  
13 of the people. So, at that time, we consider the enemies within  
14 ourselves were the main enemies of the Party.

15 [11.32.38]

16 Q. Thank you very much.

17 Just now, you said that we should get rid of those who were  
18 greedy and who exploited people. What did Ieng Sary and the Party  
19 documents say during the study sessions about this idea of  
20 getting rid of these enemies? What did that actually consist in?

21 A. To my understanding at the time, getting rid of the enemies  
22 meant that the enemies themselves were secondary, but what was  
23 primary was the networks that was hidden inside. If we wanted to  
24 get rid of individual, it was not difficult.

25 But the systems that were operating over there was the enemy. It

1 was not that easy to get rid of the feudalist mentality and  
2 systems. And that was the main target of the ideological training  
3 at that time.

4 Q. Thank you. How did the Party, therefore, identify or unearth  
5 enemy networks?

6 [11.35.01]

7 A. On this particular point, when you are referring to the Party,  
8 which level are you referring to? You are referring to the Party  
9 cell at the base or the Party at the Centre? Because if you ask  
10 me within the confine within which I operated, I could respond to  
11 your questions. But if it is beyond the confine of my  
12 responsibility, I would not be able to answer.

13 Q. Well, let us simply refer to what was said in B-1 about the  
14 way in which enemy networks could be identified and get rid of  
15 them subsequently.

16 A. I cannot describe the situation at B-1 because it was not  
17 within my knowledge and it was not within my responsibilities and  
18 duties either because I was in charge of information and  
19 propaganda within the Ministry of Foreign Affairs. If you ask me  
20 questions concerning that section, then I would be happy to  
21 respond to it. Otherwise, I would not be able to answer the  
22 question because I -- it was not my business to know about what  
23 was happening in other section, because I was not supposed to  
24 know that information.

25 [11.36.54]

1 Q. Let's come back to this later.

2 I'd like to ask you a question now about internal meetings that  
3 were held in each section. And unless I'm mistaken, you said that  
4 you met once every three days. Who asked you to organize these  
5 regular meetings and who decided what the purpose of the internal  
6 meetings in each section would be?

7 A. Normally, the person who was responsible decided the internal  
8 meeting. It varies depending on the section. In certain sections,  
9 the meeting was convened once every day. In other sections,  
10 however, it was convened once every three days or so. And during  
11 those internal meetings, there were self-criticism and criticism  
12 session, and we also set direction for the next three days or the  
13 next week ahead.

14 And once again, it varied depending on section, some conducted  
15 once per day, and the other, three or four days per day. So,  
16 normally, the approval for the internal meeting had to come from  
17 the upper authority. But as for the operational meeting, it was  
18 organized by people at the lower level. But whenever the meeting  
19 was about life view, then it took rather long to finish.

20 [11.38.53]

21 Q. At these section or department meetings in the propaganda  
22 department, did you also use CPK document and discuss them with  
23 the members of your section?

24 A. In the section I was responsible, it did not only outline the  
25 duties. And as for political affairs, it was always dealt with by

1 the political section. And normally it was raised during the open  
2 meeting. But normally we attended the self-criticism meeting when  
3 we criticize each other concerning the shortcomings of the work  
4 performance. But we did not delve on political matters or  
5 important matters.

6 Q. How many people worked in your department for information  
7 propaganda, Mr. Witness?

8 A. There were around 20 staff members in this section.

9 Q. Was Long Norin one of the 20?

10 A. Yes, he was. He was a member of the section before he later  
11 was assigned to be in charge of protocol.

12 [11.40.58]

13 Q. Was Mr. Svay Bory also part of that section?

14 A. Mr. Svay Bory came to Ministry of Foreign Affairs later. And  
15 to my recollection, he was not officially appointed to any  
16 particular section yet. He was like a floating staff -- a  
17 candidate staff and he was attached to the Secretariat and he was  
18 in charge of documentation.

19 Q. Thank you.

20 When you held internal meetings in your department were you  
21 required to report on the meeting to Ieng Sary?

22 A. Yes that was my duty and it was also pursuant to the internal  
23 appointments and arrangement as well. I had report to the upper  
24 authority.

25 Q. Did you draft written reports or simply report orally at the

1 meetings of department heads?

2 A. The working procedure at that time was largely the oral  
3 report. Rarely were we -- did we prepare a written report.

4 [11.43.13]

5 Q. Staying on these meetings with different section and  
6 department heads -- and you told us that Ieng Sary chaired them  
7 what was his actual role at the meetings? What exactly did he do?  
8 Can you tell us a little bit about that?

9 A. He was the chairman of the meeting and the convention of the  
10 head of section were called only when there were important  
11 events. But I cannot recall the exact date and the numbers of  
12 those meetings.

13 Q. Was there always a part of the meeting where the different  
14 participants -- the heads of department reported, or was it only  
15 Ieng Sary who actually spoke? Perhaps you can remember that.

16 A. Only Khieu Samphan -- oh, I'm sorry, only Ieng Sary delivered  
17 keynote address concerning the overall situation and foreign  
18 affairs as well as the direction for the future implementation.

19 [11.45.26]

20 Q. At these meetings of heads of departments or at other  
21 meetings, for that matter, when you look at the Party political  
22 line, did Ieng Sary talk to you about this? And did he tell the  
23 different section heads about the decisions that are being taken  
24 by the Standing Committee?

25 A. Normally, when there was any important events, then he would

1 share it with the members of the meeting. But if you ask me to  
2 recall those important events, I cannot I'm afraid.

3 Q. But can you remember if, from time to time or regularly, he  
4 talked about decisions that are being taken by the Standing  
5 Committee of the Party Central Committee?

6 A. I cannot recall it clearly. He did not tell us frequently  
7 concerning the decision of the Standing Committee, but he did not  
8 even mention that it was the decision of the Standing Committee.  
9 But rather he mentioned that it was the decision of the Party, so  
10 it was a collective decision by the Party.

11 [11.47.32]

12 Q. Very good.

13 A moment ago you were talking about the fact that it was possible  
14 that general assemblies could have been held in the ministry --  
15 perhaps general assembly was not a term used, but you did say  
16 that there were big meetings that were held there that lasted  
17 sometimes a whole week, you can call general meetings or  
18 congresses -- but did that happen very often? How many times per  
19 year did Ieng Sary hold that kind of general meeting?

20 A. I cannot recall that I mentioned that there was a general  
21 meeting. But actually, to my recollection, there was no -- a  
22 regular general meeting or so, but there meetings when we  
23 actually need to appoint certain heads of departments. But I  
24 cannot really recall whether or not there was a regular six month  
25 meeting or general meeting or so. But of course, there were



1 meetings that lasted for a week or so. And the meeting was  
2 concluded by reviewing the life view of members of the  
3 revolutionaries and those who -- actually members of the Party.  
4 [11.49.39]

5 Q. Thank you. You talked about a meeting of the Party cell or  
6 Party branch is chaired by Ieng Sary that took place once a  
7 fortnight, I believe. Who attended these meetings? How many Party  
8 members attended these meetings inside B-1?

9 A. I would like to clarify on those Party cells. There are two  
10 branches of the Party. The Party subordinate to the ministry and  
11 the other one is the Party cell of diplomatic affairs. And Mr.  
12 Ieng Sary chaired the two Party cells. But as for the Party cells  
13 in general, he did not attend regularly. He left it to the  
14 officers there -- in charge there. But as for the ministry -- or  
15 Party cells in the ministry, he presided over.

16 And members of this ministry Party cell were myself, Mr. Touch  
17 Kham Doeun, Keat Chhon, Thiounn Prasith, Sophann. Sophann was his  
18 personal secretary. So these were the members and there were a  
19 few others who were from the base and I cannot recall their  
20 names.

21 Q. Well, without actually participating in it, do you know who  
22 the Party members were in the other meetings chaired by Ieng Sary  
23 in the office?

24 [11.52.29]

25 A. I don't know whether the chairman of the ministry office was

1 there and I did not know how many times the meeting were held.  
2 But normally the meetings were held both at the ministry level as  
3 well as the political office level within the Ministry of Foreign  
4 Affairs.

5 Q. At these Party branch monthly meetings, was there discussion  
6 of introspection or were there self criticism sessions I mean?

7 A. Life-view sessions as well as self-criticism sessions were  
8 normally convened once in a very long while, when we had the  
9 meetings -- long term meetings. But as for the Party branch  
10 meeting, we did not discuss the life views, but we only discussed  
11 the self-criticism.

12 Q. These criticism and self-criticism sessions had precisely what  
13 objective? You said that there was criticism and self-criticism  
14 within your department and for the Party members in the branches  
15 as well. But as far as you are aware, do you know what the  
16 objectives of these meetings really were?

17 [11.54.47]

18 A. The objectives were to build revolutionary views and  
19 standpoints of each member in accordance with the principle of  
20 treating the diseases in order to save life. In the communism,  
21 the building life views and world view -- particularly  
22 revolutionary view -- are the foundation for building oneself so  
23 that members have a firm standpoint. This was the primary  
24 objective.

25 And other secondary objectives were to encourage people to work

1 more actively in the interest of the people and the Party.

2 Q. How did you perceive the exercise when you had to do your own  
3 self-criticism and when you were criticized by others at these  
4 meetings? Was it an easy exercise, or were the participants  
5 afraid of it?

6 A. My experience in my department -- I could speak for myself, at  
7 that time I was criticized on two points. It was -- they were  
8 inevitable. During the meeting, the attendees normally criticized  
9 me on two points.

