



Defense Team Reveals Pol Pot Shared Little with his Nephew

By: Heather N. Goldsmith, J.D., Northwestern University School of Law

On Thursday, April 26, 2012, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) continued trial proceedings in Case 002 against accused Nuon Chea, Ieng Sary, and Khieu Samphan. As scheduled, the Chamber spent the morning examining witness Saloth Ban, who is both Pol Pot's nephew and the former Secretary General for the Ministry of Foreign Affairs for Democratic Kampuchea (DK). Ieng Sary's defense team then posed questions to the witness in the afternoon session, revealing that his devotion to his uncle may not have been reciprocal.

The President Expertly Questions the Witness

The Chamber President Nil Nonn opened the session by sympathizing that the witness appeared "exhausted" and voicing his appreciation for Saloth Ban's continued cooperation. He informed the witness, however, that there were many contradictions in his testimony and put him on notice that the morning would be spent trying to resolve these issues.

Beginning the questioning of the witness by the Bench, the President asked how many members were in the Central Committee in 1975 and 1976. The witness responded that he could not answer because he was not the founder of the committee, he did not participate in the meetings, and there was no announcement of the members. The President reminded him that Saloth Ban had previously told investigators that there were about twenty members of the committee, and he questioned whether the witness still stood by that statement. The witness responded that he used the word "probably" in his previous statement because he was uncertain. The President again asked him if he stood by his estimation, and the witness responded in the affirmative.

The President next asked how many members were in the Standing Committee. The witness responded that he also did not possess this information but then admitted he had seen photos of the secret meetings. He told the court that he believed there were two members: Pol Pot and Nuon Chea.

Saloth Ban was asked if Son Sen was a member of the Standing Committee. With visible agitation, he repeated he thought there were only two members of the Standing Committee but conceded that he knew Son Sen often worked with Pol Pot and Nuon Chea. He also testified that Son Sen was responsible for the military.

The President inquired whether Khieu Samphan was a member of the Standing Committee or Central Committee. The witness said Khieu Samphan was an “ordinary member” of the Central Committee. He further testified that he had seen Khieu Samphan with Ieng Sary, Nuon Chea, and Pol Pot.

President Nil reminded the witness that he told the Co-Investigating Judges that the leaders all lived together and were therefore familiar with each other’s work. The witness recalled the statement but clarified that he only meant to imply it was “normal” for people who live together to know each other’s work.

Saloth Ban was then asked whether Office 870 and Office 100 were the same, save for the period when they operated. The witness admitted that he had never thought of it that way but confirmed that the President was correct. The witness also recalled that Office 871 was a resting area for the leaders and Office 870 was the office of *Angkar*. After 17 April 1975, he stated, Office 870 relocated to K-1 near the riverfront. When asked if Office 870 and Office K-1 were the same, the witness replied that he always referred to Office 870 as Office K-1. The witness also testified that he thought that Pang was the head of K-1.

The witness was next asked if he knew the person with the alias Doeun. He confirmed that he did and revealed that Doeun was the deputy chief of Zone 304 and worked on the distribution of logistics in Office K-2. He further testified that Khieu Samphan took over as the head of distribution of logistics in K-2 after Doeun disappeared.

President Nil reminded the witness of his previous testimony made before the Co-Investigating Judges, where he is recorded to have made an assumption that Khieu Samphan was the head of Office 870. The witness responded that he used the word “assumed” to help the Co-Investigating Judges get to the truth. The President clarified that they now wanted his actual knowledge of Khieu Samphan’s role at Office 870. The witness said that after Doeun disappeared, Khieu Samphan was assigned by the Upper Echelon to take over Doeun’s duties.

Moving on, he President requested the witness provide more information about Pang. The witness testified that he first met Pang in the jungle in 1967 or early 1968 and that Pang’s job at Office 870 was to manage all Ministries.

