



*DC-Cam director Youk Chhang testified in the ECCC for a third day on Monday, February 6, wearing the red Cambodia krama, which in the past has been associated with the Khmer Rouge*

### **The Continued Debate Over Documentary Evidence in Case 002: Final Day of Testimony from Youk Chhang**

*DC-Cam's documents are only "a drop in the ocean" of documents created by the Khmer Rouge.*

- Youk Chhang, DC-Cam Director

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On Monday, February 6, 2012, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) resumed hearing testimony from Youk Chhang, director of the Documentation Center of Cambodia (DC-Cam) regarding the Center's documentation procedures and processes.<sup>1</sup> The day's testimony was the final segment of Mr. Chhang's testimony on DC-Cam's document collection practices and processes.

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**DISCLOSURE:** DC-Cam is a sponsor of the Cambodia Tribunal Monitor, and its director, Youk Chhang, serves as co-managing editor.

<sup>1</sup> DC-Cam researches the history of the Democratic Kampuchea (DK) period (1975-1979) and has provided the ECCC with a large amount of documentary evidence.

Mr. Chhang had previously testified for two full days regarding DC-Cam's policies. Throughout his examination, he appeared to entertain the audience, appearing each day dressed impeccably in a different suit. Perhaps to make a point, Mr. Chhang entered the courtroom on the final day of his testimony clad in a tailored suit with a red Cambodian scarf (*kramaa*) tied around his neck. Such red scarves were standard attire for the Khmer Rouge, along with all-black clothing.

Prior to the commencement of questioning for the day, the defense team for Ieng Sary informed the Chamber that in light of the Chamber's previous decision to afford a "rebuttable presumption" in favor of admissibility to evidence referenced in the Closing Order by the Co-Investigating Judges (CIJs), it would not put any questions to Mr. Chhang. The Nuon Chea defense team then requested that some or all of the time allotted to the Ieng Sary defense team be added to its allotted questioning time. In response, the Chamber stated that would consider the matter for a period before deciding and directed Nuon Chea international defense counsel Jasper Pauw to begin questioning.



*International Counsel Jasper Pauw questions the witness Youk Chhang on behalf of the Nuon Chea defense.*

### ***Nuon Chea Defense Continues Questioning of Mr. Chhang***

Mr. Pauw commenced the day's questioning by asking Mr. Chhang about a manual found on DC-Cam's public website used to enter data on the source of documents. Mr. Chhang confirmed that the manual is used by DC-Cam and stated that the form is used to record initial information about the source from which documents are received and records the available information about each document's original source and where it was found. Upon further questioning, Mr. Chhang affirmed that DC-Cam collects information related to the source of every document that comes through the Center. He further testified that inputting data is very technical and DC-Cam deputy director Vanthan Peoudara is in charge of data entry.

Mr. Pauw then asked whether it is possible to extract information about former and current owners of documents stored at DC-Cam from the Center's database. Mr. Chhang responded that he believes it is possible to do so but that not all owners want their identity exposed.

Next, Mr. Pauw asked whether DC-Cam's database indicates whether each document held by the Center is an original, contemporaneous DK period document or only a copied document. After some confusion concerning the specific question being asked, Mr. Chhang responded that DC-

Cam does record and store information relevant to the source of each document. Mr. Pauw then asked whether the Center could provide such information, to which Mr. Chhang responded that DC-Cam could do so if necessary.

The next topic addressed the protocols in place at DC-Cam regarding forensic testing of documents. Mr. Chhang responded that he had already discussed the issue of testing of documents. He then testified that DC-Cam had previously sought to establish specific procedures in conjunction with the ECCC should forensic testing be considered necessary and stated that perhaps Court officials “do not take this issue seriously” because no procedures had been established. Mr. Pauw then asked whether outside experts would be given access to original documents to conduct testing on them. After several questions on this issue, Mr. Chhang eventually explained that one expert had approached DC-Cam and inquired about forensic testing of documents. He stated further that this expert failed to follow up on his initial requests to test some documents and so none have ever been done. As for physical testing, Mr. Chhang testified that DC-Cam relies on the expertise of the Cambodian National Archives staff members, who have 30 years of experience in documentation, to determine the authenticity of documents received therefrom.