10 [11.57.15]

11 The first one, I was educated overseas, so I was accustomed to  
12 the -- my attitude and behaviour. For example, when I walk, I put  
13 my hands behind my back. This was an attitude by foreigners.

14 And another point of criticism, if we -- for example, when we  
15 were eating our food, if we only look at our plate, it was not  
16 considered polite and appropriate. We had to look at other people  
17 in the tables first before we started eating. And my view was a  
18 bit contradictory to that, because I thought that if we follow  
19 that ways of etiquette, then we would all turn to be the Buddhist  
20 monks, probably.

21 And on the second point which I was also criticized, was that I  
22 had a foreign wife.

23 So these were the two points which I criticize. And those who did  
24 not criticize me were those who were in the same situation as  
25 mine at the time. But in terms of the criticism itself, it also

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1 brought about some good ideas as well, because we could learn  
2 what we need to improve.

3 [11.59.27]

4 But there was a separate issue that I noted at that time and it  
5 was actually reflected from my personal experience -- myself,  
6 that those who were too frank they tend to have problem. But  
7 those who were rather flexible, they could survive it. But when  
8 it came to the favourable situation in certain circumstances,  
9 then it -- it's rather difficult and long winded if I had to  
10 describe on that particular issue.

11 MR. PRESIDENT:

12 The time is now convenient to take adjournment. The Chamber will  
13 adjourn until -- from now until 1.30 this afternoon.

14 Court officer is instructed to facilitate the accommodation and  
15 lunch for the witness and his duty counsel. And please bring them  
16 back to this courtroom before 1.30 this afternoon.

17 Counsel, you may proceed.

18 MR. PAUW:

19 Thank you, Mr. President. I am informed that Mr. Nuon Chea is  
20 suffering from a headache and back pain and has trouble  
21 concentrating and would like to follow the proceedings from the  
22 holding cells this afternoon. Thank you. We have prepared the  
23 waiver.

24 [12.01.18]

25 MR. PRESIDENT:

1 Having noted the request by Mr. Nuon Chea, through his defence  
2 counsel, to follow the proceeding through audio-visual mean from  
3 the holding cell downstairs for the remainder of the hearing  
4 today, this request is granted from -- requested to -- the  
5 request by Nuon Chea is granted. So Nuon Chea may follow the  
6 proceeding from the holding cell downstairs through audio-visual  
7 means.

8 The Chamber notes that the defence counsel for Nuon Chea have  
9 already expressed this waiver and -- so the defence team is  
10 required to submit the Chamber the waiver of the Accused with his  
11 thumbprint and signature.

12 And, AV Assistant, please make sure that the audio-visual  
13 equipment is linked to the holding cell downstairs for the  
14 remainder of the day, so that Mr. Nuon Chea can follow the  
15 proceeding from there.

16 Security guards are instructed to bring the co-accused to the  
17 holding cell downstairs. Nuon Chea shall remain in the holding  
18 cell where he can follow the proceeding remotely.

19 And Mr. Khieu Samphan is to be brought to this courtroom before  
20 1.30.

21 The Court is now adjourned.

22 (Court recesses from 1202H to 1331H)

23 MR. PRESIDENT:

24 You may be seated. The Court is now back in session.

25 I notice the defence counsel is on his feet. You may proceed.

1 MR. ANG UDOM:

2 Thank you, Mr. President. Good afternoon, Your Honours. Good  
3 afternoon, everyone. My apology for my interruption; I have an  
4 observation for this morning regarding the interpretation from  
5 Khmer into English, and that mistake is kind of substantial.

6 [13.32.41]

7 The witness stated that the main enemy was the enemies against  
8 ourselves, that we shall eliminate such enemy, but in the English  
9 translation, it rendered as to eliminate anyone who had the enemy  
10 kind of substance inside. The witness stated that each one of  
11 each shall eliminate the enemy within, or the internal enemy  
12 against oneself. And I'd like to bring that discrepancy to your  
13 attention. Thank you.

14 MR. PRESIDENT:

15 Thank you. As the French and the English languages are the  
16 channels of the interpretation from the Khmer channel, we all  
17 were clear this morning that the enemy that the witness referred  
18 to is regarded as the enemy against oneself, or the internal  
19 enemy against oneself.

20 So we shall review the transcript and we can see that kind of  
21 discrepancy. For now, the floor is given again to the Prosecution  
22 to put questions to the witness.

23 BY MR. DE WILDE D'ESTMAEL:

24 Thank you. Good afternoon, Mr. President, Your Honours.

25 [13.34.48]

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1 Q. Before the lunch adjournment, we were speaking about the  
2 introspection and self-criticism and criticism sessions, and you  
3 mentioned the fact that you were often criticized for various  
4 reasons, including your education as well as your marriage with a  
5 French -- with a foreign woman.

6 And was repeated criticism against a member of the Party liable  
7 to call or -- generate sanctions or generate a specific form of  
8 monitoring or investigation? Did this ever happen?

9 MR. SUONG SIKOEUN:

10 A. No, the criticism issue was not about the wrongful act against  
11 the Party's line or the policy at the time.

12 [13.36.30]

13 MR. DE WILDE D'ESTMAEL:

14 President, I wish to now show to the witness another document he  
15 gave himself to the Investigating Judge. It is a draft of his  
16 book called "The Odyssey of a Khmer Rouge Intellectual" and it's  
17 indexed E3/40 and IS 3.9. And the excerpt in question and that I  
18 wish to display on the screen is on the Khmer page 00583628;  
19 French, 00079025 to 26; English, 00813097.

20 So I have a question to put to the witness. And we have a French  
21 version of this document, written by him directly, and we also  
22 have a Khmer translation. So I don't know which copy he wishes to  
23 see -- the original French version or the Khmer translation?

24 MR. PRESIDENT:

25 If you have both copies, you can probably deliver the French

1 version to the witness.

2 Court Officer, could you assist in delivering the document from  
3 the Prosecution for the witness's view?

4 BY MR. DE WILDE D'ESTMAEL:

5 Q. And maybe to let you fully know, we're not speaking about the  
6 final version that you gave to the Investigating Judges, but  
7 we're speaking about a version that's a bit older.

8 [13.38.55]

9 So maybe you could tell us if this is a version of this  
10 manuscript entitled "The Odyssey of Khmer Rouge Intellectual" and  
11 whether this manuscript is the finalized version.

12 MR. SUONG SIKOEUN:

13 A. The document I have in my hand is my draft, as indicated --  
14 that I did this in 2003, as I was a candidate member for the --  
15 my doctoral study, that I had to write 40 pages of a thesis.

16 Q. Thank you, Witness. So I would like you to look at page 40 and  
17 41 in the French version, ERN 00079025 to 026. But in your  
18 pagination, it is page 40 and 41 on the top of the page.

19 So you are speaking about the introspection meetings and the fact  
20 that you were criticized for various reasons. And at the end of  
21 page 40 begins the excerpt that I wish to read to you. And you  
22 say the following:

23 [13.40.56]

24 "We were living in the fear of doing wrong. Any form of  
25 negligence or absent-mindedness in the fulfilment of our task



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1 could be very serious, because it could be interpreted at any  
2 moment as an act of sabotage and of treason. Living in such an  
3 atmosphere was unbearable. I had the impression that my Western  
4 education and my marriage with a foreign woman was a handicap  
5 that could not be surpassed."

6 MR. PRESIDENT:

7 International Counsel for Khieu Samphan, you may proceed.

8 MS. GUISSÉ:

9 Thank you, Mr. President, and good afternoon to all of you. I  
10 apologize for interrupting the prosecutor, but I have an  
11 objection, yes.

12 [13.42.07]

13 We agree that the document is used is a document that the Chamber  
14 ruled on, in which the Chamber indicated the specific segments  
15 that may be used by the prosecutor for his examination of Mr.  
16 Suong Sikoeun, but however it does not appear to me that the  
17 pages that were read out by the prosecutor are part of these  
18 segments that were authorized to be referred to by the Chamber.  
19 So, as -- I simply wanted to object in that regard to make sure  
20 that there are no problems.

21 MR. DE WILDE D'ESTMAEL:

22 President, if I may respond. Yes, I would like to respond to this  
23 objection.

24 And I believe that counsel is mixing up two documents. This  
25 document has been admitted a long time ago by the Chamber under

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1 E3/40. And the -- what we were referring to is the placing of the  
2 totality of the witness's full manuscript. And it is -- and the  
3 Chamber on this full manuscript -- 300 pages long. So the  
4 document that I am using is a document that has already been  
5 placed before the Chamber. Thank you.

6 (Judges deliberate)

7 [13.44.06]

8 MR. PRESIDENT:

9 The objection is not sustained.

10 The Prosecution, you may continue.

11 MR. DE WILDE D'ESTMAEL:

12 Thank you, President.

13 Q. So I read out this excerpt of your manuscript, Witness. And  
14 these criticism -- self-criticism sessions didn't they generate a  
15 climate of fear and of paranoia? Didn't it lead people to  
16 denounce each other?

17 MR. SUONG SIKOEUN:

18 A. No. Since the attendees -- most of the attendees -- were in  
19 the same situation. We were all educated in the West. And some of  
20 us also had foreign wives. In addition, we fulfilled our duties  
21 under the leadership of Mr. Ieng Sary, who also studied in  
22 France. So he was not that strict in this sense, because he knew  
23 every one of us clearly.

