



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): 21-Aug-2012, 16:13  
CMS/CFO: Sann Rada

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

15 August 2012  
Trial Day 96

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

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**List of Speakers:**

Language used unless specified otherwise in the transcript

<b>Speaker</b>	<b>Language</b>
MR. ABDULHAK	English
MR. CHAN DARARASMEY	Khmer
MR. DE WILDE D'ESTMAEL	French
MS. GUISSÉ	French
MR. KARNAVAS	English
MR. KONG SAM ONN	Khmer
JUDGE LAVERGNE	French
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. PAUW	English
MR. PICH ANG	Khmer
MS. SA SIEK (TCW-609)	Khmer
MR. SUONG SIKOEUN (TCW-694)	Khmer
MR. VENG HUOT	Khmer

1

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

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 As we scheduled yesterday, today we will continue to hear the  
6 testimony who will be questioned by the defence team for Nuon  
7 Chea.

8 Before I hand the floor to the Defence, Ms. Se Kolvuthy, could  
9 you report the attendance of the parties and the individuals to  
10 the proceeding?

11 [09.03.07]

12 THE GREFFIER:

13 Mr. President, all parties to the proceeding are present except  
14 the accused Ieng Sary, who is present in the holding cell  
15 downstairs. He requests to waive his direct presence through his  
16 counsel in today's proceeding. The letter of waiver has been  
17 submitted to the greffier.

18 As for the reserve witness -- that is, TCW 609 - he's present in  
19 the waiting room to be called by the Chamber.

20 The witness confirms, to his knowledge he has no relationship by  
21 blood or by marriage to the three Accused or any of the civil  
22 parties recognized by the Chamber. The witness already took an  
23 oath on the 14th of August 2012

24 MR. PRESIDENT:

25 The Chamber will now decide the request by Ieng Sary.

2

1 The Chamber received a request dated 15 August 2012, through his  
2 counsel, to waive his direct presence in the courtroom and  
3 instead to follow it through a remote means for the whole day  
4 proceeding.

5 [09.04.48]

6 Suos Sem, the treating doctor of the Accused at the ECCC  
7 detention facility, has examined the Accused and observed that he  
8 is fatigued, he easily gets exhausted while -- during the  
9 movement, and he recommends that the Accused shall be allowed to  
10 follow the proceeding in the holding cell downstairs.

11 And as Ieng Sary already requested to waive his direct presence  
12 in the courtroom due to his health, and as observed by the doctor  
13 that he could physically and mentally follow the proceedings from  
14 the holding cell and that he can also communicate directly with  
15 his defence team, the Chamber does agree to the request by Ieng  
16 Sary to waive his direct presence in the courtroom, and allows  
17 him to follow it through a remote means from the holding cell  
18 downstairs. That applies for the entire day.

19 [09.06.04]

20 AV booth, you're instructed to link the proceeding to the holding  
21 cell downstairs so that Mr. Ieng Sary can follow it.

22 The floor is now given to the defence team for Nuon Chea to  
23 continue putting questions to the witness.

24 Defence team, you are also reminded that your questions shall be  
25 appropriate and relevant to the facts alleged for the purpose of

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1 ascertaining the truth and in order to prove the existence or  
2 otherwise of guilt of your client and that the results of your  
3 questions shall be the base for the Chamber's consideration.

4 You may proceed.

5 QUESTIONING BY MR. PAUW RESUMES:

6 Thank you, Mr. President. Good morning, Your Honours. Good  
7 morning to everyone in and around the courtroom, and especially  
8 good morning to you, Mr. Suong Sikoeun.

9 [09.07.25]

10 Q. Yesterday, we were discussing the history of the FUNK and the  
11 GRUNK and we had spoken about a telegram that was sent by the  
12 American Embassy which identified several persons involved in the  
13 FUNK and the GRUNK. One of them was you, and you confirmed that  
14 indeed you were a member of the FUNK Central Committee, and one  
15 of them was Mr. Keat Chhon, and you confirmed that Mr. Keat Chhon  
16 was indeed the secretary of the FUNK Politburo.

17 We spoke a little bit about the politburo yesterday, and you have  
18 spoken about this politburo before, especially on August 8. In  
19 Court, on page 34 of the English transcripts, lines 8 to 12, and  
20 page 28 of the Khmer transcripts, lines 2 to 5, you said the  
21 following:

22 "In both FUNK and GRUNK, there were respective organizational  
23 management.

24 "As FUNK, it was a political organization. It had a central  
25 committee, and above the central committee there was a politburo

4

1 of the central committee. And Samdech Penn Nouth was the chairman  
2 of this committee."

3 [09.08.55]

4 This is what you stated on August the 8th.

5 And my question to you is simply: Is this the same politburo that  
6 Keat Chhon was a member of in 1971?

7 MR. SUONG SIKOUEN:

8 A. Keat Chhon was a candidate member of the politburo of the FUNK  
9 at the time.

10 Q. Thank you. And then the last question with regard to this  
11 telegram. You may remember that yesterday I read out to you the  
12 first page of the telegram and this telegram stated that people  
13 that were marked with an asterisk were those people that had been  
14 dared by Prince Sihanouk to form a government in the early  
15 sixties.

16 These were, in the words of the telegrams, the people that had  
17 been publicly described as leftists, extreme leftists, and  
18 subversives. Mr. Keat Chhon was indeed marked with an asterisk.  
19 And my question to you is: Was Mr. Keat Chhon one of those 34  
20 individuals that was dared by the Prince to form a government  
21 already in the early 1960s?

22 [09.10.42]

23 A. I did not have that knowledge. At that time, I was still  
24 studying in France.

25 Q. Thank you.

5

1 Then I will move on to the next topic, and that is a bit later in  
2 time; it's the evacuation of Phnom Penh. You've already described  
3 that you arrived in Phnom Penh in May 1975, so after the actual  
4 evacuation took place. But when you arrived in the city, do you  
5 remember whether the city was totally calm at the time or whether  
6 there was still sporadic fighting or gunfights?

7 A. On the day that I entered Phnom Penh, which was the 25th of  
8 May 1975, there were no people in the city. It was calm. There  
9 were some female workers who were transporting rice and put them  
10 on the boat.

11 Q. I would like to read an excerpt to you from a book by your  
12 former wife, Laurence Picq, and she has written a book, "Beyond  
13 the Horizon", and I would like to display the relevant sections  
14 on the screen. And the document number is IS 3.7; English ERN is  
15 00754756 to 78, French ERN is 00103372 until 78 as well, Khmer  
16 ERN is 00103479 until 72.

17 [09.13.03]

18 And with your permission, Mr. President, I would like to show the  
19 Khmer version on the screen. And I have a hard copy of both the  
20 French and the Khmer version for the witness to look at.

21 MR. PRESIDENT:

22 Yes, you may proceed.

23 Court Officer, could you deliver the hard copy document for the  
24 witness examination?

25 BY MR. PAUW:



6

1 And while the witness is reading the hard copy, I will read out  
2 the relevant excerpt in English -- and I quote -- it's on page 53  
3 of the English version and page 60 of the French version and page  
4 96 of the Khmer version -- and I quote:

5 "An important post-war step had been surmounted with the new rice  
6 harvest, but the security problem remains. Under the seal of  
7 secrecy, combatants often reported that arrests were taking place  
8 and gunshots were erupting night and day in various areas.

9 [09.14.15]

10 "Following the evacuation, Phnom Penh was searched from top to  
11 bottom to drive out any remaining rebels. Several weeks after the  
12 liberation, some were still found in hideouts stocked with  
13 provisions. The young ones found it amusing to see that their  
14 compatriots, hidden from the sun, had turned white."

15 Q. And, Mr. Suong Sikoeun, my question to you is: Does this  
16 refresh your memory? It may be that you were not in the city at  
17 the time because you arrived only on the 25th of May, but if you  
18 read this excerpt, does it refresh your memory as to possible  
19 combatants that were still hiding in Phnom Penh?

20 MR. SUONG SIKOEUN:

21 A. As far as I know, the statement as it was put by my ex wife  
22 was hearsay from those combatants at that time, as they were  
23 talking to one another and she overheard it. I also overheard  
24 that kind of statement that the young ones found it amusing  
25 because they saw those people had turned white. There were not

7

1 many of those former combatants, there were only a few, and there  
2 were some civilians as well.

3 [09.16.28]

4 Q. Thank you, Mr. Witness. That is a clear answer.

5 Then I'd like to go a bit further ahead in time and talk about  
6 the setting up of Office B 1 or the Ministry of Foreign Affairs.

7 And you have declared that you did so, together with a certain

8 Bori, who was an engineer from the Soviet Union, and with Mr.

9 Keat Chhon.

10 And I would like to show you a document, and it's the book you,

11 yourself wrote. It's called "The Odyssey of a Khmer Rouge

12 Intellectual", and the document number is IS 3.9, and also E

13 number E3.40. And the English ERN is 00813077 until 103, and the

14 French ERN is 00078986 until 39, and the Khmer ERN is 00583604

15 until 636.

16 And with your permission, Mr. President, I would like to show the

17 Khmer version on the screen. And we have both the French and the

18 Khmer copy for the witness.

19 [09.18.06]

20 MR. PRESIDENT:

21 Yes, you may proceed.

22 Court Officer, could you obtain the hard copy document from the  
23 counsel for the witness examination?

24 BY MR. PAUW:

25 Q. And like before, I will read out the relevant excerpt, which

8

1 can be found on English ERN 00813084, Khmer ERN 00583613, and the  
2 French ERN 00078999 -- and I quote:

3 "When In Sopheap joined the Ministry of Information, I remained  
4 with Keat Chhon and Keo Bori, an engineer who had returned from  
5 Moscow, to reorganize the ministry. Throughout June 1975, we  
6 lived in the pink house next to the Royal Palace. It was a  
7 beautiful villa which belonged to Princess Peou, one of Samdech  
8 Norodom Sihanouk's wives.

9 [09.19.05]

10 "During the period of the Khmer Republic, it housed the office of  
11 the military attaché for the Kingdom of Thailand. The three of  
12 us, Keat Chhon, Bori and me, formed the nucleus of what later  
13 became the Ministry of Foreign Affairs of Democratic Kampuchea.  
14 Mr. Ieng Sary, our superior, came to visit us from time to time."  
15 My question, Mr. Suong Sikooun, is: What did you mean when you  
16 stated that the three of you, Keat Chhon, Bori, and yourself,  
17 formed the nucleus of what later became the Ministry of Foreign  
18 Affairs?

19 MR. SUONG SIKOEUN:

20 A. The three of us were assigned by Ieng Sary in order to obtain  
21 information from various other sources, in particular, from the  
22 foreign broadcast -- radio broadcast that is, and we will -- and  
23 we saw -- analyzed the broadcast and reported to him on a monthly  
24 basis regarding the situations.

25 [09.20.40]

1 And the report was also based on my -- our analyses on the  
2 resistance by the Kampuchean people, as at that time Kampuchea  
3 was not yet a Democratic Kampuchea, it was still in the  
4 resistance period.

5 We saw -- also analyzed the situation of a newly liberated  
6 country, and within the group, Keat Chhon was the group leader  
7 and he had to submit the report to Ieng Sary on a monthly basis.

8 Q. And when you use the word "nucleus", what do you mean,  
9 exactly, by that? Do you mean that you were the first persons to  
10 start the Foreign Ministry, or is there another meaning to the  
11 word?

12 A. It means that we monitor the situation, in particular the  
13 international situation and its development, in particular in its  
14 relation to the development of our resistance inside the country  
15 after the liberation of 17 April 1975.

16 And based on the analysis of that situation, the result would be  
17 an aid for the leadership in order to determine their foreign  
18 policy of a newly established state.

19 [09.22.53]

20 Q. Thank you. And then, if I can read to you an excerpt from the  
21 same document, which you should already have before you. It is on  
22 page 15 of the English version, and the English ERN is 00813091,  
23 and the Khmer ERN is 00583621 to 22, and the French ERN is  
24 00079013. If the court assistant can assist?

25 And I will read just one line from this page, and on this page

10

1 you have written: "Alongside Keat Chhon, Prasith was one of the  
2 ministry's brains, even though he held no official post."

3 [09.23.53]

4 And Mr. Suong Sikoeun, do you today confirm that Keat Chhon and  
5 Mr. Prasith were "the ministry's brains"? And what exactly do you  
6 mean by that?

7 A. This means that Keat Chhon, who used to be the former minister  
8 and who had the qualification, which was rarely matched amongst  
9 the intellectuals. He was a clever person, and who strived hard  
10 in his research, trying to understand in details for any  
11 particular issue.

12 [09.25.14]

13 Secondly, he had this personality which was generous and humble  
14 and who could gather as many forces, and as far as I know, he,  
15 himself, never hate anyone opposed him in his cutting out of  
16 duties. So he had this unique quality, that was -- that put  
17 people at ease to contact with him, and he was a loyal person.

18 Whatever he saw or understood, he would express that opinion  
19 without any hiding, but this only applied to the way he spoke to  
20 the superior or the leadership, not just to anybody.

21 As for Ieng Sary, he listened to the opinions expressed by other  
22 people and he would appeal to his colleagues and associates to  
23 express their real opinions without being afraid, but they shall  
24 be responsible in their duties.

25 He always instructed us that if we had any opinion and whether it

11

1 is expressed, what would be the consequence of such opinion  
2 because we were close to the leadership.

3 Q. Mr. Suong Sikoeun, I appreciate you trying to answer my  
4 questions and doing so extensively, but my question did not  
5 relate to Mr. Ieng Sary. Perhaps my colleague will have questions  
6 regarding Mr. Ieng Sary later, but I was focussing on the  
7 lower-downs in Office B-1. And so the follow-up question relates  
8 to that.

9 [09.27.45]

10 Before I ask the follow-up question, you mentioned that Mr. Keat  
11 Chhon had been a former minister; and can you tell us what sort  
12 of former minister Mr. Keat Chhon had been?

13 MR. PRESIDENT:

14 Witness, you do not need to respond, as this is not related to  
15 the facts alleged as your response is unlikely to contribute to  
16 ascertaining the truth.

17 And, Counsel, you already have been reminded that you should use  
18 your valuable time to put questions which are related to the  
19 facts alleged which would elicit the response for the  
20 consideration of whether there exists the guilt or otherwise. And  
21 that would be used as a basis for the Chamber's judgement at the  
22 conclusion of the hearing.

23 MR. PAUW:

24 Thank you, Mr. President. I'll try to make my question more  
25 specific so perhaps the relevance is clearer.

12

1 [09.29.13]

2 BY MR. PAUW:

3 Q. As we are exploring the history of the CPK and as the FUNK and  
4 the GRUNK are important aspects of that history, can you tell us  
5 if Mr. Keat Chhon had been a former minister in the FUNK/GRUNK  
6 Movement?

7 MR. PRESIDENT:

8 Witness, you do not need to respond. The question is irrelevant  
9 and further from the facts alleged.

10 BY MR. PAUW:

11 Q. Mr. Keat Chhon (sic), I would like to show you an excerpt from  
12 your interview with the Co Investigating Judges on the 12th of  
13 March 2009. The document number is E3/371, also known as document  
14 D143. The English ERN is 00290412, French ERN is 00288240, and  
15 the Khmer ERN is 00288233. And I would like to quote from page 5,  
16 which has the English ERN ending on 416.

17 And with your permission, Mr. President, I would like to show the  
18 document on the screen, in Khmer, and we have a Khmer hard copy  
19 version for the witness.

20 [09.31.01]

21 MR. PRESIDENT:

22 Court Officer, before you put any document up on the screen, wait  
23 until you hear from me first.

24 In particular, assistant to the counsel, wait until you hear  
25 permission from the Chamber before the document can be placed up

1 on the screen.

2 Court officer is instructed to bring the document from counsel to  
3 the witness for examination.

4 BY MR. PAUW:

5 Q. While the witness is studying the document, I will read out  
6 the relevant passage -- and I quote, with your answer to a  
7 question by the Co-Investigating Judges:

8 "And as I have already mentioned, other persons were supposed to  
9 be arrested, notably Keat Chhon and Thiounn Prasith, but Ieng  
10 Sary opposed their arrest explaining to Pol Pot that if Keat  
11 Chhon and Thiounn Prasith were to be arrested he might as well  
12 shut down the ministry."