Mr. Pauw then asked whether Mr. Chhang is aware of any original “Black Book” produced during the DK period. Mr. Chhang stated that DC-Cam has a translated English language version of the Black Book, which was printed in New York in 1978, as well as an original version of the Book, which was authored in French. Mr. Chhang clarified that DC-Cam does have one copy of an original of the Book in French and that Gunnar Bergstrom and Professor Laura Summers also have original copies. Mr. Chhang further testified that he had asked these two individuals about the location of their copies of the Black Book recently, in order to avoid confusion about the chain of custody for the Black Book.

The next topic covered by Mr. Pauw concerned copies of DK period magazines from a source in Europe. Mr. Chhang responded that DC-Cam has received some of the DK period magazines it holds from Gunnar Bergstrom and others from civil parties and some individuals in France. He further testified that a journalist from the *New York Times* provided some magazines also, along with other individuals whose names he could not remember. Mr. Chhang added, “I like reading magazines,” which is why he emphasizes the collection of such documents.

Mr. Pauw then moved to annotations made in Vietnamese on certain original DK period documents. Mr. Chhang testified that Khmer Rouge researcher Ben Kiernan identified some of the writing as referring to the *Santebal*.<sup>2</sup> Mr. Pauw then asked how long the Vietnamese had control over all DK period documents following the fall of the DK. Mr. Chhang responded that he had inquired about this topic at the Cambodian Ministry of the Interior, which referred him to a specific Vietnamese expert whom he had sought to contact, but this individual had already passed away when Mr. Chhang traveled to Hanoi to find him. Mr. Pauw then asked Mr. Chhang to comment on whether Vietnamese officials could have altered certain documents to hide information inculcating the Vietnamese in possible crimes or atrocities. This question triggered an immediate objection by the prosecution, who argued that it called for speculation by Mr. Chhang. The Chamber upheld the objection, and Mr. Pauw moved on to the next topic.

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<sup>2</sup> Khmer Rouge secret police in charge of internal security within DK

To follow up, Mr. Pauw asked Mr. Chhang if he knows how Vietnamese authorities collected documents for the 1979 People's Revolutionary Tribunal (PRT). Mr. Chhang explained that he was not in Cambodia during this time and so has no knowledge of the PRT process. Mr. Pauw then asked Mr. Chhang if the PRT, which is largely viewed as a "sham trial," could have destroyed or hidden documents exculpating the accused in ECCC Case 002 or inculcating Vietnamese forces in crimes.

This triggered another objection from the prosecution, which again argued that the question called for speculation by Mr. Chhang concerning a topic outside of his personal knowledge. The Chamber again upheld the objection, and Chamber President Nil Nonn advised Mr. Pauw to refrain from veering repeatedly into improper matters.

Mr. Pauw then asked about an alleged trip made by Helen Jarvis to Vietnam to gather documents on the DK period. Mr. Chhang responded that he is aware Ms. Jarvis took this trip but explained that he and Ms. Jarvis have sometimes conflicting views and he is unsure what documents, if any, she collected in Vietnam. He noted that he suspects Ms. Jarvis withheld certain documents from DC-Cam. Mr. Chhang then testified that Ms. Jarvis' role at DC-Cam was that of a consultant to train the staff on inputting data in to the database but that he believes she also sought to collect DK period documents, despite this being outside the scope of her role. Mr. Chhang then stated that he never asked Ms. Jarvis about any documents she collected in Vietnam, but she had told Mr. Chhang that she had collected printed documents from Vietnam, including books which are currently stored at DC-Cam.

Mr. Chhang was next asked about any PRT documents currently held by DC-Cam. In response, Mr. Chhang explained that at first, his niece found some PRT documents and brought them to him personally after hearing about his work. He further stated that all of the PRT documents have been stored by the Cambodian Ministry of Propaganda and Information.

