

KRT TRIAL MONITOR

Case 002/02 ■ Issue No. 21 ■ Hearings on Evidence Week 18 ■ 2-5 June 2015



Case of Nuon Chea and Khieu Samphan

Asian International Justice Initiative (AIJI), a project of East-West Center and the WSD Handa Center for Human Rights and International Justice at Stanford University (previously known as the UC Berkeley War Crimes Studies Center)

*[If] they claimed that they did not know what happened at the lower level,
why didn't they go down to the base to observe firsthand as to what happened?
If you were leaders of the country, it is similar as you are the custodians in the family.
You should know what is going on in your family.*

- Civil Party Seang Sovida

I. OVERVIEW

Over four days of hearings this week, the Trial Chamber heard the testimony of two witnesses and a Civil Party on their knowledge of and experiences at the First January Dam worksite in present-day Kampong Thom Province. Civil Party Seang Sovida discussed her living conditions as an 11-year-old working in a mobile unit at the Dam worksite for three months, and she spoke of her suffering since the loss of her parents and siblings under the DK regime. Witness Uth Seng discussed his experiences working at the site as a teenager, and he provided greater detail into the security arrangements at the Dam. Witness Sou Soeun, a former cadre, discussed her position and that of her husband, former Central Zone Secretary Ke Pauk, in the DK era. The Trial Chamber also dealt with a number of objections concerning the scope of the trial segment, as well as proper questioning practices. It also announced scheduling changes as a result of new evidentiary disclosures coming from Case 003. In addition to covering these topics, this report also notes a number of mistranslations that negatively impacted the Parties and the Witnesses' understanding of the ongoing proceedings.

II. SUMMARY OF WITNESS AND CIVIL PARTY TESTIMONY

This week, the Trial Chamber heard the testimony of one Civil Party, Ms. Seang Sovida, and two witnesses, Mr. Uth Seng and Ms. Sou Soeun, the wife of Central Zone Secretary Ke Pauk. All three discussed their experiences related to the First January Dam worksite, and Sou Soeun was asked numerous questions on the position of her husband, who oversaw both the Dam and ongoing internal purges of Khmer Rouge cadres within the Zone.

A. Summary of Testimony by Civil Party Seang Sovida

On 2 June 2015, 51-year-old Ms. Seang Sovida, currently living in Phnom Penh, appeared to

testify. For three sessions, she was questioned on her evacuation from Phnom Penh, her sister's forced marriage, her work as an 11-year-old at the First January Dam worksite, and her family's execution.¹

1. Experiences after Evacuation from Phnom Penh in April 1975

On 18 April 1975, the Civil Party and her family were evacuated from Phnom Penh. She and her family then moved and worked for many months in villages first in Kampong Cham Province and, later, in Kratie Province. In early 1977, Seang Sovida's sister, Liv Siv Yen, was forced to marry a "former intellectual and pilot from Phnom Penh."

Shortly after her sister's forced marriage, in January or February of 1977, Seang Sovida volunteered to join a mobile unit at the First January Dam Worksite. She testified that she had hoped that her sacrifices would spare her family from mistreatment. She later discovered that her sacrifices did not help her family, as her mother, father, and four-month pregnant sister were killed while she was at the First January Dam worksite.

2. Experiences at the First January Dam Worksite

At the Dam worksite, Seang Sovida carried dirt from the canal to the dam site and brought boiled water to the workers of her mobile unit. She described the poor living conditions at the First January Dam worksite, including the long working hours and short rest breaks at the worksite, the insufficient food rations for the workers, the shabby sleeping quarters, and the poor sanitation at the worksite. However, Seang Sovida also noted that she did not remember her group chief, Sieng, ever threatening or beating the workers, nor did she recall any fatal accidents occurring at the Dam worksite. She did recall disappearances of people later in 1977 though, and she testified that most of the disappeared were males categorized as "17 April" people. It was not clear from her testimony if these disappearances occurred at the Dam worksite or in her village in Kratie Province after completing her three-month work at the Dam.