24 [13.45.43]

25 Q. Now I would like to turn to another chapter. What did you know

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1 about the Standing and Central Committees of the Party between  
2 1975 and 1979?

3 A. I don't know much. I only knew that Ieng Sary was a member of  
4 the Standing Committee -- of the Centre. And I did not know about  
5 the rest. However, we can all conclude that Pol Pot and Nuon Chea  
6 were also in the committee. But I was not sure regarding other  
7 people.

8 Q. And how did you know that Ieng Sary, Nuon Chea, and Pol Pot  
9 were part of this committee?

10 A. I knew it clearly--

11 MR. PRESIDENT:

12 The International Counsel for Nuon Chea, you may proceed.

13 [13.47.07]

14 MR. PAUW:

15 Thank you, Mr. President. I object to this question, as the  
16 prosecutor is misstating the testimony of the witness.

17 The witness said that he knows -- he just has claimed that he  
18 know that Ieng Sary was a member of the Standing Committee. But  
19 he says that he concluded that Pol Pot, Nuon Chea were part of  
20 the Standing Committee. He has not indicated that he knew this.  
21 So maybe the Prosecution can rephrase the question.

22 BY MR. DE WILDE D'ESTMAEL:

23 Q. Therefore, how did you get to know who was part of the  
24 Standing Committee? Did you get this from a direct source or did  
25 you learn this indirectly?

1 MR. SUONG SIKOEUN:

2 A. Let's say I knew personally -- or directly from him -- that  
3 is, from Ieng Sary, who was my direct superior -- as he was a  
4 permanent member of the Standing Committee. And within that  
5 hierarchy, he was under Pol Pot and Nuon Chea. For that reason, I  
6 made my conclusion that the aforementioned two were also a --  
7 permanent members of the Standing Committee.

8 Q. And as far as you know, or from hearsay, were other people  
9 part of this Standing Committee?

10 [13.49.20]

11 A. Let me tell you, Mr. Prosecutor. As a member of the Party, we  
12 knew only what was presented to us by the Party. Nobody would be  
13 in a position to tell me that person or that individual was a  
14 member of the Standing Committee. In the case of Ieng Sary, I  
15 knew it clearly. As in the Revolutionary Movement and among the  
16 intellectuals from France, besides Rath Samoeun and Keng Vannsak  
17 -- he was the old hand revolutionary.

18 Q. Did you hear, or did anyone tell you -- Ieng Sary, for example  
19 -- of the role of the Standing Committee within the structure of  
20 the CPK?

21 A. I do not know. I only knew that he was in charge of foreign  
22 affairs of the Centre. And as for the intellectuals arriving from  
23 France who were the former members of the Marxist-Leninist Circle  
24 -- he was also responsible for that group as well, including  
25 myself. I was part of that group.

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1 [13.51.18]

2 I also like to clarify the word "responsible" or "in charge",  
3 when I made this statement. He was in charge of us, the  
4 intellectuals for the Centre -- that is, for Pol Pot. So Pol Pot  
5 also made the decision regarding the appointment for us to go and  
6 work here or there. And Ieng Sary was the person who was directly  
7 responsible for us in carrying out our duties. As for myself and  
8 for other intellectuals in France, these applied all across the  
9 board.

10 Q. Then, when you're speaking about Pol Pot making decisions, are  
11 you referring to decisions he made on his own or collectively,  
12 such as stated in the statutes?

13 A. As far as I know, it is not difficult to say, because those  
14 intellectuals from France were the Communists whom he knew  
15 individually. So I believe he did not have to ask anyone when  
16 making a decision. He could do it by himself.

17 [13.53.20]

18 Q. I apologize. I wish to reformulate the question. You said that  
19 Pol Pot was making decisions. And were these decisions that he  
20 took on his own, or if -- pursuant to article 6 of the Statutes  
21 of the CPK, did he take these decisions on a collective basis?

22 MR. PRESIDENT:

23 Mr. Witness, wait. Michael Karnavas, you may proceed.

24 MR. KARNAVAS:

25 Thank you, Mr. President. Good afternoon to everyone in and

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1 around the courtroom. If the gentleman wishes to ask questions  
2 concerning what may -- what the collective may have done, perhaps  
3 he can first ask the witness whether he is aware of any  
4 collective meetings and whether he attended those collective  
5 meetings. Otherwise, he's asking the gentleman to speculate as to  
6 what Pol Pot was doing. Thank you.

7 MR. DE WILDE D'ESTMAEL:

8 President, it is the witness who spoke about decisions taken by  
9 Pol Pot. So I simply wish to know how these decisions were taken  
10 -- how does he know that these decisions were taken? -- thus my  
11 question.

12 MR. PRESIDENT:

13 The objection and its ground is not valid, therefore not  
14 sustained.

15 The Witness, please respond to the last question put to you by  
16 the prosecutor.

17 [13.55.10]

18 MR. SUONG SIKOEUN:

19 A. I do not know that clearly, but from the way that I lived  
20 there I knew some of the methods of him making decision. In  
21 certain cases, he was making a decision on his own discretion,  
22 for instance in regards to the intellectual Communists returning  
23 from France. And I knew that clearly, because he knew them  
24 individually, clearly, so he knew about their political stance.  
25 And when it comes to making decisions regarding them, he would

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1 make it by himself on his own. But if you ask me in details  
2 whether he made decision regarding other individuals or any  
3 individual besides this group, I cannot make a comment or  
4 response to that.

5 BY MR. DE WILDE D'ESTMAEL:

6 Q. Well, I didn't quite understand. You were speaking about Pol  
7 Pot in your answer; is that so?

8 [13.56.30]

9 MR. SUONG SIKOEUN:

10 A. Yes, I refer to Pol Pot in his decision making process,  
11 regarding those intellectuals coming from France.

12 Q. Thank you.

13 You who were working at B-1 -- beyond Ieng Sary's trips abroad,  
14 would Ieng Sary be absent on a regular basis from B-1 to meet  
15 with other leaders of the Party?

16 A. Yes, because he was in charge of Foreign Affairs he did not  
17 stay permanently inside the country as compared to other cadres  
18 or leaders.

19 Q. Hence, I was speaking about meetings with other leaders of the  
20 CPK. Did he attend several -- many meetings with these leaders,  
21 and if such was the case, where?

22 [13.58.06]

23 A. Mr. President, I'd like the prosecutor to clarify the term  
24 "leaders". Are you referring to the CPK leaders within B-1, or  
25 referring to the leaders throughout the country?

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1 Q. No, I was speaking about the entire country. In particular,  
2 the members of the Standing Committee you mentioned earlier on.

3 A. No, I do not know about that.

4 Q. And aside from the Standing Committee, was there a security  
5 committee at the level of the Centre, once again?

6 A. I do not know about the clear organization of the Centre. I  
7 did not know whether there was a security committee.

8 MR. DE WILDE D'ESTMAEL:

9 President, I wish now to show to the witness two documents. The  
10 first is his second statement before the OCIJ, and it is referred  
11 D91/26. There's no E3 reference yet. And this, in French, is on  
12 page 5 -- in French, on page 00204153, and in English 00223642.  
13 This is the first document which I would like to display on the  
14 screen.

15 [14.00.28]

16 MR. PRESIDENT:

17 Yes, you may proceed.

18 Court Officer, could you deliver the document from the prosecutor  
19 for the witness to examine?

20 MR. DE WILDE D'ESTMAEL:

21 So here is the quote: "As far as I am aware, the security  
22 committee of the Party was composed of Pol Pot, Nuon Chea, and  
23 Son Sen". End of quote.

24 And now I'd like to show a second document, which I've already  
25 given the witness. It's E3/423167, and in Khmer page 00327208, in



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1 English 00327218 and in French, page 7.

2 And if those latter responses could also be put up on the screen,

3 Mr. President, I would be grateful.

4 MR. PRESIDENT:

5 Yes, you may proceed.

6 [14.02.32]

7 BY MR. DE WILDE D'ESTMAEL:

8 Q. Here's your second response, Mr. Witness -- and I quote: "The  
9 security committee was composed of Pol Pot, Nuon Chea, Son Sen  
10 and then, after the latter's move to the East, Vorn Vet, until  
11 his arrest." End of quote.

12 So, Mr. Witness, what was the function of the security committee?

13 MR. SUONG SIKOEUN:

14 A. That I do not know. And concerning the composition of this  
15 committee when I was there, I did not know. I only learned about  
16 later in late 1979.

17 Q. And in 1979, who told you about the composition of the  
18 security committee?

19 A. I do not recall, but it could have been from the news article  
20 and some book who -- which also indicate about this composition  
21 of the committee. But if you ask me to identify any particular  
22 book or article, I cannot recall.

23 Q. Between 1975 and 1979, did you ever hear a reference to Office  
24 870?

25 [14.04.44]

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1 A. I heard of Office 870. I did hear about it, because certain  
2 communication -- we had to do it through Pang, because Pang was  
3 in charge of Office 870. In certain period -- I did not recall  
4 the exact date, but he at one time took me by motorbike from his  
5 place and Pot Pot's office to -- back to Ministry of Foreign  
6 Affairs. That was all I knew, that Pang was in charge of Office  
7 870 and he was the -- someone who was attached and responsible  
8 for that office.

9 Q. Where was the office? Where did you go when he took you on  
10 that motorbike? Was -- rather, did the office have a name?