Mr. Pauw then asked questions related to the article Mr. Chhang wrote with Dr. John Ciorciari entitled "*Documenting the Crimes of Democratic Kampuchea*." Mr. Chhang was first asked about a statement in the article, stating that the principle problem with the PRT was the appearance of political bias. Mr. Chhang began his answer by noting that the article was primarily written by Dr. Ciorciari, as denoted by the authorship line "John Ciorciari with Youk Chhang" and that Dr. Ciorciari had written the article after interviewing Mr. Chhang. He then explained that many Khmer Rouge documents were destroyed shortly after the end of the DK period. He stated that some documents were even plunged into the Mekong River in Stung Treng, Cambodia, and he believed that such destruction was politically motivated. Mr. Chhang stated that this was unfortunate because he believes that each document from the DK period is as valuable as stonework from the ancient Angkorian period.

Mr. Chhang then stated that he is confused as to why the article is now surprising people at the Court because it was published in 2004. He stated that he told parties, such as the prosecution, that the book containing the article is available for sale but that the prosecution stated they could

not afford to buy it.<sup>3</sup> Therefore, Mr. Chhang had provided a copy of the document to all ECCC parties.

### ***Ieng Sary Retires to the Holding Cell at his Customary Time***

At this point, just prior to the morning break, Ieng Sary's defense counsel Ang Udom submitted the defense's now-routine request that Ieng Sary be permitted to retire to the courtroom holding cell to view the proceedings via audio-visual link due to health issues. Chamber President Nil Nonn granted this request as per usual, and reminded the defense to provide a written waiver, signed by Ieng Sary.

Following the morning break, Chamber President Nil Nonn instructed Mr. Chhang to use the accused's given names and not their revolutionary aliases when referring to them in his answers to ensure a clear record. The Chamber then notified Mr. Pauw that the Nuon Chea defense team would be provided additional questioning time until 2:40 p.m. in the afternoon to account for the fact that the Ieng Sary defense did not plan on questioning Mr. Chhang.

### ***Questioning by Nuon Chea Defense Continued***

Mr. Pauw then turned back to the article *Documenting the Crimes of Democratic Kampuchea* and asked why Mr. Chhang and Dr. Ciorciari saw political interference as a principle shortcoming of the PRT. Mr. Chhang responded only that DC-Cam has advocated for the creation of an independent tribunal. In response, Mr. Pauw asked about Mr. Chhang's earlier reference to documents thrown into the Mekong River. Mr. Chhang responded that many Cambodians had written to the government requesting the creation of a tribunal. When DC-Cam attempted to obtain these documents, the Center was informed that they had been thrown into the Mekong River. Mr. Chhang further testified that DC-Cam has a list of the names of the Ministry officials in charge of documents in Stung Treng at the time. He noted that this list was provided by the Ministry of Propaganda itself and was not prepared by DC-Cam.

Next, Mr. Pauw turned to the confession of Ros Nhim<sup>4</sup> from *Tuol Sleng* prison and asked how many versions of this confession are known. Mr. Chhang explained that DC-Cam seeks to find all confessions it can because, at the prison, everyone was photographed and their confessions taken as a general rule. Regarding Ros Nhim specifically, Mr. Chhang stated that he believes a copy of his confession is held by DC-Cam but was unsure whether DC-Cam has sought out additional copies or other versions of Ros Nhim's confession specifically.

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<sup>3</sup> The article is actually a chapter in a book by Jaya Ramji-Nogales and Beth Van Schaak and is now available online on the Cambodia Tribunal Monitor website at:

<http://www.cambodiatribunal.org/sites/default/files/news/Documenting%20the%20Crimes%20of%20Democratic%20Kampuchea.pdf>.

<sup>4</sup> Ros Nhim was the Secretary of the Northwest Zone in DK until 1977, when he was arrested, sent to S-21 and eventually executed.



