



**TRAUMATIZED SURVIVOR PAINTED POL POT
AMIDST SCREAMS FOR HELP**

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Today, the Trial Chamber heard the testimony of 68 year old civil party Bou Meng, the third Tuol Sleng prison (S-21) survivor to testify in the trial of prison chief Kaing Guek Eav (alias Duch). Like his fellow S-21 inmates Vann Nath and Chum Mey who testified earlier this week, Bou Meng's life was spared because he possessed a skill Duch wanted to exploit – he could paint excellent black and white portraits of Pol Pot.

Bou Meng's Story

After the Communist Party of Kampuchea (CPK) came to power on April 17, 1975, Bou Meng was ordered by the regime to work at a technical school drawing sketches of machines for students to study. Sometime in 1976, he and his wife were transferred to a farming cooperative where he was forced to dig canals, build dams, make plows, and plant vegetables while she worked in the rice fields. One day, he was told he would be moved to a fine arts school to teach, so he and his wife happily boarded a truck. Unfortunately, it did not take them to an art school, but rather dropped them off at S-21 where they were arrested, photographed, blindfolded, and walked to different prison cells. Bou Meng never saw his wife again. Sadly, the picture taken of his 25 year old wife that day wearing a prisoner identification number is the only photograph he has of her today.

Bou Meng was shackled in a large common room with around 40 other prisoners who "all looked like hell." His account of the conditions and treatment there accord with the testimony of his fellow artist, Vann Nath. He slept on the floor head-to-head with other prisoners, at least one of whom died when a guard stomped on his chest; that corpse was not removed until much later. He spoke of extreme hunger such that he wished lizards would fall from the ceiling so he could eat them. Thirst was constant. Prisoners "were washed like pigs" by being sprayed with a hose through a window every week or so. Prisoners took off their only item of clothing – their underwear – for the event. After guards mocked their naked bodies, the prisoners used their shorts to dry the floor so they could again lie down. Prisoners developed terrible skin rashes and lice. No one was allowed to speak. "It was like hell."

Prisoners constantly disappeared and never came back, including a few Westerners. He said guards waited for prisoners to get weak to torture them or “peel [their] skin,” as they called it. Therefore, they waited roughly five months before they started to interrogate Bou Meng. Over the course of several weeks, he was tortured by five guards, one at a time until they had exhausted themselves. He was typically taken to a house outside the S-21 complex and shackled face down to receive lashes and beatings. One guard dropped a bunch of sticks next to Bou Meng and told him to choose one. Another forced him to count the lashes on his back out loud and then punished him for allegedly miscounting. As if his back wounds did not hurt enough, guards shoved gravel in the wounds and poured salt water on them, the latter being a form of supposed medical treatment. Bou Meng was also electrocuted with a wire running from the wall through a machine to his inner thigh. The voltage knocked him unconscious and he came to soaked in water. One civil party lawyer asked him how long he was unconscious and Bou Meng chuckled explaining that when one is unconscious one is not aware of the time. As with the other survivors, interrogators repeatedly asked Bou Meng about his involvement with the CIA and KGB. At the time, he did not know anything about these organizations. Bou Meng still questions why they thought he was a spy when he served the CPK diligently. Eventually, since he would not confess, interrogators typed up a false confession and Bou Meng signed it without knowledge of the contents. After these twice daily torture sessions, he was placed in an individual cell, rather than back in the common room.

Shortly after his “confession,” a guard came around asking if anyone could paint and Bou Meng raised his hand. He then had a face to face meeting with Duch who tested his artistic abilities with a pencil and paper. While Vann Nath was a master of color paintings, Bou Meng specialized in black and white portrait painting. He was given a small photograph of Pol Pot, whom he did not recognize, and produced four large reproductions of it over the course of many months in a workshop at the center of S-21. He also painted Mao Zedong and a dog bearing Ho Chi Minh’s head. Duch would come to observe and monitor his painting regularly, usually during the daytime, making suggestions about such things as modifying Pol Pot’s neck. Sometimes he laughed and smiled, but he “did not treat [Bou Meng] like a human being.” Duch never beat Bou Meng personally, but he did threaten him, saying he could be turned into “human fertilizer.” On one occasion, Duch also forced Bou Meng to fight with another worker until he ordered them to stop. During this time, Bou Meng spent his nights sleeping in a generator room with a group of other skilled workers and received “adequate” food.

Bou Meng witnessed a few examples of prisoner ill-treatment. A Vietnamese civilian who claimed he could make a wax mold was kicked “like a ball” after failing Duch’s skill test. He saw a pregnant prisoner kicked by female guards who yelled that she was walking too slowly. He saw a very thin man carried to a truck with his hands and feet tied to a wooden stick “like a pig.” While he did not witness interrogation or torture directly, Bou Meng said cries and screams for help seemed to be “coming from everywhere” as houses used for interrogation were scattered around S-21. Later, the defense challenged him on this assertion given that he also said prisoners were not allowed to talk. Bou Meng dramatically pointed outside and exclaimed, “If I am exaggerating, I would be run over by a bus.” The defense sought to clarify some other minor inconsistencies, possibly

trying to establish the foggy memory of this aging torture victim who many times today apologized for his poor memory. The defense also established that when Bou Meng worked at the CPK-run technical school sketching machines he obeyed orders out of fear. Perhaps, the defense was setting up a weak analogy for a later time – that, like Bou Meng, Duch followed orders to massacre 12,000-plus prisoners out of fear.