Seang Sovida also discussed her experiences with illness at the First January Dam worksite. She herself contracted dysentery and received ineffective "rabbit dropping medicine" from the official medics. She testified that she only recovered after a man secretly gave her a "piece of medicine...taken from town [Phnom Penh]." She noted that the official medics "were the children of 'base' people" who received very little medical training and "were mostly illiterate."

3. Civil Party Statement of Suffering

As she gave her statement of suffering, the Civil Party was very emotional, pausing to cry at least three times and raising her voice when posing questions. Her main request was that a library be built to tell the history of what happened and to provide an archive of the ECCC proceedings. She finished her statement by telling the Chamber that she continues to suffer because she was "mentally and morally tortured" since losing her family under the DK regime.

B. Summary of Testimony by Witness Uth Seng

The second witness to testify this week was 59-year-old Uth Seng, currently an official at the Kampong Thom Province water resources and meteorology office. The Witness provided the Chamber with information on the First January Dam worksite, including its organization, working and living conditions, disappearances, and the presence of militiamen.²

1. Working and Living Conditions at the First January Dam Worksite

Uth Seng said his main task during three months at the Dam site was to carry earth from early in the morning to around sunset with a short morning break and a two-hour lunch break. The

unit chief would oversee him and his unit of 33 people, which was divided into three groups. The Witness further explained that people worked in subgroups of two to three to dig one to one-and-a-half cubic meters of earth per day. He emphasized that his unit of 30 workers worked jointly at the Dam site without heavy machinery. A criticism meeting was held daily, however none of the workers dared to speak, as they feared the consequences. The meetings encouraged people to work harder to achieve the work plan. He also noted that his unit's sleeping quarters were located two to three kilometers from the actual worksite, so they had to wake up even earlier to get to work on time. The quarters had a covered roof and people slept on tree leaves on the floor. The Witness noted that people used their own strength and were exhausted by the work. There was no protection from the sun, and workers could not rest when it was very hot. Given his current position in the provincial water resources office, Uth Seng was able to respond to questions on the longer-term benefits of the First January Dam. He testified that the Dam continued to operate successfully for 20 years, until 1999, and that it succeeded in enabling better irrigation for the surrounding fields to increase rice production.

Uth Seng testified that food rations given to "17 April" people differed from those provided to "base" people. He testified that the food servers recognized "17 April" people because "they wore old, torn clothes." He stated that there was not enough food to eat, so "even when we relieved ourselves, there [was] no bad smell." The Witness also testified that there was no proper sanitation at the worksite, resulting in many flies. Dysentery was a common sickness at the site. Even though there was a mobile medical unit at the site, no real medicine was provided to the sick, only "rabbit dropping medicine." The Witness acknowledged that seriously ill people were transferred to a Commune hospital.

2. Special Unit and Security Matters

The Witness told the Chamber about a "special unit," the purpose of which was "to deter other people from being lazy." He was unable to recall when it was created but stated that it consisted of workers who were "lazy or evaded work or went to the village without authorization." The unit's workers faced longer working hours, reduced food rations, and beatings with a whip. Uth Seng told the Prosecution that these beatings were carried out by the two chiefs of the special unit, one male and one female, and occurred in a public place, "in front of workers so they could see their example." However, it was forbidden to publicly talk about the beatings.

Uth Seng explained that work at night was only required "for special reasons," but he recalled that people disappeared during night work. He testified that the militia removed former Lon Nol soldiers during the night. He mentioned that he once overheard a conversation between a unit chief and a militiaman discussing that "they [Lon Nol soldiers] were put in a well." The Witness also reported that approximately ten Cham families living in his village were taken away and never returned, leading him to assume they had been killed. Uth Seng underlined that these disappearances caused general fear and that the people's attitude was, "We live, we survive, day by day." He told the Prosecution that he learned that Baray Choan Dek pagoda was a killing site after the DK period when people started digging up the bodies to find valuable belongings. He confirmed seeing "large graves" at the pagoda in 1979.