The President remarked that he was confused by the witness’s statement because it sounded as if Pang and Doeun (and later Khieu Samphan) had simultaneous leadership roles in Office 870. He

asked if it was fair to say that Pang and Doeun/Khieu Samphan were responsible for separate offices after April 1975. The witness responded that he saw Doeun, Khieu Samphan, and Pang at the K-2 office, which led him to believe that Pang was the chief.

The President again turned to prior testimony made by Saloth Ban before the Co-Investigating Judges where the witness is recorded to have said that Pang oversaw external affairs at Office 870 and Khieu Samphan was responsible for the internal affairs. The witness was given a chance to explain but stated that this testimony had been based only on his observations.



Confusion Remains About the Disappearances from B-1

The President encouraged the witness to explain why some people were taken out of B-1 by Pang directly and others by his subordinates. The President asked whether it was fair to say that there were two scenarios: 1) people were held at the Ministry temporarily and then taken out by Pang directly, and 2) people were taken out of the Ministry by Pang's order. The witness confirmed the President's analysis was accurate.

Saloth Ban was asked how many people were brought temporarily to B-1 and later taken away, and he recalled that there were more than twenty people. The President then inquired about the "working staff" at the Ministry of Foreign Affairs taken away directly by Pang. The witness stated it was between fifteen and twenty people.

The President inquired whether Saloth Ban knew about S-21 during the Democratic Kampuchea (DK) period. The witness responded that he did in name only. When asked where Pang or his subordinates took people after arresting them at the Ministry of Foreign Affairs, the witness replied that he asked and was told that it was to help with "plantation."

Saloth Ban was asked if his deputy ever took people from the Ministry of Foreign Affairs to S-21. The witness responded he knew that his deputy took people out of the B-1 office, but he insisted that he did not know where they were taken. The President requested clarification on whether these people were the "working staff" or the "temporary staff sent by Pang," to which the witness confirmed they were those sent in by Pang. When asked if Ieng Sary was aware of the arrests, the witness asserted that, based on his observation, it was unlikely that Ieng Sary knew about the arrests until after the people disappeared. He noted that Ieng Sary would ask him where people went after they disappeared.

President Nil next provided the witness with a section of his prior testimony made before the Co-Investigating Judges where he stated that his deputy had to execute orders given by Pang to drive people to S-21. The witness was also recorded as confirming that prisoners were escorted on a truck and carried away. The witness was given a chance to respond but declined.

The President went on to read prior testimony where the witness was recorded as saying that Ieng Sary must have been aware of the situation. The witness was again given a chance to explain, but he maintained that Ieng Sary only knew of the arrests after people were taken away. The President questioned how Saloth Ban thought Ieng Sary felt about the disappearances. The witness responded that he noticed Ieng Sary was sad. He went on to explain, "Everyone in the office was very, very, sad." The President asked why people were sad that people were taken from one office to another office. The witness responded that it was because of the disappearances that were happening at B-1 and throughout the country. He also admitted there were rumors that those who disappeared were shot. The President inquired whether the witness ever observed people taken from B-1 return to the office, and the witness admitted that these people never came back.

Judge Lavergne Attempts to Clarify the Witness's Testimony

After the President completed his questions for the witness, Judge Jean-Marc Lavergne was given the floor. He began his examination by asking the witness to explain both a) why he told the court that he was born in three different years, and b) why the name he gave to the court was different from the one listed on his Cambodian ID and Military ID. He was also requested to give the court his correct name and date of birth. The witness explained that there had been a "mix-up" in the "family book" and that everything still remains unclear. He said that he was born "in the year of the rooster" on October 9 at 9 a.m. He said that brothers and sisters registered him for school with the wrong birth year, but he then changed it back when he joined the military so that he could keep his wage longer. The explanation of his name was a confusing litany of events that did not appear to come to a clear conclusion.

Moving on, Judge Lavergne asked the witness who gave Pang orders, but the witness responded he did not know. The witness did say, however, that he did not consider Pang to be *Angkar*. The Judge asked who on the hierarchy was above Pang, and the witness asserted it was *Angkar*. The witness explained that *Angkar* was "a collective of the democratic region in charge of all the common responsibilities."