*Youk Chhang (left) and Professor Ben Kiernan of Yale University (middle) meet with King Norodom Sihanouk in 1995 to discuss the work of the newly formed Documentation Center of Cambodia.*

Mr. Pauw then asked about the archives of King Norodom Sihanouk referenced the previous week by DC-Cam deputy director Vanthan Peoudara. Mr. Chhang responded that the King's personal archive was temporarily available online and that DC-Cam had printed out some documents from the archive while it was available. He further stated that the hard copy of the archive was moved to Belgium according to his knowledge.

During the morning session, Mr. Pauw also asked Mr. Chhang about references to DC-Cam's "Accountability Project" in the foreword written by him for the book "*Seven Candidates for Prosecution*" written by Steve Heder and Brian Tittmore. Mr. Pauw asked Mr. Chhang how the Center analyzes documentary evidence as was claimed in the foreword. Mr. Chhang responded that the authors are responsible for the analysis in the text and repeated his statement from the previous hearing that "law does not monopolize the word evidence." He added that DC-Cam seeks to promote reconciliation in Cambodia generally and was not created specifically to seek the creation of a court.

Mr. Pauw then asked Mr. Chhang about a list of ten former Communist Party of Kampuchea (CPK) officials that the book *Seven Candidates for Prosecution* indicated DC-Cam had created and appended with information on such individuals implicating them in crimes. Mr. Chhang stated that he could not remember the names of all ten individuals but stated that Nuon Chea, Ieng Sary, Khieu Samphan and Ieng Thirith were among those named. Mr. Pauw then asked about the rest of the list, triggering another objection by the Prosecution, which claimed the question was irrelevant.

The Chamber upheld this objection and directed Mr. Chhang not to answer the question. Mr. Pauw moved on to discussing a publication authored by Jaya Ramji-Nogales and Anne Heindel entitled "Genocide: Who are the Senior Khmer Rouge Leaders to be Judged, the Importance of ECCC Case 002." Mr. Chhang noted that he "really likes" this booklet and explained that Ms. Ramji-Nogales is professor and Ms. Heindel is a legal advisor to the Center who was hired to deal with ECCC issues.

Mr. Pauw then read out a section of the foreword from the book authored by Mr. Chhang that intimates that the “leaders” of the DK regime are responsible for the crimes committed during the DK period and not solely local officials. Mr. Pauw stated that the foreword suggested that Mr. Chhang had already reached his own personal conclusion, drawn from the evidence, about the guilt of the Case 002 accused and asked Mr. Chhang to explain his statements.

This triggered another objection on relevancy grounds from the prosecution. Mr. Pauw responded that such statements create an inference that Mr. Chhang appears biased against the accused. He further argued that such a perception of bias is especially troubling when DC-Cam is effectively the “gatekeeper” of much of the evidence placed before the ECCC. Chamber President Nil Nonn sustained this objection and instructed Mr. Pauw to remain on-topic and to limit his questioning appropriately.



*Youk Chhang (in Yale t-shirt) searches for Khmer Rouge documents in Takeo province in 1996.*

Mr. Pauw then asked Mr. Chhang about the letter of permission DC-Cam received from the Cambodian government and specifically about the scope of access granted in the letter. Mr. Chhang responded that the letter allows DC-Cam to search for documents anywhere in Cambodia but that the Center sometimes has to consult with different bodies or agencies and go through additional procedural steps to gain access to certain documents. Mr. Pauw next asked whether DC-Cam had been granted full access to search in the archives of the Cambodian People’s Party (CPP). This question prompted another objection from the prosecution, which argued that the defense was “fishing” and seeking to elicit irrelevant information that could provide media fodder. Mr. Pauw responded by observing that the prosecution had questioned Mr. Chhang about research conducted by DC-Cam in the CPP archives and, therefore, the defense should have the same opportunity. The Chamber briefly conferred before overruling this objection.

Mr. Chhang then responded that he was “happy” to answer the question. He testified that initially a committee was set up collaboratively between Cambodia, Vietnam and Laos to establish the history of the revolutions in the countries. Mr. Chhang stated that he had sought information about this joint committee and its work products but had not found the documents produced by the commission because they were scattered in the three countries. He further stated that he had stated as much on DC-Cam’s website, which may have aroused the interest of the parties at the

ECCC. Upon further questioning, Mr. Chhang explained that the original “CPP Archive” closed in 1993 and that this archive was drawn from the work of the joint committee.