11 A. Actually, it was not from any office, but it was a place where  
12 they received guests. But I cannot recall the exact place. It  
13 could have been the B-2 Office or the Government Palace, and  
14 currently it is the former house of the French governor along the  
15 riverfront. And at that time, he took me from that place back to  
16 the ministry.

17 [14.06.44]

18 Q. Where was Pol Pot working at the time? Do you know that?

19 A. That I do not know.

20 Q. As part of your duties, and more particularly the job of  
21 interpreting, did you go to some offices or certain places where  
22 leaders like Pol Pot, Khieu Samphan, Nuon Chea, and so forth  
23 were? And can you describe these places?

24 A. I went to interpret for Pol Pot in the house I mentioned  
25 earlier. It was situated along the river front. During the

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1 Sangkum Reastr Niyum era, it was called the Government Palace.

2 And during the French administration, it was known as the

3 residence of the governor -- the French governor.

4 And Pol Pot worked in that office and I interpreted for him over

5 there when he received the female Vietnamese delegates, sometime

6 in early 1977. That is all I knew about this place.

7 And as for other offices that Pol Pot worked, I did not know.

8 Q. Apart from Pang, who also belonged to Office 870?

9 A. That I do not know either. And I would like to emphasize that

10 at that time I did not know.

11 Q. You said that Pang dropped you off at the Foreign Ministry by

12 motorbike. Did he often come to the Foreign Ministry? Did you see

13 him on other occasions?

14 A. No, I never saw him again. I only saw him once.

15 [14.09.41]

16 Q. During the Democratic Kampuchea period, did you often meet Mr.

17 Khieu Samphan, and if so, in what kind of settings?

18 A. Well, I was the French interpreter for the leaders. So, in his

19 capacity as the president of the State Presidium, he received

20 credential of foreign diplomats who have their mission in

21 Cambodia during the Democratic Kampuchea period.

22 Q. Apart from your official duties as a French interpreter --

23 outside that -- did you ever talk face to face with Khieu

24 Samphan?

25 A. Mr. President, I am not clear with this question. Who are you

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1 referring to when you are talking about the conversation with  
2 Khieu Samphan? Could Mr. Prosecutor clarify it when you are  
3 referring to the conversation with Khieu Samphan?

4 MR. PRESIDENT:

5 Co-Prosecutor, please repeat your question because it is likely  
6 that the witness does not understand the question.

7 [14.11.46]

8 BY MR. DE WILDE D'ESTMAEL:

9 Q. Yes, I just wanted to know if, outside the strictly  
10 professional framework of interpretation during meetings between  
11 Khieu Samphan and other diplomats -- did you yourself meet with  
12 him and have conversations with him? I'm talking about you,  
13 yourself.

14 MR. SUONG SIKOEUN:

15 A. No, I never talked to him in a private capacity because my  
16 meeting with him was only when we had our official function to  
17 carry out. And to my recollection, he came to Ministry of Foreign  
18 Affairs, and I met him over there, but at that time he instructed  
19 me to write two articles for news articles for publication at  
20 that time. But I did not prepare any articles at that time and I  
21 -- to my recollection, those two articles were not run by the  
22 news agency at that time.

23 [14.13.16]

24 Q. Did you go with Khieu Samphan, along with Ieng Sary and Ieng  
25 Thirith, to Peking during the summer 1975 mission?

1 A. From 1975 through 1979, I used to accompany Khieu Samphan to  
2 attend the Non-Aligned Summit in Sri Lanka in 1976. That was the  
3 only occasion I accompany him overseas, and at that time, in his  
4 capacity as a Foreign Minister, Mr. Ieng Sary also a members of  
5 the delegation.

6 Q. Did you have any kind of contact with Nuon Chea during the  
7 Democratic Kampuchea period?

8 A. During the Democratic Kampuchea period, I met him personally  
9 once on the phone, and he requested that I prepare an article  
10 about a Democratic Kampuchea foreign policy. It was the only  
11 occasion I talked to him. Actually, I did not meet him face to  
12 face, but I once saw him during the Party's presentation, but at  
13 that time Pol Pot was the presenter, and I saw from a distance.  
14 [14.15.34]

15 Q. When you saw him from far away and it was Pol Pot giving the  
16 speech, was it a political education session? And what place was  
17 it held in?

18 A. Political session was conducted in Borei Keila .

19 Q. Was it exclusively for Party members?

20 A. Yes, it was meant for the Party's cadres starting from the  
21 chairman or the secretary of the district or sectors committee.

22 Q. Aside from Pol Pot, who spoke at that political education  
23 session?

24 A. As I said earlier, Pol Pot and Nuon Chea were the speakers in  
25 those political education sessions.

1 Q. And when did you attend these political education sessions?

2 A. If my memory serves me well, I attended in 1976 and it could  
3 have been sometime in June 1976.

4 Q. What were the political or ideological subjects that were  
5 discussed at these sessions by Pol Pot and Nuon Chea?

6 A. I cannot recall. It took place long time ago.

7 [14.18.22]

8 Q. Was there talk of the political situation of the country in  
9 general? Was there discussion of the situation vis-à-vis the  
10 enemies at these meetings, or can you simply not remember?

11 A. Precisely, it discussed the evolution of the situation,  
12 particularly from the democratic revolution to socialist  
13 revolution, as well as the international evolution of the  
14 national liberation, and at times these movements were springing  
15 up around the world.

16 Q. Apart from that political education session, did you attend  
17 with Party members other big annual sessions in the Olympic  
18 Stadium, for example at the official anniversary of the Communist  
19 Party?

20 A. To my recollection, in 1978 I attended the mass rally, the  
21 mass rally congratulating the Party's inception anniversary held  
22 at the Olympic Stadium.

23 Q. And on the particular occasion, who delivered the address at  
24 the Olympic Stadium?

25 A. At that time, Pol Pot was the person who addressed the rally.

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1 Q. Did other major leaders of the Party attend, for example Nuon  
2 Chea, Ieng Sary, Khieu Samphan, Son or Vorn Vet?

3 [14.21.09]

4 A. At that time, high ranking officials of the Party were present  
5 at that time, but I cannot recall as to who exactly were there.

6 Q. Do you remember what Pol Pot said in his speech on that  
7 particular Party anniversary occasion -- 30th of September, I  
8 imagine?

9 A. I can't recall it because at that time there was a tension  
10 between Democratic Kampuchea with the socialist republic - Social  
11 Republic of Vietnam, and the tension reached a combination at  
12 that time, and I can still recall it that Pol Pot flag out that  
13 one combatant of Democratic Kampuchea could smash up to eight  
14 Vietnamese combatants. So, in sum, even if we kill all the  
15 Vietnamese, then there would remain some Cambodians would - at  
16 least two million Cambodian could still survive. But upon hearing  
17 that address, I was - I felt a goose bump.

18 Q. As the head of propaganda and information in B-1, you followed  
19 what was going on in the country. Can you tell us if Nuon Chea  
20 often went to the general assemblies that were held in the zones?

21 [14.23.39]

22 A. That I do not know because it falls outside the scope of my  
23 responsibility.

24 Q. You talked about a telephone call that you received from Nuon  
25 Chea about an article you had drafted. Is this connected in any

1 with the "Black Book" on foreign policy of the Socialist Republic  
2 of Vietnam vis-à-vis Democratic Kampuchea?

3 MR. PRESIDENT:

4 Witness, please hold on. We need to hear the objection by the  
5 defence counsel.

6 Defence Counsel, you may proceed.

7 MR PAUW:

8 Thank you, Mr. President. It is now too late, but for the record  
9 I want to object to this form of questioning by the Prosecution.  
10 Again, the Prosecution, in the question, already formulates the  
11 Prosecution's theory as to what this phone call was about.

12 [14.24.57]

13 The proper way is to simply ask the witness, "Does he remember  
14 what this phone call about?", then possibly, later his memory can  
15 be refreshed as to the substance of this conversation.

16 Again, it is now too late. I do not see how we can deal with this  
17 matter, but for the future, I think it's important, Mr.

18 President, that you urge the Prosecution -- or order the  
19 Prosecution -- to not adopt this line of leading questions where  
20 they give the information to the witness in advance.

21 MR. DE WILDE D'ESTMAEL:

22 Mr. President, in actual fact, this is an aspect that has already  
23 been covered by the witness in one of his hearings, and I don't  
24 think it's a leading question because he, himself, has already  
25 spoken on the subject in E3/42 -- and these are minutes that he



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1 has before his own very eyes in page 00327206 to 07; English,  
2 00327217; and in French, 00327227.

3 [14.26.29]

4 So perhaps now we can hear the witness's answer or would you I  
5 rather read the extraction from the minutes, Mr. President?

6 MR. PRESIDENT:

7 Yes, Counsel you may proceed.

8 MR. PAUW:

9 Thank you, Mr. President. Everyone here in this courtroom has  
10 read in the prior statement of this witness. That's not the  
11 issue. The issue is: How do we question this witness in Court?  
12 If we want to make this a valuable testimony with probative  
13 value, the witness should be asked open questions. Asking leading  
14 questions is simply in violation of your clear instructions as to  
15 how we question this witness in Court.

16 And I must speak from memory now, but I do not remember this  
17 witness speaking about a telephone conversation with Mr. Nuon  
18 Chea on this issue. I think his statement claims that he met Nuon  
19 Chea. So this is a point of interest, and therefore it is  
20 important that this witness is asked open question, and not  
21 leading questions.