13 [09.32.18]

14 Mr. Keat Chhon (sic), this statement by you at least suggests  
15 that Ieng Sary thought that these individuals, Keat Chhon and  
16 Thiounn Prasith, were very important people at B-1, but I would  
17 like to have your understanding of the matter.

18 According to you, were Keat Chhon and Thiounn Prasith indeed  
19 important workers at B-1?

20 MR. SUONG SIKOEUN:

21 Mr. President, before responding to this question, I may need to  
22 seek consultation from my counsel first.

23 MR. PRESIDENT:

24 The Chamber does not grant such a request because the question is  
25 not self-incriminating. You can only discuss with the duty



14

1 counsel when you feel that the question or your response will be  
2 self-incriminating.

3 [09.33.57]

4 However, you should not really respond to this question as it is  
5 repetitive.

6 MR. SUONG SIKOEUN:

7 Counsel, could you please rephrase your -- or clarify your  
8 question when you said--

9 MR. PRESIDENT:

10 Counsel, could you please rephrase your question and indeed, the  
11 current question was repetitive.

12 BY MR. PAUW:

13 Mr. President, I will try to rephrase the question.

14 Q. Mr. Suong Sikoeun, did you share Ieng Sary's feeling that Keat  
15 Chhon and Thiounn Prasith were important workers at B-1?

16 [09.14.48]

17 MR. SUONG SIKOEUN:

18 Mr. President, my apology whether I should respond.

19 MR. PRESIDENT:

20 You don't need to respond to that question.

21 MR. PAUW:

22 Mr. President, can I ask for clarification? Because I have not  
23 heard so far, during Mr. Suong Sikoeun's testimony, him being  
24 posed a question--

25 MR. PRESIDENT:

15

1 Witness is instructed not to respond to that question because the  
2 question is not within the scope of the alleged facts and,  
3 indeed, it had nothing to do with your client.

4 [09.35.45]

5 MR. PAUW:

6 I will move on to the next statement, Mr. Suong Sikoeun, which is  
7 document number E3/42, also known as document D167, and it's a  
8 statement you gave on the 6th of May 2009. And I have the hard  
9 copy available in Khmer, if the court officer wants to provide --  
10 may provide the witness with this statement. The English ERN is  
11 00327212, French ERN is 00327222 and the Khmer ERN is 00327200.  
12 And with your permission, Mr. President, I would like to show  
13 page 8 on the screen.

14 MR. PRESIDENT:

15 International Co-Prosecutor, you may now proceed.

16 MR. DE WILDE D'ESTMAEL:

17 Good morning, Mr. President, Your Honours, and Colleagues. My  
18 question has to do with the method used by counsel.

19 The last quotation was not word-for-word in French because the  
20 number of the page wasn't given to the interpreters. We're  
21 talking of D167 -- E3. It is important that counsel for Nuon Chea  
22 give the exact relevant page so that the interpreters may find  
23 the page and quote the passage correctly. Thank you.

24 [09.37.47]

25 MR. PAUW:

16

1 Mr. President, I can give the French ERN number for the documents  
2 -- and that is 0032722 until 00327230. I do not have the exact  
3 page reference, but all parties here questioning this witness  
4 have sometimes been allowed to quote from documents that are --  
5 or when they only other reference in English and Khmer or, as the  
6 prosecutor has done himself, just one language.

7 So I have provided the documents -- the page numbers of the  
8 document as far as we know them, but the exact reference we do  
9 not know, we don't have French language capability in our team to  
10 research this type of position.

11 Mr. President, can I quote the document so that it may also be  
12 translated into French?

13 MR. PRESIDENT:

14 You may proceed.

15 Court officer is now instructed to bring the hard copy of the  
16 document to be handed over to the witness, and the document can  
17 now be put up on the screen.

18 BY MR. PAUW:

19 Thank you.

20 [09.39.13]

21 Q. Before I quote, I will explain, Mr. Witness, that this is a  
22 question that relates to the structure of B 1. It's relevant to  
23 assess the structure of the people working at B-1 and their  
24 responsibilities, and that is what the question will address.

25 So I quote your answer on that page:

17

1 "Ieng Sary did not inform me personally. He said that in a  
2 meeting of the general policy department, if I remember  
3 correctly, attended by his closest assistants, Thiounn Prasith,  
4 Keat Chhon, Touch Kham Doeun, Ok Sakun, Chan Yourann, Pech  
5 Bunreth and myself, and also Ms. Saur Se, Secretary of the Party  
6 cell.

7 "Thiounn Prasith and Keat Chhon had been accused of being CIA  
8 agents and the security committee had wanted to arrest them. Ieng  
9 Sary had explained that the ministry could not work without them.  
10 One must understand that he had complete trust in them. All of  
11 these people, like me, were part of the Marxist-Leninist group of  
12 Khmer students in Paris, of which Ieng Sary was the founder with  
13 Keng Vannsak and Rath Samoeun."

14 [09.40.19]

15 And to -- further to the question, Mr. Suong Sikoeun, is the  
16 following, because I want to further understand the structure of  
17 B-1 and the level of responsibility. Did you share Mr. Ieng  
18 Sary's vision that the Ministry of Foreign Affairs could not work  
19 without Thiounn Prasith and Keat Chhon?

20 MR. SUONG SIKOEUN:

21 Mr. President, I think this is not a question; he was asking  
22 about my opinions. Should I respond to it?

23 [09.41.23]

24 MR. PRESIDENT:

25 You need not respond to the question because you are not supposed

18

1 to give your opinion on that, you are only here to respond to the  
2 question based on what you saw, Witness. And since the question  
3 is repetitive, you should not respond.

4 BY MR. PAUW:

5 Q. Mr. Suong Sikoeun, I'm not asking for your opinion, I'm asking  
6 you to base your answer on your experience working at B-1 for  
7 several years.

8 In your assessment, could the Ministry of Foreign Affairs work  
9 without Thiounn Prasith and Keat Chhon or not, as seems to be the  
10 opinion of Mr. Ieng Sary?

11 MR. PRESIDENT:

12 Witness is instructed not to respond to the question because  
13 witness is not an expert to give assessment to that, and also the  
14 question was put before; it is repetitive.

15 [09.42.42]

16 MR. PAUW:

17 Thank you, Mr. President. I will move on to the next document,  
18 and it still relates to the structure at B-1. And I would like to  
19 quote an excerpt from Philip Short's book, "Anatomy of a  
20 Nightmare", and the English ERN is -- the document number --  
21 excuse me -- is E3/9. English ERN is 00396171, French ERN is  
22 00639445. And those are the only two languages in which it seems  
23 to exist on the case file. The exact reference can be found on  
24 English page number ERN 00396547 until 48, and especially for the  
25 prosecutor, the French exact reference number is 00639901.

19

1 And with your permission, I would like to show this excerpt on  
2 the screen. And I have a copy in French for the witness.

3 MR. PRESIDENT:

4 You may proceed.

5 Court officer is instructed to bring the document from counsel to  
6 the witness and the document is allowed to be put up on the  
7 screens.

8 [09.44.29]

9 BY MR. PAUW:

10 Thank you, Mr. President.

11 Q. I will, in the meantime, read the excerpt that I want to put  
12 to the witness -- and I quote -- and this is a passage which  
13 speaks about Pol Pot's -- it's on English page number 339 -- and  
14 I quote:

15 "The result was that he--" And "he" is Pol Pot.

16 "The result was that he was constantly disappointed by his  
17 subordinates' capabilities. That fuelled the purge of elements  
18 judged to be disloyal. It also made him spend time on trivia that  
19 would have been better left to others. Like Sihanouk, who  
20 personally inspected the place-settings before official banquets,  
21 Pol approved the menus for state receptions, sent laundry lists  
22 of his instructions to provincial officials receiving government  
23 guests, chose the announcers for Radio Phnom Penh and supervised  
24 the programme schedules. In a society where the words of the King  
25 had always been law, initiative was still-born. To Suong Sikoeun,

20

1 micro managing the smallest details was part of Pol's conception  
2 of leadership, a firm hand with no sharing of power. He wanted to  
3 monopolize everything."

4 [09.45.54]

5 And, Mr. Suong Sikoeun, Mr. Short quotes your words here.

6 And my first question to you is: Do you remember to speaking to  
7 Mr. Short about the DK regime?

8 MR. SUONG SIKOEUN:

9 A. Mr. Philip Short was representing BBC in Beijing when I was  
10 still working in Peking. I was -- or I got to know him, and when  
11 he wrote the book I took him to see the leaders of the CPK and in  
12 particular the military, and I helped him. And I do not reject  
13 that I haven't said anything to him about the CPK.

14 Q. Thank you, Mr. Suong Sikoeun. That is clear.

15 And my question to you is the following. Mr. Short quotes you as  
16 saying about Pol Pot -- and I quote -- "micro-managing the  
17 smallest details was part of Pol's conception of leadership, a  
18 firm hand with no sharing of power. He wanted to monopolize".

19 Today, Mr. Suong Sikoeun, do you--

20 [09.48.01]

21 MR. PRESIDENT:

22 Counsel, could you please be slower when you read the statement?  
23 Because the interpreter cannot follow your speed.

24 BY MR. PAUW:

25 My apologies, Mr. President, I will slow down.

21

1 Q. Mr. Suong Sikoeun, I was quoting from your own words to Mr.  
2 Short -- and I quote when you're speaking about Pol Pot -- quote:  
3 "...micro-managing the smallest details was part of Pol's  
4 conception of leadership, a firm hand with no sharing of power.  
5 He wanted to monopolize everything."  
6 My question is: Mr. Suong Sikoeun, do you still stand by that  
7 assessment of Pol Pot today?

8 MR. SUONG SIKOEUN:

9 Mr. President, the question is more about seeking my insight into  
10 this. Perhaps it's not in my capacity to respond to that  
11 question.

12 [09.49.22]

13 MR. PRESIDENT:

14 It is the text quoted from the book. Have you ever been in  
15 contact with the person in the book? Or can you read the message  
16 in French? Or does that reflect your recollection?

17 MR. SUONG SIKOEUN:

18 I, indeed, can read English. English version should be given to  
19 me so that I can read the original text in English. Indeed, the  
20 book was written in English originally.

21 MR. PRESIDENT:

22 Counsel, do you think the English version is available so that  
23 Mr. Suong Sikoeun can have a copy?

24 MR. PAUW:

25 I think Mr. Suong Sikoeun already has a copy.



22

1 Perhaps the court officer can assist Mr. Suong Sikoeun with  
2 locating. It's attached to the French version, as far as I  
3 understand.

4 [09.50.28]

5 MR. SUONG SIKOEUN:

6 A. I can say that what Mr. Philip Short wrote reflects my  
7 observation concerning Pol Pot's leadership because I used to  
8 live with him for two years and in my capacity working under his  
9 orders as well. He was a meticulous person he of course,  
10 micro-managing the smallest details.  
11 For example, when there was guests, senior guests, he focused his  
12 main attention on the food or the catering server. He was engaged  
13 in the menu -- setting the menu himself. For example, which part  
14 of the dishes should be served first, and other parts of the  
15 important meals were also considered by him, including text to be  
16 broadcast on radio who's supposed to be the one who makes the  
17 editorial -- or the speech or manage the radio broadcaster would  
18 be let -- or managed by him all along.

19 [09.53.32]

20 MR. PAUW:

21 Thank you, Mr. Suong Sikoeun, for that answer.

22 And I would then like to proceed to a next document, and it is  
23 document D199/26.2.80 - eight-zero, that is. It is English ERN  
24 00442300, French ERN 00386798, and Khmer ERN 00820658.

25 And with your permission, Mr. President, I would like to show it

1 on the screen? And the original document is in French, so we have  
2 the documents both in French and in Khmer for the witness in hard  
3 copy.

4 MR. PRESIDENT:

5 You may proceed.

6 Court officer is now instructed to bring the document from  
7 counsel to the witness, and the document is allowed to be put up  
8 on the screens.

9 [09.54.42]

10 BY MR. PAUW:

11 Thank you, Mr. President.

12 Q. And while the witness studies the documents, I will explain  
13 that this is a telegram dated 10 February 1978. It is from the --  
14 stems from the French Ministry of Foreign Affairs and it relates  
15 a visit by a Thai delegation to Democratic Kampuchea sometime in  
16 early 1978.

17 And while the witness reads it I will read the telegram. The  
18 topic line is "Visits to Cambodia by the Thai Minister of Foreign  
19 Affairs" and the sub-heading is "Khmer Personalities" -- and I  
20 quote:

21 "I refer to my telegram number 217. The Thai delegation was  
22 officially welcomed by Mr. Ieng Sary, Deputy Prime Minister and  
23 Minister of Foreign Affairs. Mr. Pol Pot, the Prime Minister, met  
24 with Mr. Mr. Upadit and some of his aides. The visitors did not  
25 meet the Head of State, Mr. Khieu Samphan.

1 [09.56.06]

2 "Mr. Pol Pot appeared capable, resolute and confident. He spoke  
3 in the first person. He obviously wanted to impress it upon  
4 everyone that he is the man who has been running the country  
5 since 1975. He also took credit for the policy of friendship with  
6 Thailand saying that he was the one who made the decision to send  
7 Mr. Ieng Sary to Bangkok in October 1975.

8 "By contrast, Mr. Ieng Sary cut the figure of a lowly, respectful  
9 subordinate. He hardly answered any questions immediately. He  
10 seemed anxious to always consult a higher or collegial authority  
11 each time. In the course of the discussions, Mr. Ieng Sary also  
12 relied on Mr. Thiounn Prasith and Mr. Keat Chhon, two seasoned  
13 senior officials whose functions within the Ministry of Foreign  
14 Affairs were not specified.

15 "It would be recalled that Mr. Keat Chhon is a former GRUNK  
16 deputy prime minister and that Mr. Thiounn Prasith was also a  
17 former GRUNK minister. And Health Minister, Thiounn Thioeunn's  
18 brother, travelled with Mr. Ieng Sary on his tour of the Asian  
19 countries in the spring of 1977 and on his visits to the United  
20 Nations last autumn."

21 And I have not asked the question yet, but I see an objection  
22 from my colleague, so perhaps I should stop here.

23 [09.57.50]

24 MR. PRESIDENT:

25 Mr. Lead Co-Lawyer for the civil parties, you may now proceed.

25

1 MR. PICH ANG:

2 Thank you, Mr. President, Your Honours. International co-counsel  
3 for Mr. Nuon Chea already read out the document, but before  
4 witness responses, I would like to request to counsel for Mr.  
5 Nuon Chea or the witness to clarify whether the document has been  
6 seen by the witness before the topic can be debated.

7 [09.58.49]

8 MR. PAUW:

9 I think it's entirely irrelevant to the question, but I do not  
10 object to the witness being asked this question.

11 MR. PRESIDENT:

12 Thank you, Counsel for the civil parties.

13 Mr. Suong Sikoeun, the document that you are reading and  
14 requested by counsel for Nuon Chea to be examined, have you ever  
15 seen it before?

16 MR. SUONG SIKOEUN:

17 No, I haven't.

18 MR. PRESIDENT:

19 If not, court officer is now instructed to withdraw the document  
20 from the witness.

21 And assistant to counsels for Mr. Nuon Chea is also instructed to  
22 remove them from the screens.

23 You may proceed with your line of question and follow the  
24 practice we have been following so far.

25 [10.00.28]

1 BY MR. PAUW:

2 Thank you, Mr. President.

3 Q. Mr. Suong Sikoeun, my first question is: Did you perhaps  
4 attend this meeting that is described in this telegram, the  
5 visits by the Thai delegates to Cambodia in early 1978?

6 MR. SUONG SIKOEUN:

7 A. I attended that meeting when the foreign ministers of Thailand  
8 that -- to pay his courtesy to Ieng Sary. Ieng Sary at the time  
9 was the Deputy Prime Minister in charge of Foreign Affairs, and  
10 besides, I never attended the discussion between the Thai Foreign  
11 Minister and Pol Pot.

12 Q. So I hear you say that you did not attend the part of the  
13 meeting where Pol Pot met with the Thai Foreign Minister, so I  
14 will not ask you questions relating to that topic.

15 In this telegram, it is mentioned that Mr. Keat Chhon, according  
16 to the French Ministry of Foreign Affairs, is a former GRUNK  
17 deputy prime minister. Is that information correct? Was the  
18 French Ministry of Foreign Affairs right about this?