Mr. Pauw then asked whether the CPP still possesses DK period documents. Mr. Chhang responded that in 2005 he authored an open letter in Khmer, English and French requesting that DK period documents be sent to the ECCC. As for contemporaneous DK period documents, Mr. Chhang stated that, because the CPP Archive was closed, he suspects that some government officials may hold certain contemporaneous DK period documents but that no CPP Archive currently exists.

Mr. Pauw then asked about documents provided by Khieu Kanharith<sup>5</sup> and whether DC-Cam received all DK period documents in the possession of this individual. Mr. Chhang responded that Khieu Kanharith had informed DC-Cam that he had provided all of the DK period documents he had in his possession but that he has no way of verifying this fact.

At this point, the Chamber prepared to break for lunch, and as usual, Nuon Chea’s counsel informed the Chamber that Nuon Chea wished to waive his right to be present in the courtroom and retire to the courtroom holding cell for the day to participate via audio-visual link. Chamber President Nil Nonn granted this now-routine request.

Following the lunch break, Nuon Chea’s international defense counsel Jasper Pauw posed several more questions to Mr. Chhang before turning the floor over to his national colleague Son Arun. Mr. Pauw first asked Mr. Chhang about a scholarly article written by Steve Heder which stated in a footnote that there exists evidence implicating Heng Samrin and Chea Sim in atrocity crimes during the DK period.<sup>6</sup> Mr. Pauw attempted to ask Mr. Chhang if DC-Cam had been given full access to government archives, even those which may have information about the possible crimes of Heng Samrin and Chea Sim. Before Mr. Chhang could respond, Chamber President Nil Nonn interjected and stated that the question was improper and irrelevant, again reminding Mr. Pauw of the limits of the topics of questioning for the day.

Mr. Pauw responded by asserting that it is necessary to explore any interference in the work of DC-Cam, especially in light of the fact that the Cambodian government regularly interferes with the work of the ECCC itself. Mr. Pauw then noted specifically the government’s “interference” with a “duly appointed international investigating judge,” referring to former reserve Co-Investigating Judge Lawrence Kasper-Ansmert.

President Nil Nonn appeared frustrated by Mr. Pauw’s response and interjected again, chastising Mr. Pauw for continuing to ask questions regarding issues outside the scope of DC-Cam’s process of collecting and processing documents despite repeated instruction from the Chamber.

Mr. Pauw then stated that he would move on from the topic of evidence implicating current leading Cambodian politicians in crimes and asked about Steve Heder’s assertion in his article

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<sup>5</sup> It appeared that the person being discussed was Khieu Kanharith, who is the current Cambodian Minister of Information, but this fact was never explicitly stated in the courtroom.

<sup>6</sup> Heng Samrin is the current chairman of the National Assembly of Cambodia, and Chea Sim is the current President of the Cambodian Senate.



that a large amount of killing that occurred during the DK period was carried out by local, lower-ranking CPK officials “without specific instructions from the CPK leadership.” Mr. Chhang responded that DC-Cam has interviewed over 1,000 people, but none had admitted to committing killings. Mr. Chhang continued that the Center did not follow Mr. Heder’s theory but only sought to discover who had committed atrocities in DK by conducting interviews.

Mr. Pauw then asked about Mr. Heder’s conclusion that any accurate accounting of the DK period would require investigating and prosecuting former CPK officials down the chain of command, including so-called “smaller fish,” regardless of the current position of such individuals in Cambodian society. This prompted an objection by the prosecution again on relevance grounds.

Mr. Pauw then stated he would turn the floor over to his national colleague but stated that the Nuon Chea defense is of the position that the Chamber had only allowed the defense to barely “scratch the surface” of the topic of potential bias on the part of DC-Cam.

During these remarks, Chamber President Nil Nonn again interjected and reminded Mr. Pauw about the scope of the day’s scheduled questioning, stating that if the Nuon Chea defense team could not stay on topic, the Chamber would simply end its questioning.