The Judge questioned whether Pol Pot was the head of *Angkar*, and the witness explained that he was "one of the needles in the ocean," meaning an individual within *Angkar*. When asked whether Nuon Chea was also a "needle in the ocean," the witness advised the Judge to ask Nuon Chea directly. The Judge reminded Saloth Ban that the questions were being directed to him and inquired whether Ieng Sary was a member of *Angkar*. The witness again told the Judge to ask Ieng Sary himself.

The Judge next asked the witness if he stood by his previous statement that Pang was responsible for recruiting staff to the Ministry of Foreign Affairs. The witness responded that he meant that if people had appropriate biographies, they were sent to the Ministry of Foreign Affairs. The witness testified that his biography was written by Pang but a moment later stated that he authored his own biography.

Judge Lavergne reminded the witness that Saloth Ban had been incarcerated for ten days in his youth. He was asked whether the witness's release was related to his family's relationship with the Royal Palace. Saloth Ban replied that he was not aware of this relationship but later conceded

that he knew that his “Uncle and Auntie” worked there. He said that his release was a “common release,” clarifying that this meant the King released all of the students and intellectuals being held in the prison.

The Judge next asked the witness about his prior statement before the Co-Investigating Judges where he is recorded to have said that following his release he changed his name and survived by using a fake identity card. The witness confirmed that statement, saying this change was necessary to keep from being arrested by Lon Nol’s spies.

The witness was asked how many of his family members had roles close to the leadership of DK. He responded that his wife cooked at K-1 for less than a month and that his young brother was responsible for taking photographs.

The judge reminded Saloth Ban that he had told the Chamber that he knew S-21 confessions had been sent to the Ministry of Foreign Affairs and admitted that he knew that many of the confessions were fictitious. He had also admitted that Ieng Sary read the confessions of Koy Thuon and that everyone, including Ieng Sary, became frightened.



When asked why Ieng Sary read these confessions, the witness responded that the confessions were compiled into a thick book right before the arrival of the Vietnamese. He thought the reading of the book was “unreasonable,” and he said that a circular was issued that said an arrest could only be made under the “seven-layer mechanism.”

The Judge responded, “I am sorry, but you did not answer my question” and inquired whether the confessions were read because the Vietnamese were poised to attack. The witness responded that Ieng Sary asked a female cadre to read the book. Judge Lavergne inquired whether Ieng Sary provided any explanations following the reading of the confession. The witness replied that after the confessions were read, everyone had to state whether they had any connections with Koy Thuon. The President questioned if this meant Ieng Sary asked all participants in the meeting to reveal any connections with Koy Thuon. The witness stated this was correct but added that no one spoke because they did not have connections with Koy Thuon.

The Judge next asked if Saloth Ban recalled a meeting at Chrang Chamres after Koy Thuon was implicated as a traitor and arrested. The witness explained that he did not see any documents concerning Koy Thuon but he heard people talking about it. He said that as a leader he needed to calm everyone down.

When asked whether there were only peasants at Chrang Chamres, the witness confirmed this statement as true. In response, the Judge read prior testimony made by Kaing Guek Eav, *alias* Duch, in which he stated that Chrang Chamres and Boeung Trabek contained intellectuals. The witness maintained that he did not see high-ranking officials at Chrang Chamres.

Saloth Ban was next asked whether Pang arrested anyone at Chrang Chamres, but the witness asserted that he was not aware of any arrests there. The Judge read an extract of a statement made by a prior witness that claimed after Koy Thuon was arrested, many people were sent to Chrang Chamres from the Ministry of Foreign Affairs. The witness was asked whether he had any remarks to make in light of what was just read. He responded that Chrang Chamres was transferred to the Ministry of Foreign Affairs and that Pang controlled it for a long period of time. He again asserted that he did not know about the arrests.