Uth Seng acknowledged the presence of militiamen at the Dam worksite, but he clarified that they could not be distinguished from workers due to their similar black uniforms. However, "no soldier armed with a firearm" was present at the site. The Witness stated that every village had militiamen monitoring the activities and conversations of the people, with special focus on "17 April" people. The Witness stated that a man called Lun was the chief of the militia in Kampong Thma Commune, and he further described Lun as the "chief executioner." The Witness testified that he once saw Lun pass through the Dam worksite on bicycle carrying knives and a sword covered in dry blood. According to the Witness, "Everybody was afraid of him [Lun]." Lun reportedly survived the fall of the DK regime but was jailed soon thereafter by the invading

Vietnamese forces. The witness explained that this was actually fortunate for Lun, as angry, vengeful survivors would have otherwise killed him.

3. Witness Demeanor and Credibility

Throughout his appearance, Uth Seng responded clearly and confidently. He provided examples and details when giving his testimony. However, the Witness appeared confused about dates and time frames. For example, he stated that construction on the First January Dam began in 1978, even though, according to records and prior testimonies, it started in late 1976 or early 1977. Defense Counsel Victor Koppe accused the Witness of speculating when answering questions about the special unit. Uth Seng clarified the matter by admitting he lacked concrete knowledge on some issues, such as the date of the special unit's formation.

C. Summary of Testimony of Witness Sou Soeun

The third witness to testify before the Chamber this week was 79-year-old Sou Soeun, a former Khmer Rouge cadre presently residing in Anlong Veng. Sou Soeun was married to Ke Pauk, former Secretary of DK's Central Zone, a member of the CPK Central Committee, and a senior leader of the Khmer Rouge who died in 2002 prior to the commencement of proceedings at the ECCC. The Witness herself was a member of the Chamkar Leu District committee with responsibility over economic matters and worker oversight. Over two days, she provided information on her background, her husband, her position during the DK regime, and the First January Dam site.³

1. Background of Witness and Family Within the Khmer Rouge

Sou Soeun testified that she married Ke Pauk in 1957. In 1970, the Witness went with her daughter to join her husband and son with the *maquis* military headquarters in the forest near the Steung Chinit river. Sou Soeun testified that Ke Pauk was "simply a cadre" when she arrived at the forest headquarters in 1970. However, the Witness confirmed that, when Ke Pauk became a senior leader, Pol Pot, Nuon Chea, and Khieu Samphan were amongst his superiors. She began her testimony by saying that none of these senior leaders was present at the headquarters. She then contradicted herself in the next response by stating that Pol Pot and his wife, Khieu Ponnary, lived in the same forest. She claimed she met them on occasion but "was not close to them," although she also confirmed that her teenaged son was asked to give massages to Pol Pot and help Khieu Ponnary with cooking.

She consistently reminded the Parties and Judges that her position did not relate to her husband's, and that she "minded her own business," claiming that she was not aware of how Ke Pauk carried out his work. In addition, even though her son, younger brother, Oeun, and brother-in-law, Ban, *alias* Tos, all had given written testimony regarding their close relationships with Pol Pot, Khieu Samphan, and Nuon Chea, she asserted throughout her testimony that she did not know the senior leaders of the Khmer Rouge, knew nothing of their policies, and was not involved in the decisions of the DK regime.

2. Sou Soeun's Positions in DK Era and Knowledge of First January Dam Worksite

After the liberation of Phnom Penh in 1975, the Witness stayed in Preaek Prasab District and was appointed as a member of the District committee, in charge of receiving evacuees from Phnom Penh. She stayed in this position for six months, until late 1975, when she was nominated to the Chamkar Leu District committee. She initially stated that she held this position for one year, overseeing the workers and instructing them on plans adopted by Angkar. When questioned by International Co-Prosecutor Dale Lysak, Sou Soeun denied her own OCIJ statement that she had been in charge of political affairs. She asserted that she was neither involved in reeducation and arrests, nor did she have any detailed knowledge on the

disappearances in the District, as her "authority was limited."

She gave birth in 1977, and she claimed that she thereafter "stopped working for two years." She later stated that she actually remained a member of the District committee and oversaw female workers at the First January Dam worksite, but she claimed she "wasn't with them constantly." The Witness stated that she only met with Chamkar Leu District's commune chiefs to discuss rice production, but she said she delegated most of her tasks to others.