Mr. Pauw responded by stating that he would turn over the floor to Son Arun but first made two submissions to the Chamber. First, Mr. Pauw requested that the Chamber order DC-Cam to provide certain information related to which documents it holds that are originals to the Court. Second, Mr. Pauw requested the opportunity to call Mr. Chhang again as a witness to discuss the topics previously barred by the Chamber of political interference and potential bias, as these topics were not explored sufficiently due to the limited scope of the current questioning. Mr. Pauw began to state that it is “unprecedented” for a private organization to do the bulk of evidence-collecting in a criminal trial when Chamber President Nil Nonn interrupted yet again and stated that the defense does not have the floor to make any general statements.

Mr. Pauw then requested to give the floor to his national colleague, Son Arun, to continue questioning of Mr. Chhang. At this point, the Chamber judges conferred briefly, and Judge Jean-Marc Lavergne asked some questions to the Nuon Chea defense. Judge Lavergne first asked Mr. Pauw whether the requested information from DC-Cam could not have been obtained by the defense during the nearly three-year investigatory phase of Case 002. Judge Lavergne then referenced ECCC Internal Rule 87, which requires a party to demonstrate that new evidence sought at trial was not available previously.

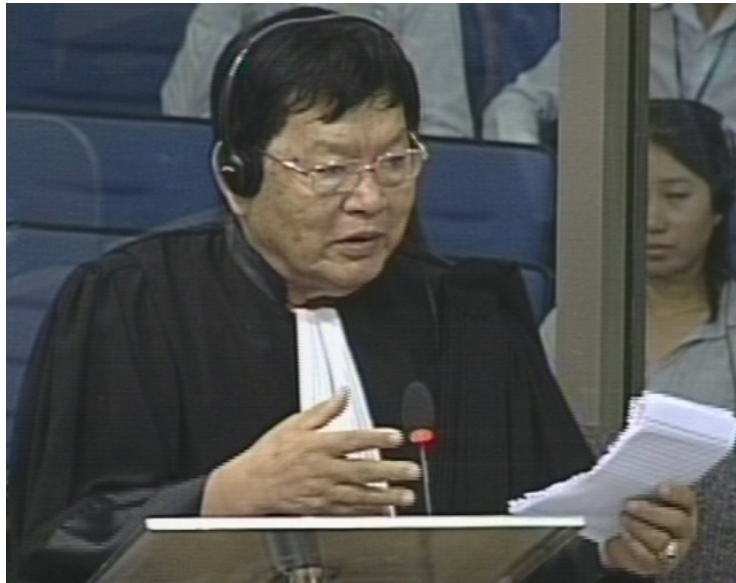
Mr. Pauw responded that the Nuon Chea defense became aware of the clear fact that DC-Cam holds information related to the provenance of documents only during the morning questioning session. He further submitted that it originally was the role of the Office of the Co-Prosecutor (OCP) and/or CIJs to submit the information on the provenance of documents and it was not incumbent on the defense teams to do so at the time.

International prosecution counsel Tarik Abdulhak responded by providing a lengthy overview of the evidence production process at the ECCC, dating back to 2009. He submitted that the OCP

had submitted proposed evidence to all parties well in advance and that the Trial Chamber had already ruled that documents only needed to be *prima facie* relevant to be admitted.

Mr. Pauw responded that the burden is on the OCP to authenticate documents and argued that the defense was solely seeking easily obtainable information. He further argued that the defense, through this request, was actually assisting the prosecution in the authentication process.

After conferring, the Chamber announced that it would not issue an immediate decision on the issue but would decide “in due course.” The floor was then given to national defense counsel Son Arun to continue questioning for the Nuon Chea defense.