22 (Judges deliberate)

23 [14.28.42]

24 MR. PRESIDENT:

25 The objection and the grounds for the objection are not valid, so

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1 the objection is not sustained. Witness is now instructed to  
2 respond to the last question posed by the prosecutor.

3 MR. SUONG SIKOEUN:

4 A. My conversation on the phone with Mr. Nuon Chea did not relate  
5 to the writing of the "Black Paper" of the Democratic Kampuchea.

6 MR. DE WILDE D'ESTMAEL:

7 Perhaps I could read the extract, Mr. President, before asking  
8 any other questions on the issue. It does seem me to that, in the  
9 record, a link was drawn between a meeting on the "Black Book"  
10 and Mr. Nuon Chea's telephone call.

11 So I'd like to out the passage I did mention in E3/42, which has  
12 the reference D167. And if he can look at page 00327206 to 07 --  
13 it's page 6 in French, and in English, 00327217 -- and if that  
14 could be put up on the screen as well, Mr. President, I would be  
15 grateful.

16 [14.30.36]

17 MR. PRESIDENT:

18 Yes, you may proceed.

19 BY MR. DE WILDE D'ESTMAEL:

20 Q. I am going to quote what you said.

21 This was question relating - or a question that was formulated in  
22 the following way: "Did you have the opportunity of meeting Nuon  
23 Chea between 1975 and 1979?"

24 Answer: "I never had any direct relations with him. I only saw  
25 him during a meeting organised in a September 1977 for the

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1 drafting of the black book about the foreign policy of the  
2 Socialist Republic of Vietnam towards Democratic Kampuchea. There  
3 were a number of representatives of the Foreign Affairs Ministry  
4 present (Thiounn Prasith, Keat Chhon, and myself). We had been  
5 summoned by Pol Pot, and he was the one who spoke most. Nuon Chea  
6 was more an observer than an active participant. After the  
7 meeting, I remember that Nuon Chea called me at the end of 1977  
8 to ask me to write an article about the foreign policy of  
9 Democratic Kampuchea for the 'Kampuchea' newspaper." End of  
10 quote.

11 [14.31.58]

12 I'm first, therefore, going to speak about the drafting of this  
13 "Black Book". What were Nuon Chea's and Ieng Sary's respective  
14 roles in the drafting of the "Black Book" that was published by  
15 the Ministry of Foreign Affairs?

16 MR. SUONG SIKOEUN:

17 A. The truth did not have anything to do with the publication of  
18 the "Black Book" of the Ministry of Foreign Affairs, except in  
19 the case that they -- as I recall -- in fact, as I recall, Pol  
20 Pot called some of the cadres from the Ministry of Foreign  
21 Affairs, and I can clearly recall: myself, Keat Chhon, Thiounn  
22 Prasith, and Ny Kan, who was the chief of protocol back then. And  
23 there were also Nuon Chea and Ieng Sary present. Pol Pot made the  
24 presentation regarding the content, and we were only like minute  
25 recorders or recorders of the presentation.

1 [14.33.29]

2 That was how it was done. For example, if Keat Chhon -- if you  
3 were to say Keat Chhon wrote a speech, in fact it was not like  
4 that. We all would take notes and then we would combine and draft  
5 it of what he said and make some editing work to it, but we would  
6 retain all the main contents, and then we would have it for his  
7 review before it is published. So we did not have anything new to  
8 add to that.

9 And when he made a presentation regarding "Cochinchine", or the  
10 current South Vietnam, I myself was not very familiar with that  
11 particular topic. He said "Co", in the Vietnamese language,  
12 refers to the ninth daughter of a king; that's how I can only  
13 recall.

14 Thiounn Prasith and Keat Chhon also discuss that that was not  
15 correct based on the creation of the South Vietnam. "Cochinchine"  
16 was a French word referred to the South Vietnam, a part of the  
17 Vietnam country. Vietnam was then split into three: Cochinchine  
18 -- that South Vietnam or Kampuchea Krom -- and then there was  
19 Central Vietnam and North Vietnam.

20 [14.35.15]

21 However, after many debates, we decided to retain the word  
22 "Cochinchine", and my section was responsible for the  
23 publication, and Ieng Sary and Nuon Chea were not involved in the  
24 writing of that book. It was actually Pol Pot who wrote that  
25 book. And I can recall that Mr. Sarin Chhak, who was Minister of

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1 Foreign Affairs – who was a minister, was also there and he saw  
2 the "Black Book" and he said to me that that "Black Book" was not  
3 really in detail, but I just kept silent. And that's regarding  
4 the event surrounding that book.

5 Q. If this book was published by the Ministry of Foreign Affairs,  
6 can we -- or do you know if Ieng Sary read this book before it  
7 was published?

8 MR. PRESIDENT:

9 Defence Counsel, you may proceed.

10 [14.36.52]

11 MR. KARNAVAS:

12 Thank you, Mr. President. I didn't object earlier to the question  
13 which misstated the facts.

14 Now, again, the Prosecution is attempting to misstate the facts,  
15 yet again. I know we are before professional Judges. He's  
16 claiming that this was published by the Ministry of Foreign  
17 Affairs. This is a claim and assertion that's made by Prosecution  
18 and he's asking the witness to verify.

19 First of all, it's leading. He can proceed it step by step. The  
20 individual – the gentleman has indicated that Pol Pot, more or  
21 less, dictated it to him and to others and that's how it came  
22 about. Now he wants to have it attributed to the Ministry of  
23 Foreign Affairs.

24 I can understand the gentleman's eagerness to pin this on the  
25 Ministry of Foreign Affairs, but the evidence should come from

1 the witness, and not from the Prosecution.

2 [14.37.52]

3 BY MR. DE WILDE D'ESTMAEL:

4 Q. Mr. President, may I ask the witness, then, if it is indeed  
5 the Ministry of Foreign Affairs that published this "Black Book"?  
6 Does the "Black Book" have any mention referring to the Ministry  
7 of Foreign Affairs on the cover page?

8 MR. SUONG SIKOEUN:

9 A. As part of Propaganda Information Section, I published that  
10 book, and it was translated into French and English as well.

11 Q. So, since you were in charge of the publication of this book  
12 -- this book was published by the ministry. So do this mean that  
13 Ieng Sary, before its publication, read the book to verify its  
14 content and its compliance with the conversation that had taken  
15 place with Pol Pot?

16 [14.39.08]

17 A. It seems that it was not necessary, as Mr. Thiounn Prasith  
18 could sent to Pol Pot through Ieng Sary -- that is, after Keat  
19 Chhon and Thiounn Prasith made it into a book form. Then it is  
20 possible that the book was sent to Pol Pot directly or sent to  
21 him through Ieng Sary.

22 As I said earlier, sometimes Pol Pot made contact with our  
23 section directly without having to go through Ieng Sary.  
24 And let me just give you an example. Mr. Stéphane Courtois, who  
25 was my professor, said that it was a common practice in various

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1 other European countries. If you were the president or the  
2 chairman, in fact you were not that effective. In reality it was  
3 the second man who has the real authority.

4 [14.40.40]

5 And the situation was different from the setting in Europe or in  
6 some other African countries. The situation in Cambodia was  
7 rather distinct from Europe countries or from France. I don't  
8 want to wander any further in to this area, but sometime the  
9 chairperson himself did not know of what was going on. Even in my  
10 case, I was the chairman of the Propaganda and Information  
11 Office, and sometimes news was released with my name, but I,  
12 myself, was not aware of its nature or content.

13 MR. PRESIDENT:

14 Thank you.

15 The time is now appropriate for a short recess we shall take a  
16 break until 3 p.m.

17 Court Officer, could you assist the witness and the duty counsel  
18 during the recess and have them return at 3 p.m., when we resume?

19 (Court recesses from 1442H to 1502H)

20 MR. PRESIDENT:

21 Please be seated. The Court is now back in session.

22 The Prosecutor, you may continue your questioning.

23 BY MR. DE WILDE D'ESTMAEL:

24 Thank you, President. Before we get going, I just want to point  
25 out that I won't have finished by the end of today. And in

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1 agreement with the civil party lawyers, I will poach 15 minutes  
2 tomorrow morning on their time so as to complete my questions.

3 Q. Mr. Witness, earlier on you mentioned the fact that Pol Pot  
4 and other people from the Foreign Affairs Ministry had contacted  
5 you. Tell us how they contacted you. Did they call you on the  
6 phone -- or how did they proceed?

7 [15.04.08]

8 MR. SUONG SIKOEUN:

9 A. At the time - well, I cannot recall it well, but I only  
10 learned it from Mr. Ieng Sary. Ieng Sary did not come to meet us  
11 on a daily basis, but normally we met him two or three times per  
12 week. I cannot recall it well, but Mr. Ny Kan who was in charge  
13 of Protocol Office -- he asked me to go.

14 Q. So, in reality, Pol Pot never personally and directly  
15 contacted you? Was it always through Ieng Sary or somebody else?

16 A. No, he never contacted me directly.

17 Q. Thank you.

18 Mr. Witness, turning to another topic, during the Democratic  
19 Kampuchea regime, did you notice disappearances, in the Ministry  
20 of Foreign Affairs, of members of the ministry itself or other  
21 people who had been temporarily sent there?

22 A. Yes, I did notice the disappearance of personnels.

23 [15.06.15]

24 Q. What sort of personnel are you talking about? Were they  
25 different categories of people who were working in B-1 who



1 disappeared -- for example ambassadors, intellectuals, B-1  
2 cadres, or mere B-1 combatants?