The Witness discussed traveling to Phnom Penh a few times each year with other female cadres to attend political study sessions regarding work in the cooperatives. Nuon Chea chaired these sessions, but she was unable to recall details of meeting him. However, contradicting herself again, she later told Judge Lavergne that Nuon Chea asked about "the livelihood of the people and their health situation."

3. Witness Demeanor and Credibility

Throughout her testimony, Sou Soeun repeatedly claimed that she could not recall certain events and people, or that she could simply not recall the details. She often contradicted herself. Moreover, she claimed to have no knowledge of certain policies in DK because she is female and illiterate. She therefore claimed she did not know details such as the people chosen from her District to go to the First January Dam worksite or anything about the lists of regulated marriages. The Witness appeared to answer questions in better detail when asked in Khmer or by female lawyers. When asked a question by a male lawyer, she would often say she could not recall the details asked of her, but then if a woman or Khmer speaker asked the same question, she provided a few more details.

At the end of the penultimate session of examination, the Witness was visibly annoyed, and when she responded curtly to a seemingly repetitive question, the President instructed her that she was obligated to answer questions put to her. The Witness also utilized the services of Transcultural Psychosocial Organization (**TPO**), which is usually utilized to provide Civil Parties with mental support. Judge Lavergne asked if she suffered from any trauma, and he implied that her request for TPO support stemmed from her fear of speaking against Angkar, even after many years.

When questioned by international assistant prosecutor Dale Lysak on the purges of cadres from the Central Zone, Sou Soeun admitted only noticing that cadres in her District and Sector "had gone," but she insisted she had no involvement in such matters as she simply dealt with her "own business." Mr. Lysak appeared incredulous and proceeded to read out lists of North Zone prisoners executed at S-21 in Phnom Penh and witness statements from the Witness' husband, brothers, and son. He asked her bluntly, "Madame Witness, were you not aware that in 1977 that virtually every single cadre at the Zone, Sector, and District level was taken away and killed and replaced by people from the Southwest Zone?" Sou Soeun responded simply, "I may not have known. I noticed people were gone, but I did not know where they were going to." These kinds of responses led Judge Lavergne to ask if her worrying about her own life and taking care of her "own business" was cowardice. Judge Lavergne raised similar concerns when the Witness contradicted herself by stating that the cooperative chiefs would not lie about the lack of food but then also stating that she saw an abundance of food in certain cooperatives. Judge Lavergne concluded, "There is obviously someone there who is lying."

III. LEGAL AND PROCEDURAL ISSUES

This week, objections were raised with regard to the scope of the trial segment and Case 002/02 more generally. Parties also discussed further evidentiary disclosures from the Case 003 investigation and scheduling of upcoming trial segments, and Mr. Koppe was prevented from asking a question to a witness due to his failure to provide proper evidentiary references.

A. Objections Related to Scope

Defense Counsel Victor Koppe objected to international assistant prosecutor Travis Farr's request to provide Witness Uth Seng with documents that contained the full name and description of a person Mr. Farr believed was the same person the Witness was describing as the "chief executioner" of Kampong Thma Commune. Mr. Koppe objected on the grounds that the person Uth Seng had described fell outside the scope of the trial because the Witness had only seen the "chief executioner" once at the First January Dam, and the "chief executioner" therefore had no connection to the worksite.⁴ Prosecutor Farr explained that he believed the alleged "executioner" was likely upcoming witness 2-TCW-830, and that showing Uth Seng the court document could confirm this.⁵ Prosecutor Farr stated that confirming the identity of the "chief executioner" was important to establish that "what happened in th[e] Commune is relevant to what happened at the Dam site." The Chamber overruled Mr. Koppe's objection and allowed the Witness to see the document. Uth Seng confirmed the person he knew as the "chief executioner" was the same person in the document.