19 [10.02.39]

20 MR. PRESIDENT:

21 Witness, you do not need to respond, as it is irrelevant and it  
22 is no use in the process of ascertaining the truth.

23 MR. PAUW:

24 Thank you, Mr. President.

25 For the record, I will just note that we are trying to establish

27

1 a history of the FUNK and the GRUNK. That is what I'm doing and  
2 that's what all parties have been doing -- the Prosecution, the  
3 civil parties and my colleague for Mr. Khieu Samphan. I'm not  
4 sure why we are not allowed to do so, but I will move on.

5 BY MR. PAUW:

6 Q. Mr. Suong Sikoeun, at Office B-1 was there an office called -  
7 or a subsection -- excuse me -- called the general leadership  
8 committee?

9 [10.03.53]

10 MR. SUONG SIKOEUN:

11 A. I have not heard of that committee because at my office the  
12 leader was only - or, rather, Ieng Sary was the only leader.

13 Q. Then I don't need to ask you any further questions on this  
14 topic.

15 Mr. Suong Sikoeun, still speaking about the FUNK and the GRUNK, I  
16 would like to display on the screen document number D22/185.5,  
17 and the French ERN is 00387616 going to 617. The document is only  
18 in French and it's an annex to a civil party application.

19 And with your permission, I would like to show it on the screen.

20 MR. PRESIDENT:

21 You may proceed.

22 Court Officer, could you obtain the hard copy document from the  
23 counsel for the witness examination?

24 [10.05.40]

25 MR. PAUW:

28

1 And while the witness is reading, I will explain that I want to  
2 ask a question about ERN number 00387617 and--

3 MR. PRESIDENT:

4 Counsel, you should ask the witness whether the witness has seen  
5 or read this document before. You need to do that first before  
6 you can show the document to the witness and ask questions  
7 regarding the content. And if the witness has not seen the  
8 document or read it, then the document shall be removed from the  
9 witness and from the screen.

10 MR. PAUW:

11 Mr. President, I, of course will respect that ruling, but it  
12 seems that you are reversing an earlier position and the way  
13 we've been questioning witnesses for a few months now, which is  
14 if a witness is in some way related to the subject matter of a  
15 document, he can read it and he can comment on it. If this  
16 position by the Trial Chamber is reversed, once again, I'm happy  
17 to follow this lead, but it doesn't seem to be fair to change the  
18 proceedings in the middle of my examination.

19 MR. PRESIDENT:

20 You may refer to any particular document as example to show to  
21 the Chamber that I reverse my decision in this regard.

22 [10.07.41]

23 MR. PAUW:

24 We will do so, but again I--

25 MR. PRESIDENT:

29

1 As you already raised the matter, you may now try to find any  
2 particular documents that proves that I reversed the decision in  
3 this proceeding.

4 BY MR. PAUW:

5 Thank you, Mr. President. I will do so in writing as is the way  
6 you prefer the proceedings to be conducted.

7 Q. I will, for now, ask the witness--

8 [10.08.15]

9 MR. PRESIDENT:

10 As you said, there was an existing procedure. And that I now  
11 reverse that procedure, you may show me an example or two of such  
12 a proceeding where I now reverse the -- as you allege I reverse  
13 the decision regarding the way of putting the document to the  
14 witness.

15 So the proceeding regarding the document that was not known to  
16 the witness, that document shall be removed from the witness and  
17 from the screen, but you may also consider about putting the  
18 content of a document without having it shown to the witness or  
19 on the screen. That was a separate proceeding. And as you raised  
20 the matter, can you just pick one example of the document whereby  
21 I might have a different proceeding?

22 Mr. Witness Suong Sikoeun have you seen this document before?

23 MR. SUONG SIKOEUN:

24 No, I have not.

25 MR. PRESIDENT:



30

1 Court Officer, can you remove the document from the witness and  
2 take it off the screen?

3 [10.09.47]

4 Counsel, you can put the question to the witness based on the  
5 content of the document without having it shown in full.

6 BY MR. PAUW:

7 Thank you, Mr. President.

8 Q. In this document, under heading 3, which has as a title in  
9 French "Gouvernement Pol Pot", on the 6th of January 1979, the  
10 following is written:

11 "Prime Minister: Pol Pot;

12 "Deputy Prime Minister and Minister of Foreign Affairs: Ieng  
13 Sary;

14 "Deputy Prime Minister and Defense Minister: Son Sen;

15 "Ministry at the Presidency of the Council: Keat Chhon;

16 "Ministry of Sciences: Thiounn Mumm;

17 "Minister of Health: Thiounn Thioeunn; and

18 "Minister of Social Affairs -- Social Action: Khieu Thirith;

19 "Minister of Culture and Education: Yun Yat."

20 [10.11.13]

21 Mr. Suong Sikoeun, based on your knowledge of the DK regime, was  
22 this indeed the composition of the Pol Pot government on the 6th  
23 of January 1979?

24 MR. SUONG SIKOEUN:

25 A. Could you please repeat the date? Because I did not hear it

31

1 clearly.

2 Q. The 6th of January 1979. So this is about the time that the  
3 Vietnamese took over power in Cambodia.

4 A. I see two names which are not relevant to the government of  
5 Pol Pot, that's Keat Chhon and Thiounn Mumm, because at that time  
6 Keat Chhon was working with me. He was not a minister. I do not  
7 know how you, Counsel, obtained this document.

8 Q. Thank you for that answer. As I said in my introduction, it's  
9 an annex to a civil party application. And just for the record, I  
10 will note that in the same document is written, on French ERN  
11 00387616, it gives the composition of the GRUNK on the 3rd of  
12 December 1973. And there, the "Premier ministre" is Penn Nouth,  
13 the "Vice-Premier ministre et ministre de la Défense" is Mr. Keat  
14 Chhon. So he is the third mentioned on that list. But as I cannot  
15 put the document to you, I will refrain from asking questions  
16 regarding this document.

17 [10.13.48]

18 The following document I would like to show you is the following.

19 It is a document with number E3/1435, English ERN is 00017976,  
20 French ERN is 00597811, and the Khmer ERN is 00595262.

21 And with your permission, Mr. President, I would like to show the  
22 first page of the document on the screen. It is the Statement of  
23 the Congress of 18 December 1979. And we have a hard copy for the  
24 witness.

25 MR. PRESIDENT:

1 Yes, you may proceed.

2 Court Officer, could you obtain the hard copy document for the  
3 witness?

4 BY MR. PAUW:

5 Q. And my first question, apparently, is: Have you ever seen this  
6 document before? And, Mr. Suong Sikoeun, could you study the  
7 document in Khmer -- in English and see if you've seen this  
8 document before?

9 MR. SUONG SIKOEUN:

10 A. I have not seen this document before.

11 (Judges deliberate)

12 [10.16.17]

13 MR. PRESIDENT:

14 Court Officer, could you remove the document from the witness?  
15 And, Counsel, could you instruct your assistant to take the  
16 document off the screen?

17 BY MR. PAUW:

18 Q. Mr. Witness, the document that I just showed you is a  
19 statement of the Congress of the Standing Committee of the  
20 Assembly of the Kampuchean People's Representatives, the  
21 government of Democratic Kampuchea, the representatives of the  
22 Democratic Kampuchea National Army, and the representatives of  
23 the various government departments, and it was put on the -- or  
24 it was on the list of documents provided by the Prosecution.  
25 And it contains, on page 12 of the English version, which has

1 English ERN 00017988 and Khmer ERN 00595274 -- sadly, we do not  
2 have the French version. On page 12, under the heading of 3 about  
3 the executive body, it states -- and I quote:  
4 [10.18.12]  
5 "At the same time, the Congress has unanimously decided to  
6 improve the composition of the Government of Democratic Kampuchea  
7 as follows:  
8 "Prime Minister: Mr. Khieu Samphan;  
9 "Deputy Prime Minister in charge of Foreign Affairs: Mr. Ieng  
10 Sary;  
11 "Deputy Prime Minister in charge of National Defense: Mr. Son  
12 Sen;  
13 "Minister for Economy and Finances: Mr. Thiounn Chum;  
14 "Minister for Health: Mr. Thiounn Thioeunn;  
15 "Minister for Social Affairs: Ms. Ieng Thirith;  
16 "Minister for Culture and Education: Ms. Yun Yat;  
17 "Minister of the Prime Minister's Office: Mr. Keat Chhon;  
18 [10.18.58]  
19 "Chairman of the National Commission of Sciences and Technology  
20 with minister's rank: Mr. Thiounn Mumm;  
21 "Secretary of State for Information: Mr. Thuch Rin;  
22 "Secretary of State for Supply and Transportation: Mr. Sar  
23 Kimlomouth; and  
24 "Secretary of State for the Postal Services and  
25 Telecommunications is Mr. Chhorn Hay."

34

1 Mr. Suong Sikoeun, you have already testified that after January  
2 1979 you stayed with the leaders of Democratic Kampuchea. As far  
3 as you know, based on your own knowledge, is this an accurate  
4 summing up of the composition of the Government of Democratic  
5 Kampuchea on December 18, 1979?

6 MR. PRESIDENT:

7 Witness, you do not need to respond as it is not related to the  
8 facts alleged.

9 MR. PAUW:

10 Mr. President, the Prosecution has used this document in  
11 questioning, and perhaps more importantly, it's mentioned in the  
12 Closing Order directly relating to our client, Nuon Chea.  
13 Paragraph 1581 of the Closing Order mentions this document. It's  
14 being used against our client, so I would invite you to revisit  
15 this decision also because this document is mentioned in six  
16 other places in the Closing Order.

17 [10.20.48]

18 So, although it is dated after January 1979, it is clearly  
19 relevant.

20 MR. PRESIDENT:

21 The Prosecution, you may proceed.

22 [10.21.08]

23 MR. DE WILDE D'ESTMAEL:

24 Thank you, Mr. President. Our position is that this document is  
25 relevant insofar that it supports the paragraphs of the Closing

35

1 Order relating to the personalities of the different accused  
2 persons and insofar that it also relates to other Khmer Rouge  
3 figures who held ministerial positions. And in that case, it  
4 seems to escape the scope of this trial.

5 So, if the questions have to be put on the basis of this  
6 document, they should only be limited to the roles that the  
7 different accused persons played after January 1979.

8 MR. PRESIDENT:

9 The Chamber already ruled on this matter so the Chamber will not  
10 rule again.

11 MR. PAUW:

12 So I understand your ruling to mean that this document can be  
13 used for inculpatory purposes, but not to question this witness  
14 to buttress Defence theories. Is this how I must understand your  
15 ruling?

16 [10.22.37]

17 MR. PRESIDENT:

18 You already heard the reply by the Prosecution, as this document  
19 only related to the personality of the Accused and you can put  
20 only question in that regard. Your question has nothing to do  
21 with the personality of the Accused; it is related to other  
22 individuals who are not mentioned in the Closing Order.

23 Of course, we do not forbid you from using this document, but  
24 your question is far from the facts mentioned in the Closing  
25 Order. Your question so far only relates to one or two

36

1 individuals outside the scope of this trial.

2 MR. PAUW:

3 Thank you, Mr. President. I respect your ruling.

4 Just for the record, I will note that this document was used by  
5 the Prosecution in the questioning of Witness Sar Kimlomouth only  
6 in relation to Mr. Sar Kimlomouth himself.

7 [10.23.56]

8 I will move on to the following topic.

9 BY MR. PAUW:

10 Q. Mr. Witness, did you, during the regime of Democratic  
11 Kampuchea, know Mr. Hor Namhong?

12 MR. SUONG SIKOEUN:

13 A. Yes, I knew him when he was the secretary of the Cambodian  
14 embassy in Paris.

15 Q. And while you were in Phnom Penh in the periods 1975 and 1979,  
16 did you meet Mr. Hor Namhong during that time?

17 A. No, I did not.

18 Q. Do you know whether or not he, at any time, was ambassador in  
19 Cuba?

20 A. I knew that he was the GRUNK Ambassador to Cuba replacing Mr.  
21 Touch Kham Doeun. However, that was prior to 1975. It was within  
22 the framework of the FUNK where the King -- Prince Sihanouk was  
23 the Chair.

24 Q. And do you know when Mr. Hor Namhong came back to Cambodia  
25 after 1975?

1 [10.26.30]

2 A. I did not know.

3 Q. I want to show you a document and it's document number

4 D366/7.1.564, it is English ERN 00078096, Khmer ERN 00636001, and

5 French ERN is 00630981. And I have a hard copy for the witness.

6 If it can be put on the screen, with your permission, Mr.

7 President?

8 MR. PRESIDENT:

9 Yes, you may proceed.

10 Court Officer, could you obtain the hard copy document from the

11 counsel for the witness examination and also have it shown on the

12 screen?

13 BY MR. PAUW:

14 Q. So, Mr. President, my first question has to be: Have you seen

15 this document before? And I can guess the answer, as it isn't --

16 well, I can guess the answer, let's put it like that.

17 MR. SUONG SIKOEUN:

18 A. No, I have not seen this document.

19 [10.28.30]

20 MR. PRESIDENT:

21 Court Officer, could you remove the document from the witness and

22 to have it taken off the screen as well?

23 Counsel, can you tell the Chamber why the document has been put

24 before the Chamber?

25 MR. PAUW:



1 Mr. President, it's on the OCP list, E109/4.12 at number 299.

2 MR. PRESIDENT:

3 The Prosecution, is the information correct?

4 MR. DE WILDE D'ESTMAEL:

5 (No interpretation)

6 Mr. President, can you hear me?

7 I do not have the list of annexes before me, but indeed this  
8 document is part of the documents that were mentioned in April  
9 last year -- that is to say, the documents presented by my  
10 office.

11 [10.30.02]

12 MR. PRESIDENT:

13 Thank you.

14 As for the International Counsel for Nuon Chea, you can rely --  
15 refer to the content of a document when you put question to the  
16 witness, but you cannot use the exact quote from that document.

17 MR. PAUW:

18 Thank you, Mr. President. This is yet again a further refinement  
19 of the case law of this Chamber, but I will make do.

20 The documents apparently stem -- and I am trying to paraphrase  
21 here -- from the Vietnamese archives. It was submitted by the  
22 Prosecution. It relates the words of Mr. Hor Namhong -- it's, in  
23 fact, a statement by Mr. Hor Namhong and it relates to his period  
24 when he comes back from Cuba.

25 And again, paraphrasing as I'm forced to, he says that he had

1 been made to attend a study session when he came back and that  
2 that study session was led by Thiounn Prasith and by Mr. Keat  
3 Chhon.

4 [10.31.59]

5 MR. PRESIDENT:

6 Do you have any other questions to put to this witness? The  
7 Chamber gives you the floor to put questions to Witness Suong  
8 Sikoeun.

9 BY MR. PAUW:

10 Thank you, Mr. President. I had not asked my question.

11 Q. My question relates to the structure at B-1 and the division  
12 of responsibilities. Based on your experience at B-1, Mr. Suong  
13 Sikoeun, is it likely that indeed Thiounn Prasith and Keat Chhon  
14 conducted those study sessions that Mr. Hor Namhong was forced to  
15 attend?

16 MR. SUONG SIKOEUN:

17 A. I don't know; this is outside the scope of my authority.

18 [10.33.20]

19 Q. Okay. And Mr. Thiounn Prasith, can you briefly tell us what  
20 his role at B-1 was during the time that you were present?

21 A. Mr. Thiounn Prasith was a member of the general politics of  
22 the Ministry of Foreign Affairs chaired by Mr. Ieng Sary. It was  
23 a general politics department.

24 Q. You say it was "a general politics department". Could you give  
25 slightly more detail as to what his day-to-day functions would

40

1 entail?

2 A. Factually, he was very clear himself, but I'm not quite sure I  
3 know what he was doing. I saw him sitting there writing  
4 something, and it was none of my relevant duties, and I didn't  
5 ask him what he was doing. I thought that he could have been  
6 writing speeches or editorials, but I'm not quite sure, and I  
7 would not be able to tell you. But I know for sure that he was an  
8 interpreter who rendered from Khmer into English and vice-versa  
9 for Pol Pot.

10 [10.35.26]

11 Q. And do you know whether Mr. Thiounn Prasith conducted study  
12 sessions as the one I just described or do you simply not know?

13 A. I simply not know.

14 MR. PRESIDENT:

15 Thank you, Counsel and Witness.

16 Since it is now appropriate time for adjournment, the Court will  
17 adjourn for 20 minutes. The next session will be resumed by five  
18 to 11.00.