*Nuon Chea's national counsel Son Arun concludes the defense's questioning.*

Son Arun first asked whether DC-Cam holds original or copied documents. Mr. Chhang responded that DC-Cam holds both original documents from the DK period and some copied documents as well. Upon further questioning, Mr. Chhang repeated his previous testimony explaining how DC-Cam determines documents are genuine and why he believes it would be very difficult to forge purported DK period documents. Following this answer, Son Arun continued to question Mr. Chhang about specific types of documents, such as handwritten DK period documents and biographies and whether they could be fabricated. These questions largely repeated previous questions put to Mr. Chhang during his nearly three days of testimony, and Mr. Chhang reiterated the reasons he believes it would have been virtually impossible to forge purported DK period documents.

Later, Son Arun asked about official stamps and other markings on purported DK period documents. Mr. Chhang responded that reading documents is one of his greatest pleasures, to the point that reading documents for him is like finding cooked rice to eat at a work-site during the DK period, when he and others were so hungry.

Son Arun then asked Mr. Chhang how DC-Cam managed to obtain documents from all levels of DK, when the regime was so strict. Mr. Chhang smiled broadly and stated that the question was a

good one and then suggested that Son Arun ask his client (Nuon Chea) about the issue. Mr. Chhang then further stated that DC-Cam has sought all documents it can find about the DK period and, although the Center holds many documents, these are most likely “only a drop in the ocean” of the total documents produced by the CPK.



*Youk Chhang completes his third and final day of testimony at the ECCC.*

Son Arun then asked why DC-Cam keeps providing documents to the ECCC if Mr. Chhang thought that providing such documents is “illegal.” Mr. Chhang smiled again and responded that the Center provides documents freely to any group or individual indiscriminately. He further testified that DC-Cam supports the ECCC and so provides any documents to the Court upon request.

Next, Son Arun asked Mr. Chhang yet again about the *Revolutionary Flag* booklets of the CPK and Nuon Chea’s insistence that some of the booklets were handwritten. Mr. Chhang stated that perhaps “Uncle Nuon” was mistaken and was referring to early booklets produced before the DK period in the 1960s that were handwritten. He further stated that he called Nuon Chea “Uncle Nuon” only to show the proper respect to an elder in Cambodian society. Son Arun nevertheless, continued to ask about these booklets, prompting Chamber President Nil Nonn to interject and remind Son Arun that his time was almost up. The President suggested that Son Arun should have “done his homework” on the documents to better focus his questioning.

In response, Son Arun asked Mr. Chhang about photographs from the DK period. Mr. Chhang responded that not all photographs from the DK period were found in *Tuol Sleng* but that some photos had been found internationally, including some found in France. He explained that many of the photographs from the time were taken by members of visiting foreign friendship delegations who supported the CPK and visited DK. He also testified that DC-Cam had obtained several films shot during the DK period and has provided copies of the films to the ECCC, subject to copyright restrictions placed on DC-Cam by the film’s producers.

Son Arun then asked about supposed missing documents from Kraing Ta Chan prison.<sup>7</sup> Mr. Chhang responded that it was incorrect for people to assume that *Tuol Sleng* was the only prison that kept records and confessions in DK. He stated that he had learned that documents survived the DK period at the Kraing Ta Chan prison-site in a book written by Ben Kiernan but stated that there were no documents left when he went to the prison site looking for documents.

Next, Mr. Chhang was asked yet again, whether it was hypothetically possible that Vietnamese experts had falsified purported CPK documents. Mr. Chhang responded that it would have been very difficult for Vietnamese individuals to falsify documents purported to be from the CPK. He explained that he is skeptical that native Vietnamese speakers could fabricate documents written in the Khmer language, especially those which utilize highly specialized terms, such as “dialectical materialism,” that are not commonly understood in Cambodia, even by native Khmer language speakers.

This concluded the questioning of Mr. Chhang by the Nuon Chea defense and completed his testimony on the procedures and processes related to the collection of documents in place at DC-Cam. Chamber President Nil Nonn thanked Mr. Chhang for providing his testimony and announced the day’s adjournment, noting that the Chamber would resume hearing evidence on Wednesday, February 8, 2012.

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<sup>7</sup> Kraing Ta Chan prison was located in DK’s Southwest Zone and was allegedly under the authority of Zone Secretary Ta Mok, a key Khmer Rouge figure who died in 2006 while in the custody of the Cambodian government.