Defense Counsel Victor Koppe also objected to International Civil Party Lead Co-Lawyer Marie Guiraud's line of questioning of Witness Sou Soeun regarding forced marriages in Chamkar Leu District. Mr. Koppe preemptively objected to Ms. Guiraud's attempt to refer to prior witnesses who discussed marriage in Tram Kak District, arguing that Sou Soeun could "only testify as to what happened in her district, possibly what happened in the Zone, but absolutely not what happened in the District or Commune level in Tram Kak." Ms. Guiraud explained that she did not plan to ask about what happened in Tram Kak, but rather she planned to use the testimony of former Tram Kak District chief Pech Chim to see if such policies were "homogenous across districts and communes" and to establish that there was a policy of forced marriages promulgated at a national level.⁶ The Chamber ruled that Counsel Koppe's objection came too soon, as the Civil Party Lead Co-Lawyer Guiraud had not even asked her question and allowed the Civil Party Lead Co-Lawyer Guiraud to proceed. In response to the Lead Co-Lawyer's question, Sou Soeun answered that, in her district, people worked together and developed relationships, and that very few marriages were organized between "base" and "new" people.

There was also an issue of a potential double standard for questions outside of the scope of the proceedings coming from the Defense. When Counsel Koppe attempted to ask Witness Sou Soeun about purges in the East Zone, the President asked him to move on to questions on the "facts being debated right now," specifically the trial segment on the First January Dam worksite. This ruling stood in clear contrast to the Chamber's ruling that international prosecutor Dale Lysak could question Witness Pech Chim on the purges in the Central Zone during his appearance for the segment on Tram Kak District rather than recalling the witness for examination in the future trial segment on internal purges scheduled toward the end of the trial.⁷

B. Discussion of Evidentiary Disclosures from Case 003

On 5 June, Counsel Koppe observed that the Defense was recently notified that 89 written records of investigation in Case 003 would soon be disclosed for Case 002/02. Mr. Koppe explained that, of these approximately 1000 pages of evidence, his team had noted at least two written records related to the upcoming segment of Kampong Chhnang Airport construction site, which was scheduled to begin following the completion of Witness Sou Soeun's testimony. He also noted that many of the records related to the purges of cadres in the East Zone, and he therefore argued that they were also relevant to the upcoming trial segment, as the Closing Order alleges that cadres were purged at the Airport worksite.⁸ Counsel sought the OCP's clarification on the content of those documents and their relation to Kampong Chhnang Airport. He also requested that the Court schedule hearings on the Trapeang Thma Dam worksite, the trial segment scheduled to follow the Airport worksite, to commence after the mid-year recess,

which will run from 29 June to 24 July. He noted that the Supreme Court Chamber had recently scheduled the first appeal hearings for Case 002/01 for the first week of the Trial Chamber's recess,⁹ and that the Defense needed time to prepare. Khieu Samphan's Defense Counsel, Anta Guissé, supported her colleague in his requests. Civil Party Lead Co-Lawyer Marie Guiraud also supported the Defense's request for more immediate access to the new disclosures, as she needed to prepare on her own, without the ability to share the new documents with other Civil Party lawyers due to confidentiality rules.

In an effort to ease preparation for the upcoming trial segment, international assistant Prosecutor Dale Lysak explained that the OCP would provide all the Parties hard copies of the two written records of interviews related to Kampong Chhnang Airport and another four related documents already on the case file. However, Mr. Lysak argued that the East Zone was outside the scope of investigation in Case 003 and would not appear in the other 87 written records to be disclosed. He supported the Defense Teams' request to delay hearings on the Trapeang Thma Dam worksite until after the recess. The Prosecutor also assured Parties that, although there would soon be an additional disclosure of evidence from the Case 004 investigation, it would not impact the segment on the Airport worksite. Counsel Koppe responded that if hard copies of the documents would not arrive until early the following week, the Defense would require at least two to three days to review them before the appearance of the first witness related to Kampong Chhnang Airport.

Following judges' deliberation on the matter during the break, the President announced the Chamber's oral decision that the next week's hearings, scheduled to begin Monday, 8 June, would be pushed back one day to Tuesday, 9 June, in order to provide time for the Parties to review the two documents – totaling 16 pages – directly related to Kampong Chhnang Airport construction site. Regarding disclosures related to military structure and internal purges, the Trial Chamber noted the Parties had sufficient time to review those documents as the segment on internal purges was scheduled for several months later. The President also ruled that the segment on Trapeang Thma Dam worksite would commence after the mid-year recess in order to provide sufficient time for the Parties to prepare for the Case 002/01 appeal hearings.

