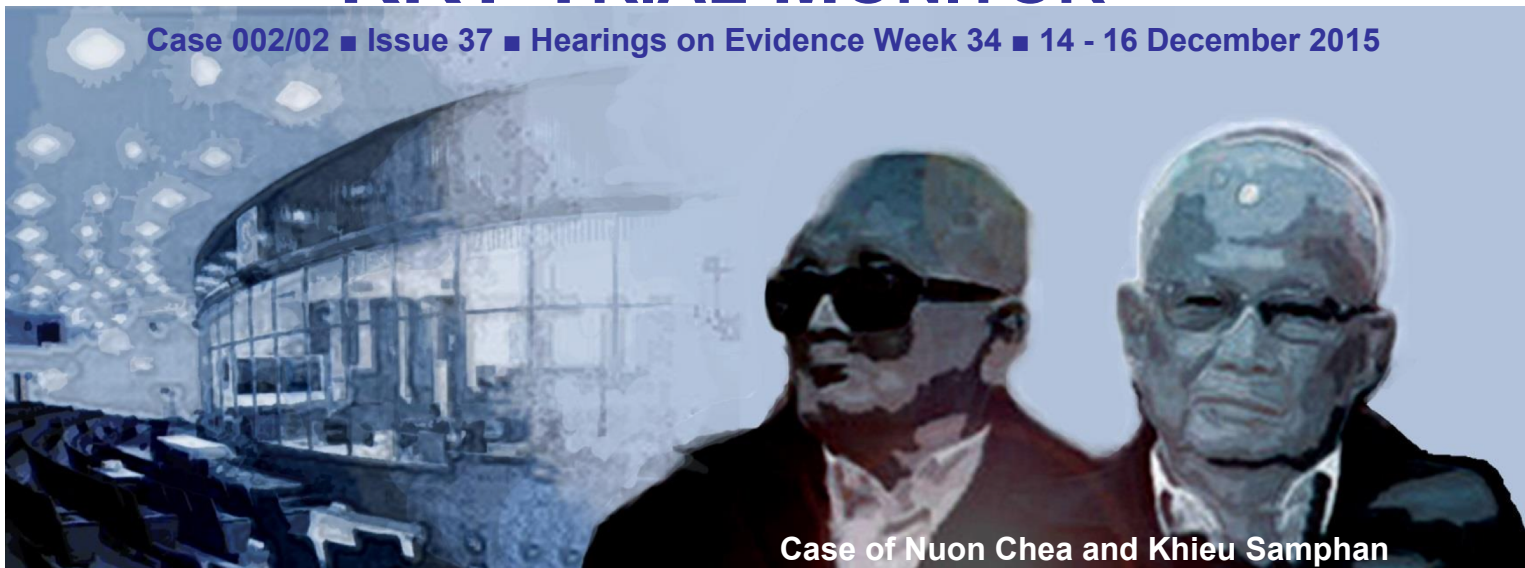


# KRT TRIAL MONITOR

Case 002/02 ■ Issue 37 ■ Hearings on Evidence Week 34 ■ 14 - 16 December 2015



## Case of Nuon Chea and Khieu Samphan

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)

*"I was so afraid, afraid of death. My husband reminded me  
to shut my mouth and follow what I was assigned  
to do. I did not dare protest."*

- Witness Sin Chhem

## I. OVERVIEW

This week the Trial Chamber continued to hear testimony on the treatment of the Vietnamese before adjourning for two weeks for the Christmas break. The week began with Witness Sin Chhem, a 79-year-old woman from Svay Rieng province, whose husband was a Commune Chief during the Democratic Kampuchea (**DK**) regime. Next the Chamber heard from Witness Ey Von, testifying on the same topic as last week's Witness Oum Son, who allegedly witnessed the execution of multiple Vietnamese people at the Khsach Pagoda in Yieng Village in 1978, including one woman in particular named Chantha.<sup>1</sup> Finally Witness 2-TCW-1000 took the stand to testify about events at Koh Tang and an alleged massacre of ethnic Vietnamese captive that occurred there. This Witness testified under a pseudonym due to the Trial Chamber's prior ruling on the confidentiality of witnesses who have been introduced to Case 002/02 after the investigations into Cases 003 and 004.<sup>2</sup> 2-TCW-1000 was originally scheduled to appear in Court in early 2016, however since his testimony was rescheduled to take place earlier, the Defense requested additional time to prepare for questioning. Therefore the Witness appeared for only three sessions this week for questioning by the Office of the Co-Prosecutors (**OCP**) and Lead Co-Lawyers for Civil Parties (**LCLCPs**). The two Defense Teams will question the Witness when the Chamber resumes on 5 January 2016.