Michael Karnavas, co-lawyer for Ieng Sary, interjected to remind the Chamber that it had previously made a ruling declaring that prior witness statements could not be used to confront another witness. Commenting that Judge Lavergne had just “availed” himself to other witness statements, he queried whether the rules that applied to the parties also applied to the Bench. He noted that he had to revise his questions to abide by the Chamber’s ruling and suggested the jurisprudence be revised for everyone.

Elisabeth Simonneau-Fort, international Civil Party lead co-lawyer, took the opportunity to support Mr. Karnavas’ position. She noted that the only potential problem with his suggestion is that all parties should be allowed to question the witness according to the same rules. Michiel Pestman, co-lawyer for Nuon Chea, also expressed his support for the change in jurisprudence. The Chamber noted the issues the parties raised.

Court Takes Morning Recess

At this point, the Chamber adjourned for a thirty-minute morning break. Ang Udom, defense counsel for Ieng Sary, made his usual request that the accused be permitted to waive his right to be present in the courtroom and retire to his holding cell to observe the remainder of the day’s proceedings via audio-visual link due to his health concerns. As usual, the President granted the request, requiring that a waiver be submitted with the defendant’s signature or thumbprint.

Judge Lavergne Admits to his Error

After the morning break, Judge Lavergne admitted that he made an “unfortunate error” by using prior witness testimony to “interrogate” a witness before the Chamber. He declared that the Chamber did not intend to alter its jurisprudence but promised to make the witness quoted available for examination by the parties.

The Witness Discusses Fear During the Regime

Moving on, Judge Lavergne asked the witness to talk about “fear.” Saloth Ban explained that fear “started from the beginning” and that people had to try to conquer their fear. He asserted that “this started” with “Case 000.” He further specified he was afraid of a) the people who started the trouble, b) the Vietnamese who threatened to “swallow” Cambodia, and c) the “two buffalos.”¹

The Judge inquired whether the witness was afraid of the DK policy or that the Ministry of Foreign Affairs was infiltrated by enemies. The witness said he was not afraid of DK policy – he was afraid of what he “stated already.”

¹ This comment possibly refers to a Cambodian folktale that the witness tried to tell in court on April 24, 2012.

Judge Lavergne asked the witness to clarify his “mysterious” reference to “Case 000.” The witness told him that he compiled a personal document to allow himself to progress and ensure the prosperity of the family, noting that it would be “okay” if this document also had an impact on the world.

Having not received a clear answer, the Judge chose to move on and asked the witness to answer why certain individuals were assigned to the Ministry of Foreign Affairs temporarily. The witness responded that it was easier to arrest people from a location where there were no weapons. The Judge asked if the individuals were assigned to the Ministry of Foreign Affairs because it was known that they did not have any weapons. Saloth Ban replied, “I made my own analysis and that is the case.”

The Judge asked the witness a) whether he asked any questions when arrests were made and b) if people were afraid. The witness said that people were fearful, but the principle was to “mind your own business.”

Pol Pot’s “Peace Project”?

Judge Lavergne next inquired about the “peace project” allegedly constructed by Pol Pot. The witness said that it was part of the social plan but asserted that he could not offer more information. The witness did testify, however, that the project was built on the theme “love ourselves, our nation, and our people.” The plan allegedly also included not having a military base in Cambodia.

Judge Lavergne then informed the President that he had no further questions.

Ieng Sary’s Defense Team Returns to “Case 000”

After being given the floor, Mr. Karnavas asked Saloth Ban to clarify who was accused in “Case 000.” The witness said he would “like to reiterate” that “Case 000” is “the one who created the problem.” He rhetorically mused, “If it does not start with zero, how can you reach number ten, or even ten thousand?” He shared that his father asked him why he could not protect his younger siblings and specified that this statement was his theory and had nothing to do with Communism. Mr. Karnavas asked whether Saloth Ban’s father meant he could not protect his younger siblings during the DK, and the witness said it related to the whole world.

The Love Between Nephew and Uncle was a One-Way Street?