19 Court officer is now instructed to ensure that Mr. Witness and  
20 his duty counsel are properly assisted during the break.

21 The Court is adjourned.

22 (Court recesses from 1036H to 1106H)

23 MR. PRESIDENT:

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

25 The floor is given to Nuon Chea's defence to put question again

1 to this witness. You may proceed.

2 [11.07.01]

3 BY MR. PAUW:

4 Thank you, Mr. President.

5 Q. Mr. Suong Sikoeun, before the break I had been referring to  
6 documents E109/4.12 – sorry, that is the place where it can be  
7 found on the OCP list. The document number, for the record, is  
8 D366/7.1.564. And I will not quote from the documents, as per  
9 your instructions, Mr. President, but I will be speaking about a  
10 page number with English reference 00078099, Khmer ERN 00636007,  
11 and French ERN 00630984.

12 And in that portion of the documents a telephone conversation  
13 between Steve Heder and Thiounn Prasith is summarized. And  
14 according to that phone conversation, Thiounn Prasith claims in  
15 2001 in this phone conversation with Steve Heder, that Hor  
16 Namhong was in charge of Boeng Trabek. And to avoid quoting, this  
17 is all that I will say.

18 My question to you, Mr. Suong Sikoeun: Did Thiounn Prasith ever  
19 speak to you about Boeng Trabek while you were at the Ministry of  
20 Foreign Affairs? And did he speak about the role of Mr. Hor  
21 Namhong?

22 [11.09.19]

23 A. Thiounn Prasith never spoke to me about Boeng Trabek or the  
24 role of Mr. Hor Namhong.

25 Q. Thank you. You have stated yesterday that you still listen to

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1 the radio and you mentioned a few stations that you listen to.  
2 Did you hear statements in recent weeks by the Minister of  
3 Foreign Affairs, Hor Namhong, that related to his experience at  
4 Boeng Trabek?

5 MR. PRESIDENT:

6 Witness, you may wait.

7 The Prosecution, you may proceed.

8 MR. CHAN DARARASMEY:

9 Thank you, Mr. President. The question by Nuon Chea's counsel is  
10 out of the context of today's proceeding. Today proceedings as  
11 part of Case 002/01 related to the facts of a Closing Order, but  
12 the question posed by the counsel is far off the facts.

13 And I'd like the Chamber to direct the counsel to put questions  
14 related to the facts for this proceeding before this Court.

15 [11.10.47]

16 MR. PAUW:

17 Mr. President, this is a very straightforward question. It goes  
18 to the sources of knowledge of this witness and the possible  
19 contamination of his witness statements based on information that  
20 he may have heard from other sources in recent time. So it is a  
21 very straightforward inquiry into the sources of knowledge of  
22 this witness.

23 MR. PRESIDENT:

24 Witness, you do not need to respond to the question; it is  
25 irrelevant to the facts alleged against the three Accused.

1 BY MR. PAUW:

2 Thank you, Mr. President. In the Closing Order, my client, Nuon  
3 Chea, is directly linked to Boeng Trabek, hence it is therefore  
4 important to the Defence to establish structures at Boeng Trabek.

5 Q. Mr. Witness, have you, in any form, been made aware of the  
6 position of Mr. Hor Namhong as to his role at Boeng Trabek during  
7 the DK regime?

8 [11.12.29]

9 MR. SUONG SIKOEUN:

10 A. No, I was not aware of it.

11 Q. And have you, by any chance, listening to the radio, heard in  
12 recent times about the fact that one of the other witnesses  
13 that's appeared here in the courtroom, Mr. Phy Phuon or -- his  
14 alias was Mr. Rochoem Ton -- has in fact recanted his statements  
15 in this courtroom, that Hor Namhong was in charge of Boeng  
16 Trabek?

17 MR. PRESIDENT:

18 Witness, you may wait.

19 The Prosecution, you may proceed.

20 MR. DE WILDE D'ESTMAEL:

21 Thank you, Mr. President. I believe here that the witness is here  
22 to tell us what he saw, heard during a specific period of time,  
23 and not to make comments on what other witnesses might have said  
24 over the radio a little while ago. That's not the purpose of the  
25 witness testifying here.

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1 [11.13.51]

2 Speaking, of course, regarding the period '75 to '79 is -- are  
3 relevant, but any kind of speculations over the radio are  
4 completely aside the point. Thank you.

5 MR. PAUW:

6 Very briefly, whenever someone hears information at a later stage  
7 relating to the facts that are before your Trial Chamber -- that  
8 are relating to Boeng Trabek, for example -- it is relevant for  
9 us to explore whether or not this witness has received this  
10 information and whether or not it has coloured his testimony.

11 It is particularly relevant in this instance because, as I  
12 mentioned, Witness Phy Phuon has actually recanted his statements  
13 as was reported in the "Cambodia Daily" this Monday.

14 So we need to inquire as to whether or not this witness is  
15 testifying based on his actual knowledge of the facts at the time  
16 or whether he has been influenced by outside sources.

17 [11.15.09]

18 MR. PRESIDENT:

19 The objection and its ground by the Prosecution is valid. Your  
20 question is not relevant.

21 Witness, you do not need to respond to such a question.

22 MR. PAUW:

23 Thank you, Mr. President. Just for the record, we will be filing  
24 a follow-up to our Rule 35 request that was filed on Monday,  
25 based on--

1 MR. PRESIDENT:

2 You may continue your question, Counsel. Please proceed with your  
3 questions. The floor is given to you to put questions to the  
4 witness regarding the facts alleged against your client, as part  
5 of Case 002.

6 BY MR. PAUW:

7 Thank you, Mr. President. I will move on.

8 [11.16.05]

9 Q. Mr. Suong Sikoeun, considering his involvements in the  
10 movement -- in the left-wing movement since the early sixties,  
11 and considering that he was a secretary of the FUNK politburo in  
12 1971, and considering that he was a former GRUNK deputy prime  
13 minister, and considering that he was involved in the setting up  
14 of the Ministry of Foreign Affairs, of which he formed the  
15 nucleus, and considering that he was one of Ieng Sary's most  
16 important employees, according to Ieng Sary, and considering that  
17 he is someone who taught Hor Namhong, who is accused by some of  
18 being in charge of Boeng Trabek or having been in charge of Boeng  
19 Trabek, and considering that he was allegedly a minister in Pol  
20 Pot's government in January 1979 and was re-confirmed as a  
21 minister in December 1979 according to documents cited in the  
22 Closing Order, from an outsider's perspective, it would seem that  
23 Keat Chhon might have a lot of information on the history of the  
24 CPK, the DK regime, and the role of its senior leaders--

25 [11.17.25]



1 MR. PRESIDENT:

2 Counsel, are you putting a question to the witness or are you  
3 here to make a comment? If you take this opportunity to make a  
4 comment, you will not be allowed. The floor is given to you to  
5 put questions to this witness. The Chamber will not allow you to  
6 make any further comment, as the opportunity is given to you to  
7 put question to you (sic), and it's very clear and it's been  
8 repeated on a number of occasions in order to remind you, as well  
9 as other parties, when the time comes for putting questions to  
10 the witness.

11 MR. PAUW:

12 Thank you, Mr. President. I was getting to my question.

13 Q. And, Mr. Suong Sikoeun, you have worked extensively with Mr.  
14 Keat Chhon. Can you tell us, based on your experience with him,  
15 working for several years at the Ministry of Foreign Affairs --  
16 can you tell us, based on your own knowledge, whether or not Mr.  
17 Keat Chhon has relevant information regarding the DK regime that  
18 would be conducive to ascertaining the truth before this Chamber,  
19 and more specifically with regards to my client, Mr. Nuon Chea?  
20 And I ask you not to speculate, but to base your answer on your  
21 time working with Mr. Keat Chhon. So I am asking your own  
22 experience in this matter.

23 [11.19.17]

24 MR. PRESIDENT:

25 Witness, you do not need respond to this irrelevant question; it

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1 is of no use to contribution to ascertaining the truth.

2 BY MR. PAUW:

3 Thank you, Mr. President.

4 Q. You have stated before this Chamber and also in your testimony  
5 at -- before the OCIJ that you are the only former Khmer Rouge  
6 intellectual that has agreed to speak, regardless of the risks  
7 this might incur. This would suggest that you are thinking about  
8 other intellectuals that have refused to speak before this Court.

9 [11.20.08]

10 Could you tell us which intellectuals you were thinking of when  
11 you made that statement here in Court and before the OCIJ?

12 MR. PRESIDENT:

13 Witness, you do not need to respond. The Chamber does not need to  
14 hear your response to this question.

15 BY MR. PAUW:

16 Q. Because we are here in this courtroom, Mr. Suong Sikoeun, to  
17 ascertain the truth, it might be of assistance to the Trial  
18 Chamber to provide us with names of certain individuals that know  
19 more about the DK regime that have not been heard by this Trial  
20 Chamber.

21 Would you consider that Mr. Keat Chhon is one of the persons that  
22 could assist the Trial Chamber in ascertaining the truth, based  
23 on your experience with him?

24 [11.21.23]

25 MR. PRESIDENT:

1 The Prosecution, you may proceed, while, the Witness, you may  
2 wait.

3 MR. CHAN DARARASMEY:

4 Once again, I'd like to object to this question and I urge the  
5 Chamber to direct the counsel to have relevant questions during  
6 this valuable time to put question to this witness.

7 And I'd like to request the counsel to put the data  
8 straightforward and to the points to the facts before this Court.

9 MR. PAUW.

10 I'll respond briefly. I am simply trying to assist in  
11 ascertaining the truth and I am doing so by trying to identify  
12 individuals that seem to have highly relevant information with  
13 regard to the regime and with regard to my client in particular.  
14 I will wait for your ruling on this objection.

15 [11.22.38]

16 MR. PRESIDENT:

17 The objection and its ground is valid, therefore sustained.  
18 Witness, you do not need to respond to this type of question.

19 MR. PAUW:

20 This concludes my questioning, Mr. President.

21 And my colleague for the national side, Mr. Son Arun, does not  
22 have questions, so I would hand the floor, with your permission,  
23 to my colleague from the Ieng Sary team.

24 MR. PRESIDENT:

25 Thank you, Counsel.



1 A. I cannot recall it exactly. When he left Malai -- that is,  
2 during the morning -- he came to my house. He brought along a  
3 document. That was around 6 a.m. And around 9 or 10 a.m., he was  
4 taken from his house by the ECCC vehicle from Malai to Phnom  
5 Penh. And I could estimate that when he came to testimony, it was  
6 one or one and a half days.

7 [11.26.31]

8 Q. All right. Let me make sure that I understand correctly. You  
9 asked to meet with him, and when you first met with him, he had a  
10 document with him, and that would have been in the morning; is  
11 that right?

12 A. He did not have anything, and I also did not have anything. In  
13 the morning, he was having breakfast with a representative from  
14 the WESU, and we did not speak about anything related to the  
15 Court. We spoke of how many days he had spent -- or he had been  
16 away from his house, from his farm, which was a harvest season,  
17 and we talked about my health.

18 And the reason for me requesting to meet him is that whether he's  
19 been asked on specific points and that he responded clearly, so  
20 that I can prepare myself to respond to the Court. We both have  
21 the same view, and there is nothing to hide. And as I recall, in  
22 his testimony, the majority of it was the truth, as what I also  
23 said the truth during my testimony.

24 [11.28.15]

25 Q. All right.

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1 Sir, we're going to go step by step, so I'll try to narrow my  
2 questions, but I want to make sure that I have it right.  
3 You initiated the meeting because you wanted to find out what he  
4 had testified. So the meeting would have been after he provided  
5 testimony or in the middle of him providing testimony in Court;  
6 is that correct?

7 MR. PRESIDENT:

8 Witness, you may wait.

9 The Prosecution, you may proceed.

10 MR. DE WILDE D'ESTMAEL:

11 Thank you, Mr. President. I don't believe I heard the same thing  
12 as my colleague from the Defence. When he said, "You wished to  
13 meet him to understand the content of his testimony", I don't  
14 think that this is what the witness exactly said.

15 So it seems to me that the question becomes a bit leading, then,  
16 because -- maybe it would be a good idea to first specify what  
17 the witness said.

18 [11.29.35]

19 Or in any case, in French we did not hear that the witness was  
20 interested in the content -- in the substance of Phy Phuon's  
21 testimony.

22 BY MR. KARNAVAS:

23 Well, that's what it appeared in English. I cannot speak for the  
24 French booth or what the gentleman heard in French, but it  
25 appeared to me that he initiated the meeting because he wanted to

1 find out what the gentleman had testified. He can answer the  
2 question: Was that the purpose of the meeting?  
3 And then I want to know: Was it during his testimony or after he  
4 had completed his testimony -- which of the two?

5 MR. SUONG SIKOEUN:

6 A. I fully recollected and I also took note. I think the  
7 testimony was going on for half a day, not a day. And then I met  
8 him and I had no ill intention to meet with him.

9 [11.30.57]

10 I wished to only know some things so that I can be prepared to  
11 respond to the Court and there's something that the Court wished  
12 not to hear from me, and I would not tell the Court things that  
13 the Court didn't want to hear and that President time and again  
14 also indicated this.

15 And I also was curious to know why Mr. Keat Chhon was mentioned  
16 in that and why other people did not mention him or other people  
17 in the testimony.

18 I also would like to tell the Court now that back then both of  
19 them was -- Mr. Keat Chhon and Hor Namhong was holding lower  
20 power than I was back then. And we heard from the radio -- Voice  
21 of America -- and Mr. President, allow me to finish -- and at  
22 that time, I was assigned as the head of the Protocol Section and  
23 at that time Mr. Hor Namhong and Keat Chhon had less power than I  
24 was.

25 And please do not trouble them, and they were intellectuals like

1 me, myself, that's all, because I felt uneasy to hear these names  
2 of Keat Chhon, Hor Namhong every now and then. I was annoyed.  
3 Because at that time intellectuals held no power.

4 [11.33.01]

5 MR. PRESIDENT:

6 Mr. Witness, please be reminded that you listen to the questions.  
7 And indeed, you are an intellectual, you are a wise person. If  
8 you believe that the question is repetitive, you can reserve your  
9 right not to respond or you can ask question to the Chamber to  
10 see whether you should respond to the question.

11 We have heard a lot of questions, some of which are repetitive  
12 and some of the questions are those that witnesses impeach the  
13 witness. And if you feel that questions that you need to answer  
14 yes or no, then you should -- you should not -- if you know that  
15 the question is leading, then you can reserve your right not to  
16 respond to the question.

17 [11.34.04]

18 And also you should be reminded that you listen to the question  
19 clearly and respond to the limit of the merit of the question  
20 other than making your own statement, because this will drag on  
21 and commit the time of the Court. And perhaps it is not what  
22 wanted by the Chamber and it wastes party's time for questioning.  
23 And if you can respond to the questions straightforward,  
24 directly, then you can be excused very soon as well. We would not  
25 wish to take so much of your time by that.



1 Counsel, you may now proceed.

2 BY MR. KARNAVAS:

3 Thank you, Mr. President. The ox may be slow, but the earth is  
4 patient. I will take my time with the gentleman. We have two full  
5 days, and by -- I'm most grateful to your comments to the  
6 gentleman to just answer the questions.

7 Q. Now, sir, could you please tell us, how long did this meeting  
8 take place? How long did it last - one hour, two hours, five  
9 minutes? Can you please tell us?

10 [11.35.34]

11 MR. SUONG SIKOEUN:

12 A. It was very brief. He had his meal, and I haven't had my meal,  
13 so I took that opportunity to discuss with him for about 30  
14 minutes.

15 Q. Thank you. Now, you also indicated that you followed his  
16 testimony. Was that from the Internet, was that from the radio?  
17 How was it -- or from the television? How did you follow his  
18 testimony?

19 A. I followed his testimony through radio.

20 Q. Now, have you met with him since then? Since the first  
21 meeting, did you meet with him again, and if so, when?

22 A. No, I haven't met him again.

23 Q. Thank you. Have you read the comments that he has made in the  
24 newspapers? Or the comments that he has made on the radio, have  
25 you heard them?

1 A. No, I haven't read his comment on newspaper or radio.

2 [11.37.13]

3 Q. Now, prior to him testifying, So Hong testified. Do you know  
4 who So Hong is?

5 A. Yes, I do. He was the one who came to receive me to Phnom Penh  
6 on the 25th of May 1975. He lived in Malai, a house that was  
7 adjacent to mine.