## II. SUMMARY OF WITNESS TESTIMONY

The Trial Chamber heard the full testimony of two witnesses and began listening to a third this week as it continued to hear evidence on the treatment of the ethnic Vietnamese during the DK regime. Witness Sin Chhem testified first about the Vietnamese in her village of Svay Yea, Svay Chrum District, Svay Rieng Province. On Tuesday the next witness, Ey Von, recounted his experience of a massacre of Vietnamese people at the Khsach Pagoda in Chi Kraeng District. Finally on Wednesday anonymous Witness 2-TCW-1000 began his testimony under questioning from the OCP and LCLCP's concerning his experience in the DK naval forces, as well as his knowledge of events which occurred on Koh Tang.

## **A. Summary of Testimony by Witness Sin Chhem**

In her testimony on Monday 14 December, Mrs. Sin Chhem from Svay Yea Village, Svay Chrum Commune, Svay Chrum District, Svey Rieng Province testified to the treatment of the Vietnamese people during the DK regime.<sup>3</sup> The Witness described herself as an “ordinary worker” assigned to transplant rice even though her husband, Teang Phan, was Svay Yea Commune Chief from 1976 onwards. Her testimony primarily focused on her family connections and knowledge of factions within the Communist Party of Kampuchea (CPK), however she also testified about working conditions and the treatment of “new people.”

### **1. Treatment of Vietnamese in Witness’s Village**

Sin Chhem testified that approximately 3 to 4 Vietnamese families were living among 100 non-Vietnamese families in Svay Yea when Khmer Rouge (KR) cadres took over. She recalled other villagers telling her of an incident in which Vietnamese wives and their children were taken away and killed. In particular, the Witness recalled the disappearance of the wives of Ta Chhaom and Ta Chhoen; two men who were related to her. She said that although the Khmer men were not forced to remarry, their wives “were gone forever.” The Witness was unsure about the exact timing of these disappearances, however she stressed that her husband had not been involved. She also stated that a relative named Savoen had warned her of the upcoming arrests. She said she had been on good terms with the mixed ethnicity families and expressed pity for their fate on a number of occasions. While Sin Chhem said she did not witness the killings herself, she testified to finding scattered remains and pieces of clothing at a burial site which had been uncovered by a dog. She further testified to hearing about executions of Vietnamese people in Tuol Vihea, Kea Tea Sea, as well as Sycar Village, although again she had not witnessed these events herself.

### **2. Purges of Witness’s Family Members**

The Witness testified to having had three brothers. During the DK regime the youngest, Sin Chhouk, was a medic at Wit Nirot in Sector 24 in the East Zone, the middle brother was a peasant and the third, Sin Chhuon, had direct involvement in the East Zone forces. Most questions focused on Sin Chhuon; particularly his role in the revolution prior to 1975 and his subsequent disappearance. The Witness testified that Sin Chhuon had been a rice farmer during the Lon Nol regime, and that he had then joined the revolution. The Prosecution confronted the Witness with her brother’s S-21 biography in which he stated that he had joined the KR in 1970 in Chan Ra Village, Ba Phnom District and had been introduced by Chan Chakrei, however she was unable to confirm this information. The Witness stated that her brother had held a position at sector level and was arrested in mid-1977.

In addition to testifying about her brothers, Sin Chhem also testified about her husband, Teang Phan, who had been a member of the Commune Committee in Svay Commune. He was appointed Commune Chief in 1976, reporting to District Secretary Ta Samit. The Witness claimed that in late 1977 he was taken away with all the other members of the Commune Committee, for ‘re-education’ by a security guard named Ah Ao. She said she heard he was taken to somewhere near Svay Rieng, after which she never saw him again. The Witness repeatedly described her husband as a good person, saying that he had never ordered any arrests.

### **3. Witness’s Knowledge on Khmer Rouge and CPK Factions**

Sin Chhem testified that she knew “here and there” that Khieu Samphan, Hou Yun, and Hu Nim had been part of the KR party. The Defense Counsel for Nuon Chea asked many questions about the existence of factions within the CPK. The Witness however repeatedly expressed her

ignorance on this point, claiming that she was not told anything because she was female. Even when confronted with previous statements or statements of others, she consistently denied any knowledge of factions after 1975.

The Witness's knowledge of individuals connected to her brother and husband was more illuminating than her knowledge of alleged factions. She described Chhouk, Chief of Sector 24, as a good person and a teacher to her brother Sin Chhuon. She further identified East Zone soldier Ta Chakrei as a close friend of her brother. Another person of interest was her cousin Kev Meas, a village chief who later joined the District Committee and subsequently the regiment committee. Sin Chhem said that she heard he had been arrested and killed, but claimed not to know why or when. The Defense Counsel for Nuon Chea repeatedly asked her about Kev Meas's position prior to 1975 and whether he had ever been a member of FUNK, the National United Front of Kampuchea, however she repeatedly denied any knowledge of this.