Moving on, the witness was asked about the time he spent with his uncle in the jungle. The witness affirmed he was with Pol Pot from the late 1960s until the fall of Phnom Penh. When asked if he was close to his uncle, the witness responded that he was closer to Pang. Mr. Karnavas remarked, “Oh, we will get to Pang” and repeated the question. The witness explained that “close” can refer to family members or a combatant in a war. Mr. Karnavas thanked him for the explanation, and with a grin, clarified that he was talking about physical closeness.

Saloth Ban then testified he was always close to his uncle, noting he both “loved him” and “worshiped him.” Mr. Karnavas asked if he cooked for Pol Pot. Saloth Ban responded, “He trusted me and I cooked for him, I made the most delicious food for him.”

Mr. Karnavas asked if Pol Pot trusted him enough to allow Saloth Ban give him shots. The witness responded that he did. When asked if he was also a guard for his uncle, the witness explained that he had a variety of jobs.

Mr. Karnavas then asked how many days a week and hours a day he was “physically close” to his uncle. The witness responded, “Anyone who was a bodyguard was required to be close to him [Pol Pot] and protect him 24 hours.” Mr. Karnavas asked if that meant that Saloth Ban was with his uncle 24 hours a day/seven days a week. The witness explained that the bodyguards took turns.



Moving on, the counsel delved into the “emotional closeness” between Saloth Ban and his uncle. Saloth Ban repeated that he “loved and worshiped” his uncle and emphasized that “worship” should be “given its full meaning.” Regarding how Pol Pot felt towards him, Saloth Ban said his uncle educated him and criticized him a lot. Mr. Karnavas inquired whether the witness could see his uncle when he wanted. Saloth Ban responded that he did not have access to him unless he was on duty.

Saloth Ban was asked how Pol Pot educated him. He reminisced that when he was young he was allowed to sit on his uncle’s lap but disclosed that after “they struggled,” he was never allowed to sit next to Pol Pot again. Mr. Karnavas questioned whether this meant Pol Pot never educated him about what was planned for the revolution. The witness said his education was just general, asserting that Pol Pot did not tell him who was on the Standing Committee or the Central Committee. He also confirmed that Pol Pot did not tell him about the structure of the regime, powers bestowed upon people, or the decision-making process. It was also revealed that Pol Pot never invited Saloth Ban to any meetings, other than study sessions and unit meetings; the witness did not even know the names of people who met with his uncle.

Mr. Karnavas questioned whether Pang was “physically” or “emotionally” closer to Pol Pot than Saloth Ban was. The witness explained that Pol Pot was Pang’s supervisor, which meant Pang received the daily instructions from Pol Pot, while Saloth Ban did not.

Saloth Ban was asked if Pang was aware that he was the oldest son of Pol Pot’s brother. The witness insisted that Pang knew this fact.

Mr. Karnavas next asked the witness whether he met Chiem in the jungle in the late 1960s. The witness confirmed this, testifying that Chiem also served as a bodyguard and messenger under Pang’s supervision. When asked whether he and Chiem worked together, lived together, socialized together, and shared meals together, the witness skirted the response until it was time to adjourn for lunch.

Court Breaks for Lunch

At this point, the Chamber adjourned for the lunch break. Michael Pestman, counsel for Nuon Chea, made his usual request that the accused be permitted to waive his right to be present in the

courtroom and retire to his holding cell to observe the remainder of the day's proceedings via audio-visual link. He noted that a waiver had been prepared. As usual, the President granted the request.

Ieng Sary's Defense Team Continues to Question Saloth Ban

Mr. Karnavas began the afternoon session by asking Saloth Ban whether he was alone when he gave Pol Pot injections. The witness responded that he was usually alone, but sometimes his wife was present. Regarding whether he had ever had "small talk" with his uncle when giving these injections, the witness said that sometimes Pol Pot would give him food requests to relay to his wife. Mr. Karnavas clarified that Pol Pot never asked what Saloth Ban's observations of the events were. The witness confirmed, "Not at all."