8 Q. And I take it you had a close association with him when you  
9 were working at the Ministry of Foreign Affairs from '75 to '79;  
10 would that be right?

11 A. Yes, it is correct, I know him very well.

12 Q. And do you still keep in touch with him as you do -- as it  
13 would appear -- with Phy Phuon?

14 A. In general I have not had any constant contact with Mr. So  
15 Hong because he is not very well and he is in Phnom Penh. He  
16 sometimes visit Malai, and I -- during rainy seasons, when I came  
17 to the hospital -- when I was admitted to the hospital due to my  
18 health implications, I spend most of the time in Phnom Penh  
19 rather than in my home town, in Malai. But when Phy Phuon was in  
20 -- So Hong in Malai, I could contact him.

21 [11.39.25]

22 However, I can say that the relationship -- our relationship has  
23 been maintained, the relationship left over from the resistance  
24 period. And I could keep contact -- more frequent contact with  
25 Phy Phuon than with So Hong.

1 Q. All right, thank you. And do you know whether - well, let me  
2 rephrase. He came and gave evidence like Phy Phuon. Were you  
3 aware of that?

4 A. I was not aware of Mr. So Hong's testimony. I only saw him on  
5 TV to realize that he was giving the testimony before.

6 Q. And may I ask whether you contacted him in any fashion to  
7 figure out what he might have said when he was here testifying?

8 A. No, I didn't contact him on this.

9 [11.40.46]

10 Q. All right.

11 Now, we're going to talk about Cheam -- Phy Phuon -- and So Hong  
12 a bit later, but for now just one final question: Based on your  
13 work experience at the MFA, are you in a position today to  
14 explain to us their work obligations within the MFA, their  
15 functions?

16 A. I only know that he worked as the guard for embassies in Phnom  
17 Penh. That what I learned about him.

18 Q. Okay. Let me make sure I got this straight. Are you suggesting  
19 here today, under oath, that the only thing that you know about  
20 either one of them -- that they were guards for embassies in  
21 Phnom Penh? Is that your testimony?

22 A. I learned that Mr. Phy Phuon was the head of the Guard Unit in  
23 charge of giving protection to embassies in Phnom Penh, when Mr.  
24 So Hong was the General Secretary of the Foreign Ministry and he  
25 was the right hand of Mr. Ieng Sary.

1 [11.42.32]

2 Q. All right, as I said, we'll get to it. But when did you learn  
3 this information? Is this something that you just acquired  
4 recently, or from the three and a half, four year period that you  
5 were working at the MFA -- that's when you learned of this  
6 information?

7 A. I learned about this when I worked at MFA, from 1975 through  
8 1979.

9 Q. All right. And your testimony is: "He was only in charge of  
10 security for embassies." That's all you know of his position at  
11 the MFA?

12 A. Nothing else.

13 Q. So, if I were to ask you whether you know if he had anything  
14 to do with administrative matters, the administration of  
15 personnel in the MFA based on the answer you just gave us, would  
16 that be that you have no knowledge of that?

17 A. I have no clear knowledge of that.

18 Q. All right. Well let's go through the testimony and then we'll  
19 revisit Phy Phuon and So Hong a bit later.

20 [11.44.23]

21 So I'm going to track your testimony based on the way you gave it  
22 when you were being questioned by -- mainly the Prosecution --  
23 and so I first want to discuss the issue of FUNK. I know we've  
24 discussed this quite a bit, extensively, but I want -- I want to  
25 clarify a couple of points.

1 Now, on August 2nd, you appeared and you gave evidence -- and I'm  
2 referring to Khmer ERN 00831413; French, 00832798 to 99; in  
3 English, it's 00832685. And here you give an answer where you say  
4 that you were involved in establishing the FUNK in China and that  
5 you were elected at a meeting as the Secretary of the Central  
6 Committee for the Front. Do you recall giving that answer, sir?

7 A. Yes, I do.

8 Q. Now, on the following page you continue on to say that the  
9 National United Front of Kampuchea was established after the  
10 appeal of King Norodom Sihanouk on the 23 of June. Could you  
11 clarify that a little bit?

12 [11.46.34]

13 A. The appeal by King Norodom Sihanouk was done on the 23rd of  
14 May - rather, of March 1970. He appealed to his compatriots to  
15 rise against the Lon Nol's led forces and he asked people to go  
16 to the maquis jungle.

17 Q. And what were they supposed to do at the maquis jungle?

18 A. They were there to stage a resistance along with the existing  
19 armed forces in Cambodia. At that time, there were armed forces  
20 led and trained by the CPK and also the liberation soldiers of  
21 the South Vietnam.

22 Q. All right. And did he evoke nationalism and patriotism to get  
23 those abroad and those from within Cambodia to go and fight the  
24 Lon Nol government?

25 A. So far as I remember, the King appealed to his people in

1 Cambodia to fight against the government by the coup d'état, in  
2 particular, the government led by General or Marshall Lon Nol.  
3 [11.48.53]

4 Q. All right. Now let me put to you what another witness  
5 testified just a couple of days ago. Ong Thong Hoeung came and  
6 testified and we can -- this would have been on the 7th of August  
7 - Khmer, 00832575; French, I only have the draft, it would be  
8 page 67 to 68; and in English, it would be a draft page 77--  
9 where he indicated that the Front Movement was under the  
10 direction of Mr. Ieng Sary.

11 And I -- this is what I want you to clarify. Can you please tell  
12 us whether the Front Movement was under the direction of Mr. Ieng  
13 Sary, or was it under the direction King Norodom Sihanouk or  
14 others?

15 A. Mr. President, could counsel be advised to emphasize on the  
16 Front -- which part of the Front he is referring to? Because  
17 there were two sections of the Front, the internal and external,  
18 the one abroad and the one local.

19 Q. I'm grateful for the -- for seeking clarification. This was  
20 the way the question -- or the answer was posed. The gentleman  
21 indicated: "Secondly, the Front Movement under the direction of  
22 Ieng Sary was meant to reconcile and unite Khmer people who had  
23 different political trends."

24 So perhaps you can clarify that. Were there two fronts as opposed  
25 to one front?

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1 [11.51.01]

2 A. My understanding is that "the Front" refers to the alliance,  
3 the joint force between political forces with different political  
4 backgrounds. And the FUNK was joined by the nationalist forces --  
5 the royalists I may say -- and the forces from the CPK and the  
6 other middle force.

7 And I already stated clearly concerning what I meant when I refer  
8 to middle force, those who include Chau Seng, General Sam Ol and  
9 the former ambassador to the North Korea, these people were  
10 included as the middle forces. They were neither Sihanoukist  
11 forces or the CPK forces, but they were plainly the nationalists  
12 and people who would like to engage in the Front Movement.

13 Q. Thank you for that clarification, but a little precision may  
14 be necessary. Who was directing the Front or was every faction of  
15 the Front on its own, pursuing more or less a common goal, albeit  
16 through different agendas?

17 [11.53.08]

18 A. It is precise that the Front was chaired by King Norodom  
19 Sihanouk. And outside the country, the main diplomatic relations  
20 were assigned to himself. He performed these functions and other  
21 supporters also assisted him, as the ambassadors attached to  
22 other foreign country worked under direct order from the King.

23 Q. Okay. Now -- and based on that answer, may I ask who spoke for  
24 the Front? Who was the official spokesperson who spoke for the  
25 Front -- with authority, that is?

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1 A. At that time, so far as I remember, no one was assigned as a  
2 spokesperson for the Front. King Norodom Sihanouk himself was the  
3 leader and he also fulfilled his task -- various tasks for the  
4 interest of the Front.

5 He gave interviews to several reporters and at the same time the  
6 politburo of the Front led by Samdech Penn Nouth, who was in  
7 charge of broadcasting and disseminating information concerning  
8 the function of the Front to the outside world, to gather support  
9 from international communities.

10 Mr. Ieng Sary at that time had no representative role; he  
11 represented the local Front section, and that's all I know.

12 [11.55.41]

13 Q. Thank you.

14 Now, with respect to what the King was saying or putting out in  
15 writing, was there a procedure in place, if you know, that would  
16 examine and, if necessary, edit or modify what the King was to  
17 say or put out in writing?

18 MR. SUONG SIKOEUN:

19 Mr. President, I think I perhaps need to consult with my counsel  
20 concerning the question.

21 MR. PRESIDENT:

22 Witness, you may ask counsel to put question again. In Khmer, we  
23 understood that counsel was not yet putting question. Perhaps --  
24 so you may wait until he proceeds with the question, and if you  
25 don't remember that or if you feel that it's not a question, you



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1 can ask him to do so again.

2 [11.57.12]

3 You can be reminded that you only seek assistance from your duty  
4 counsel to discuss some other things that you feel that the  
5 question will lead to your response implicating yourself. And if  
6 questions are not leading to your implicating yourself, you may  
7 respond immediately and -- or may not, for example, if you feel  
8 that the question is repetitive.

9 Counsel, you may now repeat the question because in Khmer it is  
10 not understood as a question.

11 BY MR. KARNAVAS:

12 Q. Let me rephrase it, sir. Before the King spoke or before  
13 something would be put out in writing under the King's name, did  
14 he have to get clearance to make sure that the text -- the  
15 content of what he was about to say or put out in writing, was  
16 authorized and consistent with the message of all the others that  
17 were involved in the Front?

18 [11.58.41]

19 MR. SUONG SIKOEUN:

20 A. As he was the chairperson, he enjoyed all the rights to make  
21 any statement that he believed beneficial to the Resistance  
22 Movement at that time. He did not need to get clearance or seek  
23 opinions from others, I can say that for sure.  
24 However, his statements were beneficial to the Resistance  
25 Movement. What he had done so far, he had paid great attention to

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1 the hardship, to the difficulties his people had encountered  
2 fighting in the country. His statements would never be done to  
3 damage or demoralize the spirit of those fighters or soldiers. In  
4 all occasion, he would be making statement that encouraged the  
5 spirit of the people who fighting for the Resistance Movement.

6 [12.00.11]

7 MR. KARNAVAS:

8 Thank you.

9 Mr. President, I see the time, I don't believe that my next  
10 question would run past 12 o'clock. So I'm in your hands.

11 [12.00.31]

12 MR. PRESIDENT:

13 Thank you, Counsel.

14 Indeed, it is appropriate for lunch adjournment.

15 Mr. Suong Sikoeun, can you tell the Chamber whether you are able  
16 to provide testimony during this afternoon session or you would  
17 like to be heard on Monday - rather, on tomorrow morning instead?

18 MR. SUONG SIKOEUN:

19 Mr. President, indeed, I've been doing my best to make sure that  
20 the testimony can be concluded expeditiously. I was thinking that  
21 questions would not be difficult to respond. However, the  
22 questions make me rather tired in responding. So may I ask that I  
23 be allowed to take a rest this afternoon and come back tomorrow  
24 morning instead for further testimony?

25 MR. PRESIDENT:

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1 Thank you, Witness. Thank you.

2 [12.01.38]

3 It is now appropriate time for the lunch adjournment. The Chamber  
4 will adjourn and the next session will be resumed this afternoon.

5 Parties to the proceedings and the public are now informed that  
6 during this afternoon's session, the Chamber is going to hear  
7 testimony of reserve witness TCW-609, who is available at the  
8 Court complex.

9 Mr. Suong Sikoeun's testimony will be heard again tomorrow in the  
10 morning; questions continue to be put by counsel for Mr. Ieng  
11 Sary.

12 Mr. Suong Sikoeun, you are invited along with your duty counsel  
13 to come back to the courtroom to give the testimony by 9 a.m.  
14 tomorrow.

15 Court officer is now instructed to assist with WESU unit that the  
16 -- Mr. Suong Sikoeun can be well assisted during the break and  
17 have him returned to the courtroom by 9 a.m. tomorrow.

18 Mr. Counsel for Nuon Chea, you may now proceed.

19 [12.03.06]

20 MR. PAUW:

21 Thank you, Mr. President. Just to inform you that Nuon Chea would  
22 like to follow this afternoon's proceeding from his holding cell.  
23 He's suffering from a headache, back pain and a lack of  
24 concentration, so we have prepared the waiver and with your  
25 permission, he will stay in his holding cell.

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1 In addition, I forgot to thank the witness, Mr. Suong Sikoeun,  
2 for the testimony that he has provided to us today. So, on behalf  
3 of the Nuon Chea defence team, thank you, Mr. Suong Sikoeun, and  
4 I hope you rest well today.

5 MR. PRESIDENT:

6 The Chamber has noted the request by Nuon Chea through his  
7 counsel, in which Mr. Nuon Chea has asked that he be allowed to  
8 observe the proceedings from downstairs in his holding cell. And  
9 he has indicated clearly that he has waived his right to directly  
10 participate in the proceedings in the courtroom.

11 [12.04.10]

12 The Chamber notes that the request is reasonably reasoned. Mr.  
13 Nuon Chea is therefore allowed to observe the proceedings from  
14 his holding cell through video link for the remainder of the day.  
15 The Chamber would like to ask counsel for Mr. Nuon Chea to submit  
16 the waiver signed or give a thumbprint by Mr. Nuon Chea to the  
17 Chamber immediately.

18 And the AV booth officers are now instructed to ensure that the  
19 video-link is connected to the holding cell so that Mr. Nuon Chea  
20 can observe the proceedings from there.

21 Security personnels are now instructed to bring Nuon Chea and  
22 Khieu Samphan to the holding cells and have Mr. Khieu Samphan  
23 returned to the courtroom when we resume the next session after  
24 lunch.

25 The Court is adjourned.

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1 (Court recesses from 1205H to 1331H)

2 MR. PRESIDENT:

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

4 As the Chamber informed the parties and the public before our  
5 lunch break, during the afternoon session we will start hearing  
6 the testimony of the witness TCW-609.

7 Court Officer, could you invite the said witness into the  
8 courtroom?

9 (Witness enters courtroom)

10 [13.34.10]

11 QUESTIONING BY THE PRESIDENT:

12 Good afternoon, Witness.

13 You have been instructed by the court officer regarding the use  
14 of the microphone when you respond to questions put to you. When  
15 there is a question posed to you, please pause a little bit until  
16 you see the red light on the microphone before you start to  
17 speak. The AV booth will operate the microphone, so there is no  
18 need for your interaction with it.

19 Q. Witness, can you tell the Chamber your name?

20 MS. SA SIEK:

21 A. Good afternoon, Mr. President. My name is Sa Siek.

22 Q. Thank you. Besides the name Sa Siek, did you have any other  
23 names or alias, in particular during the 1970 to 1979?

24 A. My other name is Sim.

25 [13.35.55]

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1 Q. So your name is indeed Sa Siek, alias Sim; is that correct?

2 A. Yes.

3 Q. Could you tell us your date of birth?

4 A. I was born in 1956. I cannot recall the month, but the detail  
5 is on my ID card. And I was born in Trapeang Mean Chey village,  
6 Tuek Thla commune, Prey Veng district, Prey Veng province.

7 Q. Thank you. Where is your current address?

8 A. I'm living at Ou Sngout village, Ta Sang commune, Samlaut  
9 district, Battambang province.

10 [13.37.07]

11 Q. What is your current occupation?

12 A. I am a farmer.

13 Q. Thank you. What is your father's name?

14 A. My father's name is Hem Chhea, and my mother's name is Sa Sea.

15 Q. Thank you. What is your husband's name?

16 A. My husband's name is Sot Tha.

17 Q. Thank you. How many children do you have?

18 A. I have four children -- one son and three daughters.

19 Q. Thank you.

20 Ms. Sa Siek, as reported by the greffier this morning, that -- to  
21 your knowledge, you are not related by blood or marriage to the  
22 three Accused -- that is, Nuon Chea, Ieng Sary or Khieu Samphan  
23 -- nor any relationship to any of the civil parties who have been  
24 recognized by the Trial Chamber in this proceeding; is that  
25 correct?

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1 A. Yes, that is correct.

2 [13.38.57]

3 Q. Thank you.

4 The greffier also reported that you already took an oath  
5 yesterday -- that is, the 14th of August 2012; is that correct?