3 A. Those who disappeared from B-1 included Saur Se, alias Vann  
4 (phonetic); he (sic) was the secretary of the Party cell at the  
5 Bureau Section, and then she was appointed to the General  
6 Politics Department. Her name was Vann (phonetic), but her full  
7 name I cannot recall. He (sic) came once and then disappeared.  
8 That was one of the examples.

9 And in other section, for example, Keo - Keo, who was the head of  
10 Civil Aviation. At that time, Civil Aviation was subordinate to  
11 the Ministry of Foreign Affairs and Keo was in charge of the  
12 Civil Aviation. He disappeared, but I did not know the reason for  
13 the disappearing. He might have been transferred to other  
14 position or he may be taken away to somewhere else, I did not  
15 know.

16 And there was another engineer, he also disappeared. He stayed in  
17 a house close to the Royal Palace. He came to work with Ministry  
18 of Foreign Affairs for a short period of time, and then he was  
19 transferred to Ministry of Industry, and then later on he  
20 disappeared.

21 And Tun Chot Sirinn, who was another staff member of Ministry of  
22 Foreign Affairs, also disappeared.

23 [15.09.09]

24 So, to my knowledge, there were some personnel who disappeared  
25 within the Ministry of Foreign Affairs, but I did not know the

1 reason for the disappearing and nobody told me about it either.

2 They disappeared mysteriously.

3 Q. Thank you, Mr. Witness.

4 I want to start with discussing the fate of a certain number of  
5 diplomats. Can you tell us, after the fall of Phnom Penh, who  
6 called the diplomats from the former regime back to the country?

7 A. Well, following the 17th of April 1975, diplomats who were  
8 under mission overseas continue to work there. But the decision  
9 to call those diplomats back to the country was made in late  
10 1975, and normally Pol Pot was the one who rendered that  
11 decision. It was not up to Ieng Sary to decide, but it was the  
12 leader of the country at the time to decide on calling back those  
13 diplomats.

14 [15.11.07]

15 Q. Mr. Witness, you're talking about a Pol Pot decision once  
16 again. How do you know that Pol Pot took that decision? Who told  
17 you about that?

18 A. If Ieng Sary did not make that decision, who else could make  
19 that decision? It must have been Pol Pot. And the intellectuals  
20 who returned to the country had to go through the Democratic  
21 Kampuchea Diplomatic Mission in China. So, at that time, they  
22 took away their belongings, such as watches or other jewellery,  
23 were removed from them and kept at the embassy in China. So the  
24 decision to remove those belongings from the intellectuals were  
25 not the decision of Ieng Sary, it was the one made by Pol Pot.

1 For example, in the embassy, the ambassador was not the person  
2 who was vested with the power and authority. Normally, the  
3 secretary attached to the embassy who made the decision. This was  
4 reflected by my personal experience. It was not the ambassador  
5 who had the authority over the embassy, but it was the secretary  
6 attached to the embassy. Certain affairs, the minister did not  
7 even -- or were not even informed of the matters because the  
8 issue was referred back to the Party Centre back in the country.

9 [15.13.24]

10 Q. Precisely, you say: "It wasn't a decision by Ieng Sary,  
11 therefore it had to be taken by Pol Pot."

12 Did you personally participate in meetings of the Standing  
13 Committee?

14 A. I did not have any role to play in the meeting of the Central  
15 Committee meeting.

16 Q. So did the Standing Committee minutes get sent to you so that  
17 you could draw the difference between decisions that were maybe  
18 taken individually by Pol Pot or taken on a collective basis by  
19 the Standing Committee? Did you receive the minutes of the  
20 Standing Committee meetings, Mr. Witness?

21 A. Never had I received a copy of the minutes.

22 Q. Thank you, Mr. Witness.

23 Among the former diplomats from before 17th of April 1975 who  
24 were called back before the end of 1975, can you give us one or  
25 two names of these diplomats and the postings they had at the

1 time?

2 [15.15.45]

3 A. Mr. Sarin Chhak, who was the Minister of Foreign Affairs for  
4 the National United Front of Kampuchea; Mr. San, the Ambassador  
5 to Russia; Mr. Huot Sambath, the Ambassador of Cambodia to  
6 Yugoslavia; Mr. Isoup Ganthay, the chargé d'affaires -- the acting  
7 chargé d'affaires to Banlung; His Royal Highness Prince Metheavy,  
8 the chargé d'affaires of the Cambodian Embassy in Germany, and  
9 other diplomats. I cannot recall their name. And even to date, I  
10 cannot recall all of those diplomats who were posted overseas.

11 Q. What about Nou Pech alias Sin? Is that a name that rings a  
12 bell among these lists of diplomats?

13 A. Yes, Nou Pech was the ambassador -- a Cambodian ambassador to  
14 China at that time.

15 [15.17.26]

16 Q. And what about In Sophann? Excuse my pronunciation. Was he a  
17 former GRUNK chargé d'affaires?

18 A. Yes, In Sophann was the -- In Sokan's brother. In Sokan was  
19 the former student union in France, and then later on he was  
20 appointed the chargé d'affaires of Cambodia to Albania.

21 Q. Among all this group of former diplomats, how many went  
22 through the Office of the Ministry of Foreign Affairs when they  
23 came back towards the end of 1975?

24 A. As a matter of fact, those diplomats who were called back to  
25 the country did not return through the Ministry of Foreign

1 Affairs. If I still remember correctly, Mr. Ieng Sary called me  
2 to meet with him in one of the houses in Phnom Penh. And actually  
3 those diplomats did not come through Ministry of Foreign Affairs  
4 with the exception of Mr. Touch Kham Doeun who was the former  
5 president of the students union in France, and he was also a  
6 Party member and a former member of the Marxist-Leninist Circle  
7 in France. He returned through Ministry of Foreign Affairs. And  
8 Mr. Sarin Chhak and General Doung Sam Ol, they returned through  
9 Ministry of Foreign Affairs for a certain period of time.

10 [15.20.05]

11 Q. Was it the Ministry of Foreign Affairs that actually received  
12 these former ambassadors at Pochentong Airport?

13 A. That I did not know. I did not know who went to receive them  
14 at the airport. But what I knew was that I met them in one of the  
15 houses organized for them in Phnom Penh. And following the  
16 meeting with them, I did not know where those former diplomats  
17 sent to.

18 Q. And when you met them in a house in Phnom Penh, was that as  
19 part of your duties in the Ministry of Foreign Affairs?

20 A. At that time, I accompanied Mr. Ieng Sary and a few others  
21 Ministry of Foreign Affairs cadres, but I cannot recall who was  
22 who at that time.

23 Q. And where did the meeting take place between Ieng Sary,  
24 yourself, and other cadres with these former diplomats?

25 A. I cannot recall the exact location, because at that time I did

1 not know Phnom Penh well, and it also took place a long time ago.  
2 I did not pay attention to it. To me, that particular meeting did  
3 not have any significance to me.

4 [15.22.11]

5 Q. Did you find out what actually -- what fate was meted out by  
6 the regime to these former diplomats, like Chea San, Isoup  
7 Ganthy, Huot Sambath, Nou Pech alias Sin, In Sophann, Sisowath  
8 Metheavy -- what happened to them?

9 A. At that time, I did not know what happened to those diplomats  
10 because it was not within my responsibility and duties, but I  
11 learned about it later on, in 1979.

12 Q. And might one be told what you did learn in 1975 -- '79, Mr.  
13 Witness, about these people?

14 A. I learned about it, but I did not have the full knowledge of  
15 their disappearance. And I cannot recall it clearly, either. But  
16 I learned from one of the students whom I met later in France, as  
17 well as in Khmer -- in Cambodia -- who had lived with those  
18 people. But as to when exactly they disappeared, I did not know.

19 Q. Thank you, Mr. Witness.

20 [15.24.42]

21 Mr. President, for the purposes of the transcript, I would like  
22 to mention the name of Nou Pech alias Sin, and Chea San alias  
23 Chea -- are contained in document IS 5.70, which is a list of  
24 S-21 prisoners. And in that document, it says that they transited  
25 through K-17 Centre.

1 There's another document that contains the name of In Sophann of  
2 the Foreign Ministry, which is D199/1425 (sic). That is an S-21  
3 execution list which says -- which is entitled "Names of  
4 Prisoners Executed in 1977".

5 And concerning Huot Sambath, there is a document, IS 531, which  
6 is his confession in S-21.

7 The same goes for Isoup Ganthy, under code E366/7.1/83 (sic).  
8 That's the confession of Isoup Ganthy in S-21.

9 On the subject of Mr. Touch Kham Doeun, Mr. Witness, you told us  
10 that he had belonged to the Marxist-Leninist Circle. Were you a  
11 member with him of the Khmer student's union in Paris as well?

12 A. Yes, I was. I was a member of the Leninist-Marxist Circle in  
13 France with Mr. Touch Kham Doeun. Following his tendering of  
14 resignation from the president of the student union, then I  
15 became the president of the student union.

16 [15.27.02]

17 Q. When he came back to Cambodia, did he work in B-1, and if so,  
18 in which particular service?

19 A. Yes, upon return to Cambodia, he worked with the Ministry of  
20 Foreign Affairs.

21 Q. What happened to Touch Kham Doeun and his wife during the  
22 Democratic Kampuchea period?

23 A. He worked with the Ministry and his house is close to mine,  
24 and my wife and his wife were close to each other. And his eldest  
25 sister was my adopted daughter, too.