The witness then testified that Pol Pot directly instructed him to guard two to three tons of ammunition and confirmed that he continued to guard the ammunition for some time after the others had left. He thought Pol Pot might have left him behind so he could care for his pregnant wife. Mr. Karnavas asked if Saloth Ban might have also been asked to stay because he was trustworthy. The witness remarked that this was true – Pol Pot selected him because the ammunition was important and someone trustworthy needed to guard it. He also recalled Chiem was away with Pang during this time.

Mr. Karnavas asked if Pang's immediate superior was Pol Pot. The witness told the counsel that he would "enlighten him" and explained that Pang was "always" stationed east of the river. Mr. Karnavas asked if that meant Pang remained east of the river between 1969 and 1975, and Saloth Ban confirmed this was correct. Mr. Karnavas inquired whether Pang personally gave the witness day-to-day instructions during this time, but Saloth Ban responded that he did not receive instructions from Pang then, only from Pol Pot. Concerned that something was being lost in translation, Mr. Karnavas reminded the witness that this morning he had testified that he received instructions from Pang and that Pang received instructions from Pol Pot. The witness explained that when he was with Pang, he received instructions directly from him, and when Pang was absent, he received instructions directly from Pol Pot.

Saloth Ban was asked whether he went to Phnom Penh after it fell, and he responded that he went with his wife after she delivered her baby. He recalled that Pol Pot instructed him to hand the post over to the sector authority before he left.

The witness was asked to whom he reported after he came to Phnom Penh, and he reported that Pang came to meet him. Mr. Karnavas then asked a) how Pang knew where to meet him and b) where did they meet. The witness responded that a messenger told him to go to the Ministry of Defense and Pang knew to go there.

Mr. Karnavas inquired whether it was correct that the witness spent several months cleaning houses in the Ministry of Defense. The witness responded that Pang gave him the instructions to clean. He further testified that Pang gave his wife the job as a cook at K-1 and Pol Pot gave his brother a job as a photographer.

When asked when he was first reunited with his uncle after returning to Phnom Penh, the witness stated that his brother was not part of the photography group in the jungle because he was in the Vietnamese army and that he was called home to join the resistance. Mr. Karnavas was then able to clarify that the brother joined Saloth Ban and Pol Pot in the jungle.

Returning to the question of when he reunited with Pol Pot, Saloth Ban recalled that he met Pol Pot after “he made his preparation in office K-1.” Mr. Karnavas asked what month in 1975 that occurred, and the witness apologized and said the first time he met Pol Pot after returning to Phnom Penh was actually at a temple around May of 1975. He then clarified that he did not talk with his uncle at this meeting; rather he and Chiem were charged with security matters and food preparation. The witness first testified that they were under the supervision of Pang but then clarified that they were actually under the supervision of a subordinate of Pang. Saloth Ban was not able, however, to identify Pang’s supervisor nor did he whether Pol Pot provided Pang with instructions.

The witness testified that Pang was always with Pol Pot, informing the Chamber, “I am being frank because I want to assist the court.” With a huge smile, he launched into a detailed account of times that he met with Pang and other friends, including when he first went to “grow corns.”

Mr. Karnavas inquired as to what conclusions can be draw about the relationship between Pang and Pol Pot given that Pang was put in charge of Pol Pot’s security. But the witness answered the question incoherently.

Moving on to his time in K-1, Saloth Ban remarked that he would go to K-1 when there were necessary matters or to visit his wife. Mr Karnavas asked the witness if he needed a pass to visit his wife on a family matter. The witness explained that the kitchen was adjacent to the office and that he could go there without a pass. Mr. Karnavas tried to ask another question, but the witness interrupted him to explain further that he did not need to be screened if he went to visit his wife but needed to be screened if he was sent by Ieng Sary.

The witness was asked whether he received formal or informal questions from the Standing Committee when he was at K-1. He explained that he was told not to say anything to anyone. Mr. Karnavas informed him that they were going to go through that statement step-by-step and began by asking whether the witness attended any meetings hosted by the Standing Committee. Saloth Ban responded that he did not. The counsel then asked about meetings with *Angkar*, and the witness responded that they only attended meetings at the “smaller” level. He also said that he never received any documents from the Standing Committee or the Central Committee. The counsel questioned whether Pol Pot ever discussed his work or the decision-making process while they were in Phnom Penh. The witness denied that he did.