C. Objections Concerning Victor Koppe's Reference

During his examination of Ms. Sou Soeun on 5 June, Counsel Koppe asked the Witness if she was aware of an alleged February 1978 decision of the central committee of the Vietnamese Communist Party to support regime change in Democratic Kampuchea. Prosecutor Dale Lysak objected, arguing that Mr. Koppe was using a leading question without presenting a document of reference. Mr. Koppe claimed that his question was related to the relationship between the Witness' husband, Ke Pauk, and the Secretary of the East Zone, Sao Phim, who he alleged had received support from the Vietnamese Communist Party in overthrowing the DK government. Counsel clarified that his question was based on a book by William Duiker entitled *China and Vietnam: The Roots of Conflict*. In response, Judge Jean-Marc Lavergne acknowledged that the book was indeed on the case file, but he asked for the page number that noted the central committee's meeting minutes from that February 1978 decision. Counsel Koppe explained that the exact minutes of the aforementioned meeting were unavailable given that "Vietnamese authorities are not very happy to share minutes of their meetings with us." Prosecutor Lysak argued that Counsel Koppe sought to confront the Witness with a book that itself lacked any proper citation for the supposed decision of the Vietnamese Communist Party. After Judge Cluadia Fenz reiterated that Mr. Koppe had failed to follow the Court's established practice of providing relevant references, the President prevented the Witness from answering Mr. Koppe's question.

IV. TRIAL MANAGEMENT

This week, the Trial Chamber succeeded in hearing two witnesses and one Civil Party within

four days of hearings. In doing so, it completed hearing all but one of the witnesses related to the trial segment on the First January Dam worksite.

A. Attendance

Nuon Chea waived his right to be present in the courtroom and observed proceedings from the holding cell, while Khieu Samphan was present in the courtroom during all sessions throughout the week. TPO staff was also appointed to provide emotional support to Civil Party Seang Sovida and Witness Sou Soeun during their appearances this week.

Judge Attendance: The President announced that national Judge You Ottara was absent on 5 June due to a personal commitment, and the Chamber appointed national Reserve Judge Thou Mony to replace him. The other judges were present in the courtroom throughout the week.

Civil Parties Attendance: Approximately ten Civil Parties observed the proceedings each day this week from inside the courtroom.

Parties: All the Parties were represented in the courtroom throughout the week.

Attendance by the public:

DATE	MORNING	AFTERNOON
Tuesday 2/06/2015	<ul style="list-style-type: none"> Approximately 190 villagers and ten Cham from Treang District, Takeo Province Eight foreign observers 	<ul style="list-style-type: none"> Approximately 140 villagers and ten Cham from Treang District, Takeo Province Two foreign observers
Wednesday 3/06/2015	<ul style="list-style-type: none"> Approximately 200 villagers and 11 Cham from Treang District, Takeo Province 22 students and three teachers from Northbridge International School, Phnom Penh 11 foreign observers 	<ul style="list-style-type: none"> Approximately 150 villagers and eight Cham from Treang District, Takeo Province
Thursday 4/06/2015	<ul style="list-style-type: none"> Approximately 160 villagers from Treang District, Takeo Province Approximately 100 students from various universities in Phnom Penh Two monks 28 foreign observers 	<ul style="list-style-type: none"> Approximately 110 villagers from Bati District, Takeo Province Three foreign observers
Friday 5/06/2015	<ul style="list-style-type: none"> 133 students and ten teachers from Prey Torb High School, Treang District, Takeo Province Two foreign observers 	<i>No public attendance</i>

B. Time Management

This week, the Trial Chamber slightly amended its schedule to examine Witness Sou Soeun and Witness 2-TCW-830, who were the final two witnesses scheduled for the segment on the

First January Dam worksite. On 2 June, the President announced that, due to his personal commitments, 2-TCW-830 would appear after conclusion of examinations related to the Kampong Chhnang Airport construction site but before the upcoming mid-year recess. The Chamber also allowed oral discussion regarding future scheduling as a result of the OCP's notification of upcoming evidentiary disclosures from Case 003 (see III.B). The Chamber decided to postpone the next week's hearings by one day and also to postpone commencing the segment on the Trapeang Thma Dam worksite until after the mid-year recess. Additionally, the 3 June hearing concluded early, after the conclusion of Uth Seng's witness testimony, because the reserve witness, Sou Soeun was tired after a long day of travel to the Court.