6 A. Yes, it is.

7 Q. Ms. Sa Siek, we would like to inform you of your right and  
8 duties before this Trial Chamber. As a witness in the proceeding  
9 before the Trial Chamber, you can refuse to respond to any  
10 question or comments that would incriminate you -- this is your  
11 right against self-incrimination -- if you believe that your  
12 response or comment would put you under charge or prosecution.  
13 And as a witness, you must provide your testimony in the  
14 proceeding before this Chamber and you must respond to all the  
15 questions put to you either by the Chamber or any of the parties  
16 except in the case where you believe your response or comment  
17 would incriminate you.

18 And you must tell the truth that you have known, have heard, have  
19 seen or experienced or observed directly regarding the events or  
20 facts related to the questions put to you by Judges of the Bench  
21 or by any of the parties.

22 Do you understand that?

23 [13.40.50]

24 A. Yes.

25 Q. Have you been interviewed by the representative of the Office

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1 of the Co-Investigating Judges? If so, how many times and where?

2 A. I was interviewed by the work group at my village, and it was  
3 conducted at my house, but I cannot recall the exact date.

4 However, it is on the record of the interview.

5 Q. Thank you. How many times were you interviewed, if you can  
6 recall?

7 A. I was interviewed only once.

8 Q. Thank you. And before you appeared before this Chamber, have  
9 you reviewed or re-read your written record of your interview  
10 that you were -- that it was made with the investigators of the  
11 Office of the Co-Investigating Judges in order to refresh your  
12 memory?

13 A. The work group, indeed, coordinated me to read that written  
14 record of interview.

15 [13.42.40]

16 Q. After you read that written record of interview, can you tell  
17 the Chamber whether that record of interview, in order to refresh  
18 your memory, is consistent with your statement that you made with  
19 the investigator of the OCIJ?

20 A. I'd like to respond that I can remember things quickly, but I  
21 can also forget it quickly.

22 MR. PRESIDENT:

23 Thank you.

24 The Chamber would like to inform the Prosecution that during the  
25 proceeding of hearing the testimony of the witness, you will be



1 given the floor first before other parties in this proceeding.

2 Therefore, you may proceed.

3 [13.44.08]

4 QUESTIONING BY MR. VENG HUOT:

5 Good afternoon, Mr. President, Your Honours. Good afternoon,

6 everyone in and around the courtroom. Good afternoon, Ms. Sa

7 Siek. I am from the Office of the Co-Prosecutors and I have some

8 questions for you. If any of my questions is not clear or you

9 don't understand or if I speak too fast, please tell me so, so

10 that I can repeat my question. I will now proceed with asking you

11 the question.

12 Q. On 17 April 1975, what did you know about the event happened

13 in Cambodia?

14 MS. SA SIEK:

15 A. In 1975, in Phnom Penh at the time, Cambodia was liberated.

16 Our soldiers actually liberated Phnom Penh city. And the fact

17 that I knew about the liberation was that I entered the area near

18 the vicinity of the stadium. I observed there were male and

19 female soldiers. There were weapons, there were tanks, there were

20 planes, and there were also people being evacuated from Phnom

21 Penh. It was the last round of the evacuation.

22 Q. Thank you.

23 Let me go back a little bit. Before you knew that Phnom Penh was

24 liberated, did you enter Phnom Penh on the exact day of the

25 liberation?

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1 A. On the 17 April 1975, I was with my art group and we actually  
2 left the area through Srae Veal near Kampong Speu, and we crossed  
3 the Vihear Suork road. And we stayed for three nights at the  
4 Chitrous Mountain.

5 [13.47.29]

6 Q. In general, as I observed, when Phnom Penh was liberated,  
7 people were evacuated, as you said.

8 What role did you play for the reason that you entered Phnom Penh  
9 while people were being evacuated?

10 A. I did not have any significant role. I was within my art group  
11 as part of the unit. We were told that after the liberation, the  
12 arts group would come to the propaganda department in order to  
13 serve.

14 Q. Did you first enter the propaganda department, or did you  
15 attend any particular section?

16 A. It was the art unit known as S-6.

17 Q. You just said when you entered Phnom Penh you stayed at Ath  
18 Ros Mountain. How many nights did you spend over there?

19 A. My group stayed there for three nights.

20 Q. During the time that you stayed there, did you personally  
21 witness or see any of the leaders at the Ath Ros Mountain?

22 A. I'd like to go back a little bit. While we were on our journey  
23 and we reached the area near Speu, we were by our group, and I  
24 saw Khieu Samphan near Speu -- that is, near Srae Veal area. He  
25 was in a small Chinese car, but it seems that he went before us,

1 as we were in a truck and we were also transporting the arts  
2 performance equipment as well.

3 [13.50.22]

4 Q. You said that you saw Khieu Samphan in a car. Was he by  
5 himself or did he travel in a group?

6 A. He was in a car with two females, and the two females were the  
7 news reader on a mobile broadcast station.

8 Q. In your response to my first question, you stated you saw  
9 people being evacuated out and there was one line of people being  
10 evacuated. How many people did you see? Were there a lot of  
11 people when you saw them?

12 A. Yes, there were a lot. There were into tens or thousands of  
13 people.

14 Q. Were they being evacuated as -- in the direction preferred by  
15 those evacuees?

16 A. When I saw the evacuation in front of the stadium, people  
17 actually came from the riverfront. And as I observed, the crowd  
18 of the people and the head of the art unit -- that is, Comrade  
19 Sao -- he said that they were evacuated in the wrong direction.

20 [13.52.42]

21 Q. When people who were evacuated, as you saw -- and during that  
22 evacuation, did you know who was in command? Was it a civilian  
23 commander or was it organized by the military commander?

24 A. I could not know whether it was organized by the civilian or  
25 the military commander.

1 Q. Thank you.

2 Mr. President, with your permission, I'd like to show the  
3 document with the E3/379. ERN in Khmer is 00294801; in English,  
4 00323324 to 25; the French ERN is 00385196.

5 MR. PRESIDENT:

6 You may proceed.

7 Court Officer, could you obtain the hard copy document from the  
8 prosecutor and deliver it to the witness?

9 [13.54.52]

10 BY MR. VENG HUOT:

11 Q. Before the OCIJ, you stated that you saw the evacuation and  
12 that you saw soldiers, but you didn't know which division they  
13 belonged to. And at that time it was raining and it was dark and  
14 there were weapons scattered around. There were backpacks --  
15 military backpacks. Did you have anything else to add to that  
16 statement?

17 MS. SA SIEK:

18 A. Maybe it is not the -- this is the written word, but it's not  
19 the spoken word, but what I saw were not the evacuation of  
20 soldiers; they were civilians. But there were Khmer Rouge  
21 soldiers, as I observed.

22 [13.56.04]

23 Q. It might be my mistake. Let me repeat. As you saw people were  
24 evacuated -- but the question is: Actually, who were controlling  
25 the people during this process of evacuation from Phnom Penh? And

1 in your response, you said there were soldiers controlling the  
2 people. Do you stand by that statement or you wish to amend it?

3 A. I'd like to clarify this point as follows. It was not the  
4 soldiers for the evacuation, and I, personally, did not know who  
5 actually controlled the evacuation, I only knew that the people  
6 were evacuated in the wrong direction.

7 Q. Thank you. As you do not agree that soldiers were evacuated,  
8 but do you agree or stand by your statement that at that time it  
9 was raining and it was dark? Will you stand by that statement?

10 A. Yes, I do.

11 Q. Now, I'll continue with my next question. When you knew that  
12 people were evacuated while it was raining and dark, did you know  
13 the women who just delivered babies and the pregnant women who  
14 were about to give birth? Did Angkar prepare any place for them?

15 [13.58.12]

16 A. I did not know regarding this point, because at that time they  
17 only wanted people to move out of the city -- that is, to return  
18 to their native villages. So I did not know about the women who  
19 just delivered babies or the pregnant women who were about to  
20 give birth.

21 Q. Were you standing and watching the women who just delivered  
22 the babies in such a circumstance?

23 A. I did not see any pregnant women. I only saw people, some of  
24 them pushing a car or pushing a cart.

25 Q. Thank you. Let me move on to another question. You said that

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1 you were at Office S 6, broadcasting news. The question is:  
2 People were evacuated while it was raining and it was dark; did  
3 the radio broadcast about that hardship suffered by the people?  
4 [13.59.46]

5 A. Immediately, at that time, our mobile broadcast station only  
6 broadcast about the liberation of the city.

7 Q. On the 17th of April 1975, apart from the news coverage on the  
8 liberation-related issue, did the radio broadcast other news  
9 items?

10 A. No, it didn't. There was no broadcast on the evacuation. We  
11 could only broadcast about the victory, how the country was  
12 liberated.

13 Q. Mr. President, with your permission, I would like to read the  
14 excerpt from the statement she gave, which said that people were  
15 asked to raise white flags and that people were asked to  
16 surrender their arms and people had to raise white flags at  
17 houses. Do you still stand by that position?

18 MR. KONG SAM ON:

19 Mr. President, we would like Co Prosecutor to identify the  
20 document. I may repeat; we would like Mr. Co Prosecutor to refer  
21 to the exact ERN page because we haven't got it yet.

22 [14.02.03]

23 MR. PRESIDENT:

24 Thank you.

25 In order to ensure that parties to the proceeding be abreast --

1 kept abreast of the portion of the relevant question, Co  
2 Prosecutor is instructed to give the exact relevant ERN numbers  
3 of the document.

4 BY MR. VENG HUOT:

5 Thank you, Mr. President. The document I just showed is found  
6 under ERN in Khmer 00294802; English ERN 00323326; French ERN  
7 00385197.

8 Q. Ms. Witness, I would like to ask you this question again.

9 Indeed, at that time you indicated before the investigator that  
10 people were asked to raise white flags at their homes. Is that  
11 the correct account of what you stated before the investigators?

12 MS. SA SIEK:

13 A. Yes, it is. Because when I was coming to Phnom Penh, I saw  
14 white flags were being raised at some homes, and also, at the  
15 stadiums, preparation was made to raise the flags.

16 [14.04.14]

17 Q. Did you see people were raising the flags or you heard that  
18 white flags should be raised, through a radio broadcast?

19 A. To be sure, I came to Phnom Penh after Phnom Penh was  
20 liberated for three days and I saw the white flags when I came.  
21 On the 17th of April 1975, I was not yet approaching Phnom Penh.  
22 I was staying at Chitrous Mountain.

23 Q. I would like to repeat the question: Was the white flag  
24 raising part of the broadcast on radio?

25 MR. PRESIDENT:

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1 Witness, could you please hold on?

2 Counsel for Mr. Khieu Samphan, you may proceed.

3 MS. GUISSÉ:

4 (No interpretation)

5 [14.06.42]

6 MR. PRESIDENT:

7 There appears to be a problem that we have no English version to  
8 the English channel.

9 Court officer is instructed to coordinate it with the English --  
10 the interpreter's booth to ensure that the rendition is somehow  
11 fixed.

12 Thank you very much for your observation. And as a Cambodian, we  
13 do not really have problem when we tune in to the Khmer channel  
14 listening to Khmer speakers, so we do not have translation  
15 problem with that.

16 It is now clear that, as counsel raised, Co Prosecutor is advised  
17 to observe pause, and witness at the same time is also instructed  
18 to do so. And by doing so, interpreters can fully render both the  
19 questions and responses.

20 You may now proceed, Counsel -- or Co Prosecutor, rather.

21 [14.08.05]

22 BY MR. VENG HUOT:

23 Q. I would like to repeat that question I just put to you: During  
24 the period when Phnom Penh was about to fall, was there a  
25 broadcast or instruction for the Lon Nol soldiers to disarm or



1 raise white flags?

2 MS. SA SIEK:

3 A. I don't know about this. I may say I don't know.

4 Q. During that period of time, who was in charge of the Radio  
5 Broadcast Mobile Unit?

6 A. I do not know who was in charge, because I was in the Arts  
7 Section. However, the term "mobile radio broadcast" here is meant  
8 to serve the battlefields, to serve the soldiers. It was meant to  
9 encourage or to help install or promote the high spirit of the  
10 combatants.

11 Q. I would like to now move to another question concerning the  
12 Propaganda Ministry. Do you know who was in charge both  
13 administratively and technically?

14 A. In my ministry, there were Mr. Hu Nim, who was the  
15 chairperson, and after Phnom Penh was liberated, Mr. Tiv Ol was  
16 assigned as the assistant. I don't recollect the name of the  
17 deputy head. Later on, Mr. Tiv Ol also left the ministry, and I  
18 remained with Mr. Hu Nim.

19 [14.11.21]

20 Q. When you worked at the Ministry of Propaganda, you noted that  
21 the -- what was your observation? Did you see that former Lon Nol  
22 officials evacuate -- were being evacuated or what is your --  
23 what was your impression concerning that time?

24 A. I witnessed at the Ministry of Propaganda the former  
25 technicians or operators for the radio station they remained,

1 they guided us, they took us to different places where recordings  
2 were kept or recorded, so we were introduced by the team.  
3 However, other senior officials were not seen, and I did not know  
4 about this because I worked in the office and did not move about  
5 places.

6 Q. Mr. President, with your leave, I would like to read the  
7 statement she gives to the investigator under ERN 00294801 in  
8 Khmer; English, 00323325; French, 00385196.

9 At that time, you stated before the investigators that before you  
10 approached the Propaganda Ministry, "the former artists had  
11 already been evacuated". Can you confirm what you stated before  
12 the Co Investigating Judges?

13 [14.14.04]

14 A. I may wish to emphasize that my memory sometimes doesn't serve  
15 me well, because I responded to questions you put to me, I  
16 perhaps failed to respond to you the details. All the former  
17 artists had been -- had not been seen at that place except some  
18 former technicians. But, normally, at the working place, people  
19 only came when the working hour was on, and I didn't see them  
20 around anyway, except the six technicians who remained.

21 Q. Thank you, Ms. Witness. I would like to proceed to another  
22 question.

23 Was there any radio broadcast on the cooperatives, production,  
24 and digging or building canals, dams?

25 A. I was not the person in charge of radio broadcasts; I was in

80

1 the arts group. However, since we worked together I knew that  
2 there was a radio broadcast on how to promote production and how  
3 to be self-sustained, self-reliant. That's part of the broadcast  
4 back then.

5 [14.16.27]

6 Q. You say that you were in the same group and you were aware of  
7 the broadcast, the radio broadcast. My next question is: Was in  
8 the radio broadcast any information concerning the conflicts  
9 along the Vietnamese/Cambodian border or on Cambodian islands?

10 A. It is true to say that that happened and I don't remember the  
11 exact date. We heard from the radio broadcast that the Vietnamese  
12 troops conquered Koh Tral or Tral Island.

13 Q. While radio broadcasts was on the attack on Koh Tral, was  
14 there any other news broadcast concerning the incitement, asking  
15 people to feel pity for the loss of the island?

16 A. It was -- it is correct that in the broadcast, we heard that  
17 people were told to be vigilant, to have some pity for the loss  
18 of our island and to have the idea of how to protect our country  
19 from being conquered.

20 Q. You said that in the radio broadcast, there was part that  
21 people were incited to have pity or for the loss, so could you  
22 please elaborate further on that?

23 [14.19.04]

24 A. The radio broadcast was meant to educate people to understand  
25 the aggressive neighbours, and they were told to devote

1 themselves to defend, to fight, to protect the country and  
2 territory.

3 Q. Thank you very much. I will have my final question to you and  
4 I would like then to cede my floor to my colleague. The last  
5 question here is: Apart from senior leaders, including Mr. Khieu  
6 Samphan you saw, did you see other senior leaders?

7 A. Apart from Mr. Khieu Samphan, I met with Son Sen at the  
8 stadium. I didn't meet him in person alone; I met him in a group.  
9 At 5 p.m., we reached the stadium and he came to shake hands with  
10 us, and I gave statement to the investigators that the record was  
11 not correct that I was accompanying him, but we met him there in  
12 a big group, not alone.

13 Q. In the record before the Co Investigators, you said that you  
14 also had knowledge of the presence of Mr. Ieng Sary at that  
15 location and that you said Mr. Ieng Sary was working at the  
16 Ministry of Foreign Affairs. Would you like to say anything about  
17 this? If not, I would like to end now.

18 [14.21.48]

19 A. No, I didn't see him. I knew of him.

20 MR. VENG HUOT:

21 Thank you, Ms. Witness.

22 Thank you, Mr. President and Your Honours. I have no further  
23 questions, and I would to cede the floor to my colleague.