1 So the day he left his house -- I remember it vividly. It was in  
2 1977. At that time, Ieng Sary went to -- went on an official tour  
3 to Malaysia and Singapore with Mr. Thiounn Prasith. When he left,  
4 his wife was very happy at that time, because she thought that he  
5 would go to the countryside. Because during the Democratic  
6 Kampuchea period, intellectuals who returned from overseas and  
7 attached to the base or to the countryside -- it brought honours  
8 to the family, so -- to refashion himself in the countryside. So  
9 they were very happy, because they thought that he would be asked  
10 to teach English in the countryside. And I learned about his  
11 arrest only later on.

12 [15.29.34]

13 Q. So, if I understand correctly, you didn't witness the arrest  
14 because you thought that Touch Kham Doeun -- husband and wife  
15 were going out to the countryside. But when they left B-1,  
16 because you were neighbours, did you see who took them away, who  
17 conveyed them to the countryside?

18 A. I did not witness it, but I saw him preparing his clothes --  
19 preparing for his trip. That's how I saw, but I did not see who  
20 came to fetch him.

21 Q. And did Ieng Sary speak to you about the arrest of Mr. Touch  
22 Kham Doeun?

23 A. As I recall, during the meeting, he read the confession of  
24 Touch Kham Doeun. Let me summarize the content of the confession  
25 as to the reasons for the arrest of Touch Kham Doeun.



1 [15.31.01]

2 Touch Kham Doeun was assigned from his older brother, Touch  
3 Phoeun, who was then Minister of Public Works of Democratic  
4 Kampuchea. Touch Phoeun, during the regime under the control of  
5 Marshal Lon Nol -- that is, between 1970 to '75 -- he was a --  
6 secret link infiltrated in Phnom Penh.

7 Later on, that secret network, including those who were  
8 responsible for the link - (words in Khmer) -- were accused as  
9 being leaders of Democratic Kampuchea. Thus they were linked as a  
10 part of the espionage network of the CIA, so they were all  
11 arrested, including Touch Phoeun.

12 And through that confession, it was shown that Touch Phoeun  
13 assigned Touch Kham Phoeun (sic) to write about the situation  
14 occurring in Democratic Kampuchea. And Touch Kham Phoeun (sic)  
15 wrote the article, translated into a foreign language, and sent  
16 overseas by his wife, Touch Vanna, who was then working at the  
17 protocol section -- who had the privilege to contact with other  
18 diplomatic missions in Cambodia.

19 [15.32.50]

20 And one of the embassies did send a document -- or that document  
21 to a chief. That was how it was shown in the confession, and it  
22 seems to be rather logical and credible. It was like a novel with  
23 different players, and it seems that it was plausible to believe  
24 that it did happen.

25 So Touch Kham Doeun was the one who wrote the article and sent it

1 to a CIA network outside through the Egyptian diplomatic mission  
2 in Cambodia.

3 Q. Thank you. As -- for the purposes of the record, I heard Touch  
4 Kham Doeun, but Touch Doeun -- I understand that Touch Kham Doeun  
5 and Touch Phoeun are brothers. And I'm saying this on the basis  
6 of what I heard from the French channel.

7 So, Witness, you said that Ieng Sary read to you Touch Kham  
8 Doeun's confessions during a meeting. When did this meeting take  
9 place with Ieng Sary and who attended that meeting?

10 A. I cannot recall the exact date of the meeting. Present there,  
11 as I recall -- I could not recall all the participants, I'd  
12 rather say so. However, I believe it was in 1977.

13 [15.35.06]

14 Usually the attendees were those cadres who worked within my  
15 section -- that is, within diplomatic affairs section. They were  
16 also close friends of Touch Kham Doeun, including Thiounn  
17 Prasith, Keat Chhon, Ok Sakun, etc.

18 Q. And during this meeting, did Ieng Sary find the accusation of  
19 betrayal described in the confession very clear?

20 A. I could not make a conclusion regarding this matter, but I can  
21 say that Ieng Sary was close to Touch Kham Doeun, and I knew that  
22 fact clearly. And when Touch -- people came to arrest Touch Kham  
23 Doeun, it was the time that Ieng Sary was not present -- was not  
24 in. If -- I am certain, if he were to be in the country, that  
25 arrest would not have been made.

1 Q. And do you mean that, since he knew Touch Kham Doeun since the  
2 time in France -- that this was somebody who was close to him,  
3 someone he would have protected?

4 A. It can be said so, because Ieng Sary defended a large number  
5 of cadres at the Ministry of Foreign Affairs, and not because of  
6 their close proximity to him.

7 [15.37.44]

8 I'd like to say that the confession was like a novel or a writing  
9 up of a story.

10 While I was in Beijing, I was also an agent for KGB -- that is in  
11 the confession -- and that I gathered the information for the  
12 Soviet Union. But in Phnom Penh, I instead worked for the CIA in  
13 a group of -- a group of people known as S808, and that we had a  
14 weekly meeting at Thiounn Prasith's office, and the five include  
15 Thiounn Prasith, myself, Keat Chhon, Touch Kham Doeun, and Hak  
16 Seang Lay Ni.

17 And this Hak Seang Lay Ni was not a CIA agent, because he was the  
18 president of the Khmer Communists in the Soviet Union. It means  
19 he was a pro -- the Soviet Union. So we can deduce that the  
20 confession was actually just a writing of a novel, and that it  
21 could not be believed in. And that was clear to me.

22 Q. Earlier on, you said that what had been told to you seemed  
23 credible. But must I understand that the accusation of a certain  
24 number of cadres at B-1 -- including yourself, Thiounn Prasith,  
25 and Keat Chhon -- were not credible? Is that what I must

1 understand?

2 [15.39.41]

3 A. Yes. When it is clearly shown that people were CIA agents,  
4 then they would be arrested. But if all were to be arrested, it  
5 means the ministry would have been closed. It could not be  
6 functioning without us. It seems that it's too extreme.

7 Q. Thank you. Generally speaking, in Democratic Kampuchea, what  
8 would happen if you were incriminated in documents? And how many  
9 incriminations were necessary for there to be consequences?

10 A. Let me respond that not only that someone was fabricated or  
11 complicated; there should be documents. For example, in early  
12 1976 or '77, if there were three documents -- for example, if I  
13 had a friend at the Ministry of Public Works and in the evening,  
14 when there was a small party and I was invited to attend, and, of  
15 course, I would attend it -- and as we know, Touch Phoeun was the  
16 Minister of Public Works -- then we would be able to get  
17 something to eat, maybe chicken feet. In 1976, everybody had  
18 gruel. So, for me, no problem to eat gruel at that time, because  
19 I had some bowel problem. So, later on, if one of the meeting  
20 attendees was arrested and if we were to attend that kind of  
21 party, it means I would have a story of one document. So, if I  
22 were to attend three times, it means I would have three documents  
23 or three cases against me.

24 [15.42.15]

25 And Keat Chhon himself invited me on several occasions, but I

1 refused because I had my stomach problem. And as for him, he had  
2 more than 60 documents -- all 60 cases against him. And if  
3 someone were to have three documents or three cases against him,  
4 that -- the person would be arrested. But in this case, it's too  
5 excessive -- more than 60 cases.

6 But in my case, first I had three cases or three documents  
7 against me, but later on, they add -- they added two more. But  
8 how come I was spared? Because among the three or four documents,  
9 I was accused of being a revisionist -- that means pro the Soviet  
10 Union or pro-Vietnam. So I was labelled as a revisionist. So I  
11 was marked as a revisionist in four documents and I was half  
12 accused in another document, as Heng Pich said that all  
13 intellectuals arriving from France were all revisionists, but he  
14 failed to mention any particular individuals, so my name was not  
15 mentioned. So, in this case, it would not say that I had one full  
16 document or one case against me, it was only half. So, in that  
17 case, I only had four and a half cases or four and a half  
18 documents against me, so I could not be arrested.

19 [15.44.00]

20 But I can also say, at the Ministry of Public -- of Foreign  
21 Affairs, I was the one who had the least documents or cases  
22 against me. And I think on one website, they said that I was the  
23 one to replace Pol Pot. And maybe, after I leave this courtroom,  
24 maybe I will be labelled differently again, maybe, by the "Radio  
25 Free Asia" broadcast. So this is just I want to shed the light

1 regarding the documents or cases against someone.

2 And by 1978, the document or the cases against two -- eight  
3 points, and by that time there was no distinction between Old  
4 People or New People. So it was Madam Ieng Thirith who came out  
5 with the eight documents or eight cases as she talks to Pol Pot.  
6 But Ieng Sary did not dare to say so, but it was Madam Ieng  
7 Thirith, who was the in-law, who dared to speak about that to Pol  
8 Pot. But later on Pol Pot married another wife, and that was a  
9 different story. But by that time it came up -- or it increased  
10 to eight documents or eight cases against someone before that  
11 person was arrested.

12 [15.45.37]

13 But in the case, for example, the accuser did not face-to-face  
14 with the one who is accused, and that is a problem.

15 And when I went to visit the Tuol Sleng Museum, I saw a number of  
16 my friends who were loyal, who were doctors, who were good  
17 people, but were taken and killed there. That was really a pity.  
18 My apology to the brothers. If I knew that that was the results,  
19 I would not have joined the group because I, myself, I reached a  
20 point of no return that I would not bear anymore -- any longer.  
21 That was not a revolution. That -- that's not meant to serve the  
22 people or the country. I really feel the pain.