Mr. Karnavas inquired whether Pang was a “talkative” individual. The witness responded that Pang never shared information with him, including whether Pang ever attended any Standing Committee meetings. Mr. Karnavas asked more generally whether anyone told Saloth Ban who the Standing Committee or Central Committee members were between 1975 and 1979. The witness admitted that no one told him “officially,” conceding that he made his own conclusion. Concerning the facts he used to surmise this information, the witness said it was because a) he

saw Pol Pot and Nuon Chea were close in the jungle, and b) he heard what other people said. The witness also said there was a rumor that Pang was part of the Standing Committee.

Mr. Karnavas challenged the witness to name one person from the Standing Committee who told him the committee members. The witness could not, nor could he with the Central Committee. When asked how he was then able to guess that there were twenty members of the Central Committee, Saloth Ban responded that it was based on “his personal conclusion.” Mr. Karnavas asked whether it was fair to say he was “speculating, and the witness agreed that it was.

President Nil noted it was time for the afternoon break and surveyed the defense teams on how much time they required for their examination. Mr. Karnavas, speaking on behalf of Ieng Sary’s defense team, responded that he would need until mid-day Monday; Nuon Chea’s team said it would be a maximum of half a day; and Khieu Samphan’s defense team said they would need 1.5 hours.

Was Saloth Ban Qualified for the Job?

Upon returning from the break, Saloth Ban confirmed that Pang appointed him to his role in the Ministry of Foreign Affairs. It was established that the witness had completed the “third-class” level of school, which meant he was in school for ten years. The witness admitted that he could not go higher because he failed an exam. The witness mentioned he also attended other trainings, which included reading Chinese stories and watching films about the revolutionary movements. The witness acknowledged that he had no work experience in a government office before being sent to work in the Ministry of Foreign Affairs.

Mr. Karnavas asked whether the witness received any training or orientation about his position at the Ministry of Foreign Affairs. The witness said he was in charge of managing the forces, particular the peasants and children. He explained that he organized and managed no more than thirty people before assuming this position.

Regarding whether Pang was an educated man, Saloth Ban stated that Pang was an “outspoken guy” and could communicate well with his colleagues. Mr. Karnavas inquired whether Pang could read and write, and the witness confirmed that he could. He also informed the Chamber that Pang spoke Vietnamese.

Mr. Karnavas probed into what qualified Saloth Ban to be the number two at the Ministry of Foreign Affairs. The witness concluded that his honesty and Pol Pot’s trust in him were his qualifications. Mr. Karnavas stated that he thought Pang assigned the witness to the post. Saloth Ban responded that, to his understanding, Ieng Sary proposed his name.

Mr. Karnavas thanked him for giving his opinion and asked what the witness meant when he said “to my understanding.” The witness responded that the leaders were “humble” because respect must be earned. After the question was repeated, Saloth Ban stated that it was information he learned himself.

Saloth Ban was tasked whether he thought being Pol Pot’s nephew helped him get the position in the Ministry. He denied the assertion, proclaiming it had “nothing to do with that.” He was then

asked whether it had to do with his close working relationship with Pang, and the witness again rejected the connection.

The counsel requested that the witness explain how Chiem also ended up at the Ministry of Foreign Affairs. The witness explained that Chiem was under his supervision and worked on peasantry and security.

Mr. Karnavas inquired whether the witness's "clean biography" helped him get the job, and the witness confirmed this was correct. The witness was asked what facts indicated that an analysis was done of his personal biography that made "the masses" comfortable with his appointment to that position. The witness declared that he had more strengths than weaknesses, and he took a moment to inform the Chamber of his strengths, which he believed included minding his own business and wanting to be happy. He then proclaimed that the people he supervised always enjoyed their day at work.