24 MR. PRESIDENT:

25 Thank you very much.

1 International Co Prosecutor, you may now proceed.

2 QUESTIONING BY MR. ABDULHAK:

3 Thank you, Mr. President and Your Honours. And good afternoon to  
4 the Chamber and the parties. And good afternoon to you, Madam Sa  
5 Siek. And let me say, first, thank you for coming from such a  
6 long distance away to assist the Court with your recollections of  
7 what happened between 1975 and 1979.

8 [14.23.14]

9 Q. Where I would like to start is by looking at the office that  
10 you worked in up to the 17th of April 1975. And you said to us  
11 that this was a radio station and it was called -- I think you  
12 said "S 6". If I can start by asking you where S 6 was located  
13 before the 17th of April 1975?

14 MS. SA SIEK:

15 A. S 6 was located in the north Stueng Trang district. However, S  
16 6 was not the radio station; it was where the art group was  
17 located.

18 Q. Thank you very much for clarifying that. And was the radio  
19 station itself located in the same place at Stueng Trang?

20 A. When I first came, indeed, I was a newcomer. We were then made  
21 to record songs that were sent to be broadcast. The new radio  
22 station was just established. The songs were broadcast in Hanoi.

23 Q. Were there any broadcasting facilities in Stueng Trang itself?  
24 Was there any place in Stueng Trang where you could also  
25 broadcast?

1 A. Mobile radio station was established, and I already stated  
2 this in my previous testimony.

3 [14.26.03]

4 Q. Thank you. Do you know what year that mobile station was  
5 established?

6 A. No, I don't. I was there in 1973, and I do not know about  
7 this.

8 Q. Thank you. Apart from S-6 and the mobile radio station, were  
9 there other offices located in the same area?

10 A. In the location, there was S-6, K-18, and B-20, and Office 19.  
11 So these offices were located next to one another.

12 Q. And could you tell the Court what B-20 was?

13 A. That office was for distributing food to small units in my  
14 location.

15 Q. Do you recall any senior people working at that location or  
16 near that location?

17 A. I did not know where these uncles stayed, but I believe that  
18 they could have been working somewhere in the vicinity because it  
19 was their base.

20 Q. And do you recall what K-18 was responsible for?

21 A. K-18 was for women, the sewing group, and they also grew some  
22 vegetables. That's all.

23 [14.29.19]

24 Q. Now, you said to us that when you departed this area and you  
25 embarked on a journey towards Phnom Penh, that you -- at one

1 point, you noticed Mr. Khieu Samphan travelling in a car. How did  
2 you recognize Mr. Khieu Samphan? Did you know him from an earlier  
3 time?

4 A. Yes, I did.

5 Q. And could you tell the Court where it was that you saw him  
6 earlier and what he was doing?

7 A. I saw him through the ceremony, for example, the New Year  
8 celebration, as he once in a while joined that ceremony.

9 Q. And did you know what position Mr. Khieu Samphan held in that  
10 period?

11 A. I could not recall his position. I just cannot recall it, but  
12 I noticed that he was probably in charge of a section.

13 [14.31.18]

14 Q. When you say you noticed that "he was probably in charge of a  
15 section", what made you think that he was in charge?

16 A. As I understand, he was amongst the leadership. That's how I  
17 understand it.

18 Q. Thank you.

19 In that same period, you've mentioned earlier that you had met Hu  
20 Nim and Son Sen after the 17th of April. Did you know these men  
21 before the 17th of April or did you know of them?

22 A. I knew them. For example, Tiv Ol, in 1973, he went through my  
23 zone, as I was in the East Zone, and he was also fond of art. So  
24 he went to the district art, in Prey Veng, and that's how I knew  
25 him.

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1 As for Hu Nim, I knew him when he was in charge of my ministry.

2 Q. So, just to make sure, the first time you met Hu Nim was after  
3 the 17th of April. Did I get that correct?

4 A. In fact, I knew Hu Nim since I was in the jungle, but I became  
5 to know him clearly while we were at the Ministry of Propaganda,  
6 after the liberation.

7 [14.33.56]

8 Q. Thank you. And just one last question on these individuals:

9 Did you also know Son Sen before the 17th of April?

10 A. I heard of his name.

11 Q. Thank you.

12 Now, if we can now return for a moment to the mobile radio  
13 station that you described, do you know who was responsible or  
14 who did prepare the broadcast for that station?

15 A. No, I did not know.

16 Q. Were you able to listen to the broadcasts of the station  
17 before the 17th of April?

18 A. The broadcast distance of that mobile radio station was not  
19 far. The coverage was limited, so it was usually stationed near  
20 the battlefield for the broadcast. And the broadcast time was  
21 also limited, but I cannot recall how many times per day and how  
22 long per each broadcast.

23 [14.36.08]

24 Q. Thank you. You told my colleague that the mobile station  
25 served the battlefield, and sometimes there were programs to



1 encourage the soldiers to help promote a high spirit. I'm just  
2 interested whether you and your colleagues were able to hear some  
3 of those programs where you were working.

4 A. When we were close -- when we were within the range, we could  
5 hear the broadcast.

6 Q. Thank you. And you already said to us, I think, that on the  
7 17th of April there was a broadcast announcing that Phnom Penh  
8 had been liberated and you then left Stueng Trang. How long was  
9 your journey from the B-20 Stueng Trang area to the mountain that  
10 you mentioned earlier?

11 A. We left on the 17 April and we stayed for three nights at Ath  
12 Ros Mountain. And one night, a bit further down near Udong, we  
13 stayed in the rice field there for one day, and we arrived at the  
14 stadium around 5 p.m. So, in total, it was about four nights.

15 Q. The location where you stayed for three nights, I just want to  
16 make sure that I have the correct location, and I'll try and  
17 pronounce it in English, and you tell me if I've got it right.  
18 Your statement refers to a place called Phnom Ath Ros, and if I  
19 understand it correctly, this is near Udong. Could you tell me if  
20 I am correct?

21 [14.38.50]

22 A. Simply put, it was called Chitrous Mountain, but the official  
23 and proper name was Ath Ros Mountain. There was a pagoda on the  
24 top of the mountain and there was one larger lotus pond up there.  
25 I was not that familiar with the locality but I was told by

1 people that it was called Ath Ros Mountain. And if you want to be  
2 really familiar, you should ask the residents in that vicinity.

3 Q. Thank you very much. We're just trying to place the locations  
4 that you saw.

5 And do you know whether this is near the town of Udong?

6 A. When I left, we left on foot; it took us quite a while before  
7 we reached Udong. But now, I can no longer identify where it is  
8 or the whereabouts, even the location where I stayed even at the  
9 time in Phnom Penh. I cannot identify it now.

10 [14.40.13]

11 Q. And so is it correct that you left Stueng Trang on the 17th of  
12 April and you arrived at the mountain also on the same day, on  
13 the 17th of April?

14 A. I arrived at Preaek Kdam, I was rather young at the time, but  
15 actually I was kind of -- had some difficulty with my eyesight  
16 and usually I could not see well during the -- when it was dark.  
17 So I arrived at the Chitrous Mountain in the evening, and we  
18 actually crossed the river at the location where I was told it  
19 was called Preaek Kdam. But I had this night blindness, so people  
20 actually took my hand and then I got off the boat. And that was  
21 within the vicinity of Vihear Suork, as I recall it.

22 Q. Thank you very much.

23 When you arrived at Udong, could you describe for the Court what  
24 you saw; how many people were there?

25 A. When we were at that market, our group walked past the houses

1 belonging to the Chinese and some concrete houses. People were --  
2 seem to be in a normal situation at that time.

3 [14.42.13]

4 MR. PRESIDENT:

5 Thank you, Counsel and Witness.

6 The time is appropriate for a short recess. Maybe we'll take a  
7 20-minute break and return after 3 p.m.

8 Court Officer, could you assist the witness during the break and  
9 have her return at 3 p.m.?

10 (Court recesses from 1442H to 1502H)

11 MR. PRESIDENT:

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

13 Without further ado, we would like to now hand over to the  
14 Co-Prosecutor to put questions to the witness.

15 [15.03.19]

16 BY MR. ABDULHAK:

17 Thank you, Mr. President.

18 Q. Madam Sa Siek, we'll continue where we left off, with your  
19 arrival at Udong. If I can ask you, first, how many people  
20 together with you left the Stueng Trang area on the 17th of  
21 April? How large was that group?

22 A. In my arts group, we came all together including men, women,  
23 and children, including the musical instruments. I don't remember  
24 the exact number of people who came along.

25 Q. And were there any other people who were working in Stueng

1 Trang? Were there any other people outside the arts group that  
2 came with you on that day?

3 A. I came with Hu Nim and Tiv Ol. When we reached Chitrous, they  
4 left us; they went to the city first, and we came later.

5 [15.05.21]

6 Q. So, now, looking at the situation at Udong, were there other  
7 -- other people apart from the arts group and people that you  
8 were with, were there other people who were working for the  
9 leadership or who were working in Kampong Cham, were there other  
10 people that were also based in Udong once you left the Stueng  
11 Trang area?

12 A. To respond to your question, I would like to say that, first I  
13 met with Mr. Khieu Samphan, and we  
14 stopped briefly at Chitrous, but when we left Chitrous, we did  
15 not see him coming along because he had to take another car.

16 Q. And just to make sure I understand correctly what happened,  
17 you talked earlier about B-20 and K-18 in Stueng Trang; did those  
18 people also come to Udong on the 17th of April?

19 A. I do not know about other units, but I remember about our --  
20 my unit, that we came to the independent monument.

21 Q. Very well. You said your entire group came with Hu Nim and Tiv  
22 Ol, and you told us that you also met Mr. Khieu Samphan. What  
23 were they doing when you were at Udong; where were they?

24 [15.08.23]

25 A. I met them midway when they were in a vehicle; they stopped by

1 at Chitrous briefly and they went about their work normally. At  
2 that time, I was fully engaged in my work, I had to rehearse  
3 singing, we did not stop to break; we had to rehearse singing the  
4 songs at pagodas so that we could sing together fluently.

5 Q. And did the mobile radio station also come along with your  
6 group?

7 A. Yes, it did. And we met up at Srae Veal in Kampong Speu  
8 location. We came to Phnom Penh and members of that group also  
9 joined us. Later on, they stopped using that radio and we started  
10 to use a small radio station near Wat Phnom.

11 Q. Thank you. And as you moved from Stueng Trang to Chitrous  
12 Mountain, did the radio station continue to broadcast its  
13 programs?

14 A. Yes, it did. Before we came to -- reached Phnom Penh, the  
15 station was still functional. But then when we approached the  
16 city, we prepared to make use of the bigger radio station. We did  
17 not broadcast immediately upon arrival, but we had to familiarize  
18 ourselves with the new setting and location.

19 [15.10.54]

20 Q. Now, do you recall the reason that you stayed at Chitrous  
21 Mountain for three nights before you embarked -- or continued  
22 your journey to Phnom Penh?

23 A. First, I do not know what was the reason behind this, but when  
24 I came to the stadium I noted that some people were still there,  
25 they were not all evacuated entirely, so we were told that some

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1 people remained.

2 Q. Just to make sure that we understand what you knew at the  
3 time, I'd like to show you a section of your statement given to  
4 the Co-Investigating Judges.

5 Your Honours, this is document E3/379, it's the same statement  
6 that my colleague used earlier.

7 If we could pass that on to the witness? And I'll read out the  
8 relevant ERNs.

9 [15.12.38]

10 MR. PRESIDENT:

11 You may proceed, but make sure that witness has obtained a copy  
12 or not. If not, indeed you can proceed to give the copy to her.

13 BY MR. ABDULHAK:

14 Thank you, Mr. President.

15 Just if the court officer could assist the witness in locating a  
16 section in Khmer, starting at 00294800; in English, the relevant  
17 ERN is 00323324; and in French, 00385195. Now -- and if we could  
18 show that -- project this on the screen as well for the public  
19 and the counsel, Khmer ERN 00294800, I think our staffer already  
20 took to project. If the AV Unit could assist?

21 Q. I want to read to you first one question and answer, Madam Sa  
22 Siek, and ask you if you could clarify for us what you're  
23 describing there.

24 [15.14.20]

25 Question: "When you were with those three, Khieu Samphan, Son

1 Sen, and Hu Nim, what activities did you see them conducting?"

2 Answer: "I saw nothing: their activities were normal, getting  
3 ready to enter and occupy the City of Phnom Penh."

4 Is that a correct summary of what you told the investigators,  
5 Madam Sa Siek?

6 MS. SA SIEK:

7 A. Actually, Mr. Son Sen was not coming along -- and the  
8 statement is correct apart from what I stated.

9 Q. Thank you for that clarification. And do I understand  
10 correctly, this was -- this is a description of what you saw at  
11 Chitrous or Udong?

12 A. Yes, it is.

13 [15.15.51]

14 Q. Thank you.

15 Now, if we stay on the same document and if you -- on the same  
16 page, three questions down, and the ERNs are the same in all  
17 three languages, the ERNs I gave earlier -- and I'll read to you  
18 two questions and your answers:

19 Question: "At that time, did you know that who had ordered the  
20 evacuation of the people?"

21 Answer: "I did not know. I just knew that the Uncles had not yet  
22 allowed entry because the people had been evacuated in the wrong  
23 direction."

24 Question: "Who were the Uncles?"

25 Answer: "The three senior leaders who came along."

1 Is that a correct statement of the reasons that you gave – or,  
2 rather, for the information that you were given about the delayed  
3 entry into Phnom Penh?

4 A. I also wish to state that when I refer to "Uncles", they were  
5 Uncles including Hu Nim, who came -- or who joined the trip with  
6 us. I do not really have anything else to change my statement, I  
7 think that is correct.

8 [15.17.50]

9 Q. If I read this page correctly -- and please do correct me if I  
10 am wrong -- the "three Uncles" would be a reference to Khieu  
11 Samphan, Son Sen, and Hu Nim, because you talked about them  
12 earlier on the same page. Is that correct that those were the  
13 three uncles that had not yet allowed entry?

14 A. Mr. Khieu Samphan did not say that, and Son Sen was not  
15 joining the trip. But there were two uncles, Tiv Ol and Hu Nim  
16 who said so.

17 Q. And when you say that it was these two uncles who said so,  
18 were they the two people that you heard speaking about this, or  
19 did you hear it from someone else?

20 A. I heard through my superior who yelled -- who told us when we  
21 were in the car letting us know the piece of information.

22 Q. Thank you. So, you said to us you saw Mr. Khieu Samphan, if  
23 I'm correct, at Chitrous. And when was the next time that you saw  
24 Mr. Khieu Samphan?

25 A. I never saw him again when we approached Phnom Penh.



1 [15.20.31]

2 Q. Did you -- do I understand correctly that you never saw him  
3 after Udong -- you never saw him after the 17th of April 1979 --  
4 you never saw him again?

5 A. It is the correct -- it is correct to say that I never saw him  
6 again because I worked within my ministry.

7 Q. Thank you very much. Now, if we can take a brief step back and  
8 look at the issue of broadcasts that were being made in this  
9 period, and you said to us earlier that some of the broadcasts  
10 were intended to support the battlefield and to encourage the  
11 soldiers.

12 What I'd like to do is read to you from a transcript of an audio  
13 -- radio broadcast and see if you recognize or if you recall that  
14 broadcast, or if you recall similar broadcasts being made in this  
15 period.

16 Your Honours, this is document E3/118, it is a FBIS -- F-B-I-S --  
17 broadcast transcript; it's dated the 1st of April 1975. We have a  
18 hard copy to show the witness, I suspect she hasn't seen the  
19 actual document because it being a document produced outside of  
20 Cambodia. But with your permission, I can give it to her, and  
21 then we can ask a few questions about the contents.

22 [15.23.02]

23 MR. PRESIDENT:

24 Counsel for Khieu Samphan first.

25 MS. GUISSÉ:

1 Thank you, Mr. President.

2 I would simply like to recall the method adopted by the Chamber,  
3 and the method is that we first of all have to show the document  
4 to the witness and ask him or her whether they recognize the  
5 document, and if they do not, that document cannot be quoted to  
6 the witness in extenso. That is the decision that was taken this  
7 morning when counsel for Nuon Chea was trying to cross-examine  
8 the witness using a document. That should also be the case this  
9 time around.