Thirty years later, Bou Meng is still suffering. He believes his poor hearing, memory loss, tooth loss, and insomnia are the result of the torture and ill-treatment. He says he is far older than his years and receives psychological treatment. He has numerous scars on his back. He appeared traumatized throughout his testimony: “I could not even eat my lunch today I was so overwhelmed.”

A Missing Chapter in the Story

The flexibility of civil law allowed for the most powerful exchange of the day. President Nil Nonn allowed Bou Meng to ask Duch if he knew where his wife was killed. In a heartbreaking plea, Bou Meng said he just wanted to be able to pick up some soil so he could finally put his wife to rest. Duch stood to provide an emotional response. He said he was especially moved by Bou Meng’s testimony and would like to give him an answer, but it was beyond his knowledge as his subordinates carried out these matters. Duch said he presumed she was killed at Choeung Ek. He then expressed his “highest respect and regards toward the soul of [Bou Meng’s] wife.” Bou Meng broke down in tears as Duch took his seat.

Interesting Aspects of the Proceedings

The civil parties reacted to President Nil Nonn’s arguably cold demeanor toward Chum Mey yesterday. Before Bou Meng took the stand this morning, his lawyer Silke Studzinsky requested that the Chamber instruct witnesses that they can take short breaks to compose themselves if needed and allow such breaks during the proceedings, for example to allow a witness to consult with the Transcultural Psychosocial Organization (TPO) that is on hand. Studzinsky also requested such emotional break time as well as time spent on procedural matters not count against a party’s question clock given that the parties are “feeling very much under pressure.” The President seemed annoyed as he explained that the Chamber was already vigilant about keeping track of the time used for questions and would “be flexibly accordingly.” The President instructed lawyers to alert the Chamber if witness assistance seemed warranted. He said the Chamber noted yesterday that the witness composed himself after a few moments.

Indeed, yesterday Chum Mey broke down several times. Each time, he was immediately instructed by the President to “compose himself.” During Bou Meng’s testimony, the President was quick to instruct the witness to console himself, but today did so in a wordier, more reasoned manner. The President repeatedly reminded Bou Meng – who broke down countless times – that he had waited so long for this opportunity to speak and today was his only chance to tell his story. Moreover, the President said if Bou Meng was emotional he might forget details.

After her initial plea, the only time Studzinsky jumped in to protect the witness came when the President asked Bou Meng to take off his shirt to show the Chamber the scars on his back. After a short break, the President said the panel changed its mind and would like photographs to be taken instead. Bou Meng agreed.

Predictably, the civil party lawyers requested more question time again today, specifying ten minutes. The defense stated that if the civil parties were given extra time, they would expect the same. Predictably, the request was denied.

On Monday and again today, head international co-prosecutor Robert Petit was in the courtroom instead of one of his deputies, perhaps signaling the importance of these witnesses to the prosecution. There was some speculation that he is spending more time in the courtroom given the recent announcement that he will resign September 1, 2009. While on Monday he made a few eloquent statements and put forth several interesting questions, curiously, today he stood only to thank the witness for his testimony and let his Cambodian counterpart ask all the questions. The prosecution did not use all of its 30 minute allowance.

While much, if not most, of Duch's testimony is based on his "conclusions" and "opinions" after reviewing surviving documents, the President made clear today that the Chamber is not interested in the assumptions or conclusions of witnesses, telling Bou Meng it was "not appropriate" for him to state any presumptions.

Timely Press Conference on Witness Support

The head of the ECCC's Witness and Expert Support Unit (WESU) briefly explained to the press the role it plays during trial. WESU offers a variety of support services, including getting witnesses to the trial, preparing them for the experience of testifying, and providing monetary allowances for their time. WESU further offers individually-tailored witness protection services given that many witnesses fear retaliation and feel threatened in a variety of ways. In this role, WESU consults with judges as to what, if any, protective measures are appropriate.

Noting President Nil Nonn's recent behavior, members of the media were very interested in what sort of coaching or instruction is given to judges regarding how to handle traumatized victim witnesses. Apparently, WESU provides all the parties, including judges, with guidance and information and holds meetings on a regular basis. While it is not the role of WESU to "monitor and criticize the judges," WESU is in a position to make recommendations. While the speaker dodged the question about whether she provided feedback to the President after yesterday's questioning of Chum Mey, if nothing else, I imagine the judges had a discussion about how to handle emotional witnesses because there was a clear difference in approach today.