C. Courtroom Etiquette

During the 2 June examination of Civil Party Seang Sovida, she became emotional recalling the death of her parents and siblings in the DK period. All the Parties responded by conducting their examinations respectfully. On 5 June, as Khieu Samphan's Counsel Anta Guissé was questioning Witness Sou Soeun on her role at the First January Dam worksite, the Witness grew annoyed and angrily declared, "I don't want to repeat my response. What do you want me to clarify again and again?" This prompted the President of the Chamber to remind the Witness about her obligation to answer all questions put to her.

D. Translation and Technical Issues

Several translation issues occurred throughout the week. For example, during the 3 June examination of Mr. Uth Seng, the interpreter translated the Witness' statement in Khmer, "I learned that he [Lun, the militiaman] tried to avoid meeting face-to-face" as "I learned that he [Lun] tried to avoid meeting Ta Mok." This mistake stemmed from the fact that the word for "face" in Khmer is *muk* (phonetic spelling), which resembles the name of the former Southwest Zone Secretary. Although the translation issue apparently went unnoticed by the Judges and the Parties in the courtroom, AIJI monitors note that, according to the evidence, Ta Mok almost certainly had no relation to a low-level cadre like Lun at the First January Dam site in the Central Zone. On 5 June, the interpreter also falsely rendered Witness Sou Soeun's response in Khmer, "Only people who were in serious sickness would be sent to hospital" into the English, "When I was sick, I was sent to hospital." KRT monitors noted that improper translations from English negatively impacted Ms. Sou Soeun's comprehension of questions due to her limited Khmer vocabulary. For example, she did not understand the meaning of the word "sabotage" in Khmer when Defense Counsel Victor Koppe put a question, "What about sabotage and stealing of rice?" The Parties were therefore confused when the Witness responded, "I don't know about the killing."

There were no substantial technical interruptions this week.

E. Time Table

DATE	START	MORNING BREAK	LUNCH	AFTERNOON BREAK	RECESS	TOTAL HOURS
Tuesday 2/06/2015	8:59	10:12 – 10:30	11:31 – 13:27	14:46 – 15:10	16:03	4 hours and 26 minutes
Wednesday 3/06/2015	8:59	10:09 – 10:29	11:32 – 13:30	–	14:50	3 hours and 33 minutes

Thursday 4/06/2015	8:59	10:08 – 10:28	11:30 – 13:28	14:41 – 14:59	16:01	4 hours and 26 minutes
Friday 5/056/2015	9:00	10:03 – 10:28	11:30 – 13:31	14:35 – 14:57	15:24	3 hours and 36 minutes
Average number of hours in session				4 hours		
Total number of hours this week				16 hours and 1 minute		
Total number of hours, day, weeks at trial				251 hours and 55 minutes		
68 TRIAL DAYS OVER 21 WEEKS						

*This report was authored by Lea Huber, Hout Pheng Ly, Daniel Mattes, Lina Tay, Vichheka Thorng, Penelope Van Tuyt, Katherine Vessels, and Oudom Vong as part of AIJI's KRT Trial Monitoring and Community Outreach Program. AIJI is a collaborative project between the East-West Center, in Honolulu, and the WSD Handa Center for Human Rights and International Justice at Stanford University (previously known as the UC Berkeley War Crimes Studies Center). Since 2003, the two Centers have been collaborating on projects relating to the establishment of justice initiatives and capacity-building programs in the human rights sector in Southeast Asia.



Unless specified otherwise,

- § the documents cited in this report pertain to the *Case of Nuon Chea and Khieu Samphan* before the ECCC;
- § the quotes are based on the personal notes of the trial monitors during the proceedings;
- § the figures in the *Public Attendance* section of the report are only approximations made By AIJI staff; and
- § photos are courtesy of the ECCC.