10 MR. PRESIDENT:

11 Thank you.

12 Now, Counsel for Nuon Chea.

13 [15.24.04]

14 MR. PAUW:

15 Thank you, Mr. President. Just to follow up on what my colleague  
16 just said, indeed, the witness first has to testify as to whether  
17 she has seen the document before -- yes or no. The answer will be  
18 no. And then the rule, as established by you this morning, should  
19 be that the Prosecution cannot quote from this document but may  
20 paraphrase.

21 For the record, we disagree with that ruling, and we think it's  
22 not effective and will not make for efficient trial management or  
23 efficient use of the time. But if the rule applies to us, it  
24 should apply to the Prosecution.

25 [15.24.44]

1 MR. ABDULHAK:

2 Mr. President, I think my friends have misconstrued the way in  
3 which the rule is intended to operate.

4 This is not a contemporaneous Democratic Kampuchea document, this  
5 -- the contents of this are a transcript of a radio broadcast.

6 Now, I can't show the witness that radio broadcast, but what I  
7 can do is read to her a brief passage from this and see if she  
8 recognizes it. To show her the actual document, we all know she  
9 will not recognize it, and therefore the exercise is futile.

10 If we're in the business of searching for and finding the truth,  
11 then it's about the information in the document and whether or  
12 not the witness is familiar with that information, whether she  
13 recognizes it.

14 We filed the motion on this seeking to clarify the way in which  
15 the ruling is intended to operate. This was one of the basis that  
16 we put forward and Your Honours agreed with us, and I think we're  
17 just seeking to act consistently with that ruling.

18 (Judges deliberate)

19 [15.29.45]

20 MR. PRESIDENT:

21 With regard to the document the Co Prosecutor wished to put  
22 before the Chamber, the document is different from the other  
23 documents, because the document is the transcription of the radio  
24 broadcast during the Democratic Kampuchea regime that's relevant  
25 to the case, and also the Co Prosecutor indicated very clearly

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1 that witness may have no knowledge of the document.

2 For that reason, the Chamber will rule that the document shall  
3 not be handed over to the witness nor be shown on the screens.

4 However, the Chamber allows the Co Prosecutor to refer to the  
5 documents for putting questions to the witness.

6 Counsel for Mr. Khieu Samphan, you may proceed, but remember that  
7 we have already ruled upon this and you may go to other topics.

8 You are not allowed to talk on the same ruling.

9 [15.31.14]

10 MR. KONG SAM ONN:

11 Mr. President, I have no objection to Your Honours' ruling, but I  
12 would like to seek clarification. To what extent the documents  
13 can be referred to by the Co Prosecutor?

14 MR. PRESIDENT:

15 Since this is the transcript from the radio recording, Co  
16 Prosecutor is allowed to read or to cite any portion from the  
17 document to refresh the memory of the witness.

18 Judge Lavergne, you may now proceed.

19 [15.32.02]

20 JUDGE LAVERGNE:

21 Yes. Thank you, Mr. President. Just to make things -- make sure  
22 that things are clear for all parties as well as for the public,  
23 if I am not mistaken, the document the Prosecution wishes to  
24 refer to is a document that was put before the Chamber. Since  
25 this is a document that bears an E3 number -- and I believe that

1 it is E3/118 - so, since this document was put before the  
2 Chamber, it may be used as a basis to put questions.  
3 However, there is a general limit, which is the relevance of the  
4 questions and the relevance of the reading of the document itself  
5 as well.

6 BY MR. ABDULHAK:

7 Thank you, Your Honours, and I will be brief. It really is -- my  
8 intention is simply to see if the witness recognizes some of the  
9 content in the transcript. For the record, it is E3/118. The  
10 relevant ERNs are in Khmer, 00700267; in French, 00700256;  
11 00166897.

12 [15.33.37]

13 Q. I will refer to a brief passage out of this, Madam Sa Siek,  
14 and by way of introducing the transcript. As I said earlier, it's  
15 dated the 1st of April 1975. The title of the broadcast is "Khieu  
16 Samphan Issues Statement on Current Situation". The transcript  
17 states that this is -- the radio recording is from the Voice of  
18 the National United Front of Kampuchea of Phnom Penh and that it  
19 is made in the Khmer language. The transcript then indicates that  
20 it is a statement by the Royal Government of the National Union  
21 of Cambodia read by Khieu Samphan -- that is, a recorded a  
22 statement.

23 I will read only two brief paragraphs -- two sentences, and see  
24 if you could listen to the translation and tell us whether that  
25 is -- this is a type of broadcast that you heard at the time.

1 This starts with paragraph number one for those looking at the  
2 document:

3 "1. The NUFC, the National United Front of Cambodia, with Samdech  
4 Chief of State Norodom Sihanouk as Chairman, and the Royal  
5 Government or the National Union of Cambodia, with Samdech Penn  
6 Nouth as prime minister and Khieu Samphan as deputy prime  
7 minister, in their capacity as the legitimate organizations and  
8 sole representatives of the broad national unity of the Cambodian  
9 Nation and people, will administer all of Cambodia and Phnom  
10 Penh."

11 [15.35.46]

12 And just one more passage:

13 "2. The National United Front of Cambodia, the Royal Government  
14 of the National Union of Cambodia, and the Cambodian People  
15 National Liberation Armed Forces would like to appeal to all  
16 officers, men and members of armed organizations of all  
17 categories of the traitorous clique on all battlefields,  
18 including those around Phnom Penh and in some provinces under  
19 temporary enemy control, to lay down their weapons immediately  
20 and join the National United Front of Cambodia at once.

21 Functionaries of all ranks are asked to immediately stop working  
22 for the seven traitors and join the National United Front of  
23 Cambodia."

24 So, Madam Sa Siek, I've read a part of that recorded statement.

25 Do you recall hearing this statement or similar statements on the

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1 radio?

2 MS. SA SIEK:

3 A. In response to your question, I decline to give any concrete  
4 response since I was very young at the time and I cannot say for  
5 certain whether I heard such a statement.

6 Q. Very well. Do you recall other statements discussing these  
7 topics, the situation on the battlefield and asking the forces of  
8 the Lon Nol regime to surrender? Do you remember broadcasts like  
9 that in this period?

10 [15.38.12]

11 A. No, not at all. I did not hear such a statement.

12 Q. And do you recall whether the radio programs, generally,  
13 contained messages that were read by the senior leaders of the  
14 Movement?

15 A. I do not know about that as well as I did not pay attention to  
16 that at the time.

17 Q. Very well.

18 MR. PRESIDENT:

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

20 MR. PAUW:

21 Thank you, Mr. President, and I apologize to the Prosecution for  
22 interrupting the questioning, but I think it's an issue that  
23 needs to be settled before we proceed with further documents, and  
24 it relates to which documents can be quoted or not.

25 [15.39.51]

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1 Because I have listened to the clarification of Judge Lavergne --  
2 and I appreciated those -- but something is still unclear  
3 because, if I understand Judge Lavergne correctly, it's the  
4 relevance of the questions that is determinative -- or partly  
5 determinative of whether a document can be quoted from and also,  
6 if I understand the clarification correctly, whether it has been  
7 put before the Chamber, yes or no.

8 And before we proceed along this line, I want to have some  
9 clarification how that would apply to the documents we used  
10 earlier, because some of those were in fact put before the  
11 Chamber, like document number E3/1435, and we were not allowed to  
12 use it, and moreover, we were told we couldn't quote from those  
13 documents before we had even formulated a question. So it doesn't  
14 seem to hinge just on the relevance of the questions.

15 [15.40.57]

16 So, for all parties, I think it is useful if an actual rule is  
17 established as to when a document can be quoted from.

18 And for your information, again, we are in total agreement with  
19 the Prosecution. We should propagate a liberal approach to this  
20 issue, and I don't see why documents could not be quoted from if  
21 they are available to all the parties as these documents.

22 So a clarification would be appreciated before we proceed.

23 MR. ABDULHAK:

24 If I may respond briefly, Mr. President -- and really only in the  
25 interest of time -- I referred earlier to a filing that we made



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1 in May of 2012, and that was document E201, and we summarized in  
2 that filing our understanding of the legal position. The actual  
3 four uses that we submitted would be entirely appropriate,  
4 summarizing paragraph 3 of that filing -- and as I said, that is  
5 document E201.

6 [15.42.14]

7 One of those uses was -- at number 3 -- that a document may be  
8 used or shown to a witness "to corroborate the substance of or  
9 extrapolate from the substance of the document, based on the  
10 witness's direct knowledge".

11 Your Honours responded to that filing in E201/2 -- this is a  
12 Trial Chamber memorandum of the 13th of June 2012. Your Honours  
13 restated the four uses that we had put forward and Your Honours  
14 indicated that this request merely restated the law, and we took  
15 that to mean that Your Honours essentially accepted our summary  
16 of the legal position. And your ruling earlier was consistent  
17 with that position.

18 In order to move on with the examination of this witness and  
19 avoid further delay, what I would say is, if there's a need to  
20 discuss this, perhaps it could be taken up at the trial  
21 management meeting, where there are a number of issues related to  
22 documents, but that we move on now that we have a ruling in this  
23 instance.

24 (Judges deliberate)

25 [15.46.32]

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1 MR. PRESIDENT:

2 Thank you all.

3 And the Chamber would like to inform the defence counsel  
4 regarding your observations on further clarification of the types  
5 and limitation of documents that either can be quoted or not. The  
6 Chamber will decide on this issue and rule on it tomorrow  
7 morning.

8 As of now, the floor will again be given to the Prosecution to  
9 put questions to the witness as a lot of time has been wasted  
10 this afternoon on other issues. And this issue can also be a  
11 subject to be discussed during our trial management meeting on  
12 the 17th of August.

13 The Prosecution, you may now continue.

14 [15.47.46]

15 BY MR. ABDULHAK:

16 Thank you, Mr. President.

17 Q. Madam Sa Siek, if we return now to your descriptions of what  
18 you saw when you arrived in Phnom Penh at the Olympic Stadium. Do  
19 I understand correctly that your arrival at the Olympic Stadium  
20 was approximately four days after the 17th of April?

21 MS. SA SIEK:

22 A. Yes, four days after.

23 Q. And when you went to the Olympic Stadium, did you see any  
24 senior people there apart from Son Sen who you said you met?

25 A. No, I did not. I only saw Son Sen. He came to greet the youth

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1 who got off the car or the vehicle.

2 Q. What did he say to you when you saw him?

3 A. He greeted us. He asked, how did we go along the way, where we  
4 stayed -- just a normal casual conversation.

5 Q. Now, you -- how long did you then stay at the Olympic Stadium?

6 [15.49.59]

7 A. We stayed one night at the Olympic Stadium, and next morning  
8 we went to the Ministry of Propaganda. So let me confirm: we  
9 stayed overnight at the stadium.

10 Q. And at this point, I think, you said you saw tens of thousands  
11 of people walking from the riverside in your direction. Could you  
12 describe that group? Were they men, were there women or children  
13 among them, were there any elderly people in that group?

14 A. Yes, I can do that. At that time, I did not see any men. I was  
15 standing and watching them among my peers, and the distance from  
16 the stadium to the street -- that is, to where the people were --  
17 was rather a far distance. I saw people, I saw some elderly  
18 people, and I saw people on the motorbikes as well.

19 [15.51.27]

20 Q. And were they accompanied by anyone? Were Khmer Rouge soldiers  
21 or anyone else accompanying these people as they were walking  
22 past?

23 A. I did not see any soldiers escorting them. I saw people who  
24 were walking in the direction they wanted to go. It was kind of  
25 normal to me.

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1 Q. It was kind of normal to see tens of thousands of people being  
2 evacuated from the city?

3 A. Yes, that is correct.

4 Q. And why did you think that was normal? What did you understand  
5 to be the reason for why they were leaving?

6 A. I also did not understand, because they were – they were there  
7 and then they were instructed to go temporarily to their native  
8 villages, or what? I could not really understand the situation  
9 back then.

10 Q. Do you know who they were instructed by? Who gave the  
11 instruction to leave?

12 A. I did not know.

13 Q. Very well. Having stayed at the Olympic Stadium for one night,  
14 you -- I think you said you went to the Ministry of Propaganda.  
15 Is this the location that you referred to earlier as being near  
16 the Wat Phnom?

17 [15.54.06]

18 A. Yes, it was located near the Wat Phnom. It was to the east of  
19 the railway station. There was a large school compound. I believe  
20 it was called Lycée Descartes back then; and I just repeated the  
21 words they used to refer to that school.

22 Q. And was that the building at which you stayed until 1979?

23 A. I stayed in that office until 1977 -- that is, toward later  
24 1977. Then the ministry moved me to the printing house. I no  
25 longer stayed at that office.

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1 Q. Now, you described for my colleague earlier how you were given  
2 some guidance by the former technicians at the radio station. Was  
3 that radio station at the same location as the ministry?

4 A. The radio station, as well as the residence for the arts group  
5 were as part of and within the compound of the Ministry of  
6 Propaganda.

7 [15.56.06]

8 Q. And where did Hu Nim stay in that period after April 1975? You  
9 said he was chairman of the Ministry of Propaganda. Where did he  
10 stay?

11 A. Initially, he came for one day or two at the Ministry of  
12 Propaganda, but at that time, the accommodation was not clean, so  
13 I did not know where he stayed. Later on, he came to reside in  
14 that compound, together with his wife and children.

15 Q. If I can -- in the limited time that we have, if I can just  
16 quickly cover with you the responsibilities or functions of the  
17 ministry. Apart from the radio station -- operating the radio  
18 station, what did the Ministry of Propaganda do? What other  
19 functions did it perform?

20 A. At the Ministry of Propaganda, there was the news Reading  
21 Section, the Technical Section, the Telegram Section, and the  
22 Artistic Section.

23 Q. You mentioned that at one point you were moved -- I think you  
24 said in 1977 -- you were moved to a printing office. Was that  
25 Printing Office part of the Ministry of Propaganda?

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1 A. Later, I was asked to work on the book at that Printing  
2 Office. Let me expand a little bit further. After I was  
3 transferred to work on the book at the Printing Office, the  
4 Ministry of Propaganda and the printing house was integrated as  
5 the Ministry of Propaganda and Education; so the two became one.  
6 [15.59.30]

7 Q. Thank you. And when the two were integrated, who was the  
8 minister or chairman of that integrated, combined ministry?

9 A. At that time, the person who was in charge was Ms. Yun Yat.  
10 And the one who replaced Hu Nim was Chhoy. He was responsible for  
11 the propaganda.

12 Q. Do you know Chhoy's full name by any chance? My question was  
13 simply: Do you recall Chhoy's full name?

14 A. No, I only know him as Uncle Chhoy -- or "Pou" Chhoy in Khmer.  
15 [16.00.56]

16 Q. You said you were sent to work on a book. Could you tell us  
17 what book this was?

18 A. I was sent to actually work on the book while it was being  
19 printed. I had to check the page number, to lay the typeset for  
20 the printing for the publication.

21 Q. Do you remember the name of the book?

22 A. I'm afraid not. It was a long time ago.

23 Q. What about the contents of the book? Was it a book for schools  
24 or was it a scientific book? What type of -- what were its  
25 contents?

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1 A. In the book, for example, it is about women at the salt field  
2 and there would be a woman picture with picture of the salt field  
3 as heading. And also if the book about building canal, then we  
4 would write the title of the book as people working hard to build  
5 the dams like that.

6 [16.02.50]

7 MR. PRESIDENT:

8 Thank you.

9 The hearing sessions today come to the appropriate conclusion. So  
10 we would adjourn by now. The next session will be resumed  
11 tomorrow, by 9 a.m.

12 Please be informed that Mr. Suong Sikoeun will be testifying  
13 tomorrow, questions continue to be put by counsel for Ieng Sary.

14 If possible, we may listen or hear the testimony of Witness Sa  
15 Siek. It depends on the health condition of Mr. Suong Sikoeun.

16 Ms. Sa Siek, the Chamber has not completed hearing your  
17 testimony. We would like you to come back tomorrow.

18 Court officer is instructed to assist the witness during the  
19 adjournment and have him - or, rather, her return to the  
20 courtroom tomorrow.

21 Security personnels are now instructed to bring all the three  
22 accused persons to the detention facility and have them returned  
23 to the courtroom before 9 a.m.

24 The Court is adjourned.

25 THE GREFFIER:

- 1 (No interpretation)
- 2 (Court adjourns at 1604H)
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