The Origin of Pang's Authority Remains a Mystery

Moving on, Mr. Karnavas again asked the witness who Pang's supervisor was. The witness said he knew that Pang was the Chairman of Office 870. When asked him who provided him with that information, the witness stated "it" was because Pang had power, could freely travel, and provided travel passes to others. He also remarked that people in the office told him that Pang was the Chairman of the office.

The witness was asked to explain the basis for his belief that Pang possessed authority over all the Ministries. He responded that it was because a) Ieng Sary told him that Saloth Ban needed to assist Pang with whatever he needed, and b) the people working in K-1 told him that Pang was the chairman.

Mr. Karnavas challenged the witness to name some people in K-1 who told him that Pang was the chairman. Saloth Ban was able to name one person. Mr. Karnavas inquired whether the witness ever asked Pol Pot about Pang's authority, and the witness admitted that he never did. Saloth Ban was then asked who gave Pang authority to bring people to the Ministry of Foreign Affairs and take them away as he pleased. He responded that it was based on Ieng Sary telling him to assist Pang in whatever way he needed. Mr. Karnavas asked what would have happened if Saloth Ban had resisted Pang when he came to take some people away. The witness only responded that he would let the people go because he thought they were just being transferred.

The counsel challenged the witness as to why, as head of security, he did not take action to protect the people working at the Ministry of Foreign Affairs. Saloth Ban explained that he did not have the authority to refuse Pang. Mr. Karnavas asked the witness if he was afraid of Pang, and Saloth Ban responded that he came to be afraid of him when Pang started making arrests. Mr. Karnavas questioned why the witness would possibly be afraid of Pang, calling his attention to his previous testimony that a) he knew Pang for years and b) Pang knew he was Pol Pot's nephew. The witness asserted that it was difficult to explain.

Mr. Karnavas inquired why Saloth Ban could not talk to Pang as a friend about the disappearances at the Ministry. The witness said he did speak with Pang but Pang insisted that

people were just being transferred. When asked why he did not ask his uncle, the witness replied that he had to be certain of a problem before he reported to his uncle.

Saloth Ban testified that as far as he knew Pang had influence in every Ministry but he could not conclude that Pang had influence over people responsible for the Ministries.

The witness was again asked if he ever inquired into the authority people had to take people out of the Ministry. The witness said he asked Chiem and was told that the people came from Pang's group. Mr. Karnavas asked how he knew they were from Pang's group, and the witness again responded that it was difficult to explain.

The counsel next asked if Pang would ever go to Saloth Ban directly when he removed people from the Ministry. The witness maintained that Pang never came to him when people were taken away. He recalled, however, that Pang called him to say that he should allow people to be taken from the Ministry.

Mr. Karnavas again inquired whether Pang ever explained how he had the authority to make these transfers, but the witness maintained that Pang did not. The witness explained that he never made inquiries into the matter because it was difficult. Mr. Karnavas asked the witness whether he believed what he was being told, and the witness asserted that the situation at the Ministry was "chaotic" so he relied on the information provided to him. When asked whether he ever asked Pol Pot what happened to those people, Saloth Ban responded that he did not.

Pol Pot's Decision-Making Authority

Mr. Karnavas brought Saloth Ban's attention to his prior testimony before the Co-Investigating Judges where the witness is recorded as stating that he knew that Pol Pot could not make a decision alone because Pang told him that people blocked him from selecting the secretary of his choice. The witness confirmed the statement. The witness was then asked whether he had any information besides Pang's statement that indicated that Pol Pot's secretarial selection was blocked. The witness responded that there was nothing else.

Mr. Karnavas questioned whether the sum total of the information used to make the conclusion that Pol Pot could not make a decision alone was based on one story told to him by Pang. The witness responded that he also knew that the "minor opinion" had to abide by the "major opinion" because "collectivism trumped individualism."

Court Adjourns

The President then adjourned court for the week. He noted that the court would resume on Monday, April 30, 2012. He thanked the witness for endeavoring to answer the questions posed to him and asked him to return with his duty counsel on Monday morning.