Glossary of Terms

Case001	<i>The Case of Kaing Guek Eav alias “Duch”</i> (Case No. 001/18-07-2007-ECCC)
Case002	<i>The Case of Nuon Chea, Ieng Sary, Ieng Thirith, and Khieu Samphan</i> (Case No.002/19-09-2007-ECCC)
CPC	Code of Criminal Procedure of the Kingdom of Cambodia (2007)
CPK	Communist Party of Kampuchea
CPLCL	Civil Party Lead Co-Lawyer
DK	Democratic Kampuchea
ECCC	Extraordinary Chambers in the Courts of Cambodia (also referred to as the Khmer Rouge Tribunal or “KRT”)
ECCC Law	Law on the Establishment of the ECCC, as amended (2004)
ERN	Evidence Reference Number (the page number of each piece of documentary evidence in the Case File)
FUNK	National United Front of Kampuchea
GRUNK	Royal Government of National Union of Kampuchea
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IR	Internal Rules of the ECCC Rev.8 (2011)
KR	Khmer Rouge
OCIJ	Office of the Co-Investigating Judges
OCP	Office of the Co-Prosecutors of the ECCC
RAK	Royal Army of Kampuchea
VSS	Victims Support Section
WESU	Witness and Expert Support Unit

¹ Ms. SEANG Sovida (2-TCCP-273) was questioned in the following order: President NIL Nonn; international Civil Party Lead Co-Lawyer Marie GUIRAUD, national senior deputy Co-Prosecutor SONG Chorvoin; international Co-Prosecutor Nicholas KOUMJIAN; Judge Jean-Marc LAVERGNE; international co-lawyer for Nuon Chea, Victor KOPPE; national lawyer for Nuon Chea, LIV Sovanna; international co-lawyer for Khieu Samphan, Anta GUISSÉ; national co-lawyer for Khieu Samphan, KONG Sam Onn.

² Mr. UTH Seng (2-TCW-804) was questioned in the following order: President NIL Nonn; national deputy Co-Prosecutor SREA Rattanak; international assistant prosecutor Travis FARR; national Civil Party Lawyer VEN Pov; Judge Jean-Marc LAVERGNE; international co-lawyer for Nuon Chea, Victor KOPPE; international co-lawyer for Khieu Samphan, Anta GUISSÉ; national co-lawyer for Khieu Samphan, KONG Sam Onn.

³ Ms. SOU Soeun (2-TCW-887) was questioned in the following order: President NIL Nonn; international assistant prosecutor Dale LYSAK; national deputy Co-Prosecutor SENG Leang; national Civil Party Lawyer CHET Vanly; international Civil Party Lead Co-Lawyer Marie GUIRAUD; Judge Claudia FENZ; Judge Jean-Marc LAVERGNE; international co-lawyer for Nuon Chea, Victor KOPPE; international co-lawyer for Khieu Samphan, Anta GUISSÉ; national co-lawyer for Khieu Samphan, KONG Sam Onn.

⁴ Trial Chamber, “Decision on Additional Severance of Case 002/02 and Scope of Case 002/02” (4 April 2014), E301/9. para. 44.

⁵ Prosecutor Farr further explained that he hoped to hand the document to the current witness in order to maintain the policy of protecting the confidentiality of witnesses who have not yet appeared before the Chamber.

⁶ CASE 002/02 KRT TRIAL MONITOR, Issue 16, Hearings on Evidence Week 13 (21-24 April 2015), p. 5.

⁷ CASE 002/02 KRT TRIAL MONITOR, Issue 16, Hearings on Evidence Week 13 (21-24 April 2015), pp. 6-7.

⁸ Paragraph 364 of the Case 002 Closing Order reads, “As Zone Secretary, Ke Pork was delegated the authority to make decisions with regard to executions in his Zone, and seems to have exercised such authority arbitrarily, at least as regards ordinary people, since it appears that he had to consult with higher Party authorities for the purges and killings of Party members and other cadre. Two witnesses report that measures were taken against people who had committed “moral offences” (although they were not necessarily killed).”

⁹ Public Affairs Section, ECCC, “First Appeal Hearings Scheduled in Case 002/01” (4 June 2015), <<http://www.eccc.gov.kh/en/articles/first-appeal-hearings-scheduled-case-00201>>.