23 [15.46.48]

24 And, Mr. President, when I see the Brothers, or "Bong Bong", who  
25 spent almost their entire lives on this path -- I knew them very

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1 well -- when it comes to the religion about the three -- the  
2 three bodies -- in Khmer we say (words in Khmer). But the other  
3 two are gone only the one bodies are here representing by those  
4 "Bong Bong" -- Brothers.

5 Q. Thank you, Witness. May I ask you to be a little bit more  
6 concise in your answers to my questions? I know that you have a  
7 lot to say but just for clarification, you spoke about the three  
8 loyal friends and three faithful friends and you mentioned their  
9 names in your statements. Was this Tiev Chinleng, In Sophann, and  
10 Hin Chamron?

11 A. Hin Chamron was an engineer in the public works from France.

12 MR. PRESIDENT:

13 Mr. Prosecutor, could you clearly state the names? Because it's  
14 Hin, not Sin. So please make your question clearly so that the  
15 witness can respond and try to avoid any misunderstanding.

16 [15.48.46]

17 MR. DE WILDE D'ESTMAEL:

18 Yes, yes, thank you. This is document D147, also E3/101. And on  
19 page 4 -- in Khmer, 00290437; English, 00290443. And I might  
20 quote the passage in question and ask you to provide me with --  
21 if you can please give the statement to the witness so that he  
22 may see the names in Khmer. So it is 00290437 in Khmer. And if we  
23 could please display this excerpt as well?

24 MR. PRESIDENT:

25 Yes, you may proceed.

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1 Court Officer, could you deliver the document for the witness  
2 examination?

3 BY MR. DE WILDE D'ESTMAEL:

4 Q. So this is an excerpt referring to the return of the  
5 intellectuals and let me read the passage in full, including the  
6 questions. So, here, it's -- mention is made of intellectuals.  
7 "What was the method used to have them returned?" That was the  
8 question.

9 [15.50.27]

10 The answer, it was: "I remember that in September 1975 when a  
11 delegation, of which I was part, travelled to the UN, we stopped  
12 in Paris for a meeting. And a meeting was organized to convince  
13 intellectuals to come back. Some of my friends, who were present,  
14 who were considered progressive intellectuals such as Tiev  
15 Chinleng, In Sophann and Hin Chamron; they returned to Cambodia  
16 and all disappeared subsequently. I discovered their names at  
17 Tuol Sleng two years ago and I was deeply moved. I then started  
18 to write the story of these persons and this was the deeper  
19 reason behind my decision to collaborate with the Tribunal."  
20 So what I wanted to know is whether these are the three people  
21 you mentioned?

22 MR. SUONG SIKOEUN:

23 A. Yes. When I talk about the names at Tuol Sleng, there were  
24 additional names. They were my friends whom I acquainted and knew  
25 during my study at the Preah Sihanouk School in Kampong Cham, and



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1 the two were brothers, and they were of Laotian nationality, and  
2 they resided in Pakse.

3 [15.52.07]

4 At that time, the Laotian students in Pakse -- that is, South of  
5 Laos -- came to study and at that time, there was no high school  
6 or college and they came to study in Kampong Cham and I saw other  
7 five to six names which really shocked me. And they were  
8 additional to these three names.

9 Tiev Chinleng was the former head of the Kampong Som port in the  
10 current Sihanoukville. During the Sangkum Reastr Niyum, he went  
11 to France and his wife was French. He had a child and he had to  
12 sacrifice leaving the family behind in order to come to  
13 contribute to the country. He was a close friend of Ieng Sary.

14 [15.53.05]

15 As for In Sophann, he was an engineer from the L'École centrale,  
16 in Paris. He was the blood brother of In Sokan.

17 As for Hun Chamron--

18 (Short pause)

19 [15.53.29]

20 MR. PRESIDENT:

21 The Prosecutor, you may continue your question.

22 BY MR. DE WILDE D'ESTMAEL:

23 Q. I see that mention of these names is quite emotional for the  
24 witness so I would like to move on to something else.

25 Earlier, we spoke about the number of documents that was

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1 necessary to be arrested and you spoke about Touch Kham Doeun's  
2 confessions. And when you speak about these documents, are these  
3 accusations in confessions of people who had been arrested prior?

4 [15.54.35]

5 MR. SUONG SIKOEUN:

6 A. Yes.

7 Q. And you also spoke about that you had been incriminated in  
8 certain documents and that this had happened four and a half  
9 times. How did you learn of all of this? Did you manage to gain  
10 access to the confessions in which you were mentioned?

11 A. No, I did not see it. I knew it because, on that day, as I  
12 recall -- it was in 1977, but I cannot recall the month -- Ieng  
13 Sary called me to his office at the MFA and he said that, in the  
14 confession of Ros Sarin, who was the director of the Royal Air  
15 Cambodge of the Cambodian Aviation and was also my friend from  
16 the Sisowath School -- he was also a friend of Keat Chhon. In his  
17 confession, as he was accused of being a CIA head, he said Keat  
18 Chhon and I were also CIA agents, and for that reason Ieng Sary  
19 called me to his office to clarify the matter.

20 [15.56.28]

21 And I'd like to also add that the -- there were a lot of variable  
22 circumstances for me. I also recall that in 1971, as I had to go  
23 to Algeria with Chan Yourann for a conference meeting, in the  
24 capacity as the representative of the Front, and the conference  
25 was for the free press of the Communist Movement and I transited

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1 through Paris. At that time, Ros Sarin was representative of  
2 Marshal Lon Nol because by '71, the coup d'état to topple Prince  
3 Sihanouk already concluded.

4 MR. PRESIDENT:

5 Yes, you may proceed, the Prosecutor.

6 And, Mr. Witness, please listen to the question carefully and  
7 limit your respond to the content of the question. And please try  
8 to make your response short and precise and respond to the  
9 question put to you.

10 [15.58.13]

11 BY MR. DE WILDE D'ESTMAEL:

12 Q. Thank you, Mr. -- thank you, President.

13 Sorry for interrupting you, Witness. We, of course, understood  
14 that you had been incriminated, but that you had not been  
15 arrested. But concretely speaking, after the meeting with Ieng  
16 Sary, did Ieng Sary ask you to do anything specific following Ros  
17 Sarin's accusations in his confession?

18 MR. SUONG SIKOEUN:

19 A. He asked me to write my biography in the Khmer language, which  
20 I have seen just then, and that document has been copied by the  
21 Documentation Center of Cambodia. That was the biography that he  
22 asked me to write.

23 [15.59.28]

24 Q. Thank you.

25 Last question, President, before we adjourn soon. In this

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1 biography, indexed D154.3, you said or you took great care -- and  
2 I believe this confession dates back to June 1977, you took great  
3 care in this biography to characterize a certain number of people  
4 as "traitors" or as "despicable" and in English, it's translated  
5 as "contemptible," in fact, and I'm going to mention all of the  
6 people referred to in this biography whose names are preceded by  
7 these characterizations. There's Hou (phonetic) Sarin -- Ros  
8 Sarin, and it's -- and on the Khmer page 00003478; English,  
9 00816730; French, 00290760. And you mentioned many other names  
10 aside Ros Sarin: Saing Savat, for example -- spelled out  
11 S-a-i-n-g; there's Koam Reth, K-a-o-m; Hu Nim; Hak Seang Lay Ni,  
12 whom you mentioned previously; Keo Meas; and you indicated Sok  
13 Tuonphalla; Touch Phoeun; and Touch Kham Doeun, who you already  
14 mentioned previously. And I can provide the ERN numbers, if  
15 necessary, but I'm not sure that is the case.

16 [16.01.37]

17 So, when you wrote out this biography upon Ieng Sary's request,  
18 was it normal for you to use such terms as "contemptible", maybe  
19 to take distance in relation to all of these incriminated people?

20 A. Those individuals were announced by the Party as CIA agents  
21 and they -- they betrayed the organization. As such, it had to be  
22 stated so. Believe it or not, that's what was to be done.

23 I do not know the fact that by putting such an allegation or  
24 names that I would be labelled as the opportunist. However, if I  
25 were not to write down those names, what will be the consequence?

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1 That's what we call the Khmer democracy.

2 Let me just tell you that was the democratic way according to the  
3 Cambodians. If it's a Khmer sour soup, it's a Khmer sour soup,  
4 don't change it. We cannot say everything was good in France, in  
5 the United States, or other countries.

6 [16.03.40]

7 MR. PRESIDENT:

8 Thank you.

9 The proceeding today has come to a conclusion. We shall adjourn  
10 today's proceeding now and we will continue tomorrow, starting  
11 from 9 a.m.

12 And tomorrow the Chamber will continue hearing the testimony of  
13 the witness, Suong Sikoeun, who will be questioned again by the  
14 Prosecution and by the Lead Co-Lawyers for Civil Parties. This is  
15 information for the parties and the public.

16 Mr. Suong Sikoeun, the hearing of your testimony has not yet  
17 concluded and you're invited, again, to come tomorrow.

18 Likewise, the Duty Counsel, you are required to be present  
19 tomorrow as well.

20 Court Officer, in collaboration with the WESU unit, assist the  
21 witness to return to his residence and have him returned to the  
22 office tomorrow, prior to 9 a.m.

23 Security guards, you're instructed to take the three Accused back  
24 to the detention facility and have them returned tomorrow  
25 morning, before 9 a.m.

1 The Court is now adjourned.

2 (Court adjourns at 1605H)

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