#### **4. Witness Demeanor and Credibility**

Throughout her testimony, the Witness offered confusing statements which at times made it difficult to distinguish precisely who she was talking about. She often remembered facts only when presented with prior statements or the statements of others. Sometimes when confronted with statements that she could not confirm, the Witness explained that this was because she "was not allowed to know, since [she] was a woman." The Witness also gave conflicting statements about her own literacy levels, however this confusion could be due to her advanced age. Her memory of exact dates came into question because she mostly used zodiac years to describe time periods, however she was certain that her husband became Commune Chief in 1976.

#### **B. Summary of Testimony by Witness Ey Von**

Mr. Ey Von testified on 15 December over three sessions about events which took place in his village of Yieng in Sangvaeuy Commune, Chi Kraeng District, Siem Reap Province.<sup>4</sup> He was also extensively questioned about alleged executions that took place the Wat Khsach, an event which has been the focus of two other individuals' testimonies in previous weeks.<sup>5</sup> Ey Von claimed that in 1975 he was appointed to be a traditional healer, and one year later he was evacuated and assigned to work in rice fields. He described the way KR cadres treated Vietnamese people after they arrived in Yieng Village and further detailed the disappearance of some Vietnamese families he had known.

#### **1. Treatment of Vietnamese and Chantha's Family**

Ey Von testified that it was common knowledge in Yieng Village prior to 1975 that two Vietnamese families lived there following their own traditions, observing different religious rituals and wearing Vietnamese clothing freely and openly. He stated that, after the regime changed, these Vietnamese people began conducting their rituals in secret and that he heard that they were made to carry *Lang Tai*, or family record books. Questioned about a possible deportation in Chi Kraeng District between 1975 and 1976, the Witness answered that he had heard about such incidents however he was not able to go into details. Ey Von recalled that one of the mixed families was of a Khmer man named Ta Khut and Vietnamese woman named Yeay Hay who had an adopted child named Chantha. The Witness also claimed to know that the name of the biological father of Chantha was Hiv.<sup>6</sup> Asked about the fate of Chantha's real parents he told the Chamber that they were collected and taken away. Under examination by the international Defense Counsel for Nuon Chea however, Ey Von claimed that prior to the KR take-over there had already been a fear of Vietnamese people and that sometimes those with Vietnamese backgrounds were killed by ordinary people or militia men.

#### **2. Executions at Khsach Pagoda**

The Witness's testimony mainly focused on alleged executions at Wat Khsach in 1978. Ey Von described the situation at the pagoda after 1975, claiming that it was damaged and rooms for religious practice such as the vihea and the temple had been removed. Furthermore, he gave some measurements about the library hall which was used to store rice in this time, estimating a length of 10 meters and a width of 6 meters for the building itself.<sup>7</sup> He also recalled that it was forbidden by the Commune Chief to approach the pagoda during that time and said that the place was guarded by men who he would meet sometimes because his house was situated close to the pagoda. The Witness testified that executions took place at the pagoda in 1978, as well as in other places such as Andong Nuon in Chork Village. Although he could not narrow down the exact dates of executions, he said that Chantha's Vietnamese grandparents were "dragged to be killed" at Andong Nuon in early 1979, about one month after the executions at Wat Khsach.

Ey Von said that in 1978 he was living about 300 meters from the pagoda. He recalled that one day, between 10 and 20 ethnic Vietnamese people were assembled in the pagoda's library hall for "study sessions." He told the Chamber that later that evening he heard loud screams and cries coming from the direction of the pagoda and so left his house to try to see what was happening. Hiding behind a coconut tree close to the pagoda, he tried to see where the sounds were coming from, but did not dare to get too close. The Witness said that, while he could not see anything, the screams were so loud that he assumed executions must have been taking place at the pagoda. He said that he remained hiding behind the coconut tree for approximately two hours until the screaming and cries stopped. Then he said he returned to his house to sleep, although said he did not sleep very well that night. pagoda. Asked about the duration of the alleged executions he estimated that he remained there for about two hours until the he heard no more sounds and was not able to sleep very well afterwards.

Although he repeated that he did not witness any executions himself, Ey Von said that he never saw the group of Vietnamese people again, including Chantha as well as young children. Therefore he had assumed they were indeed executed. He stated that in the days immediately after the night he heard screams, he was scared to approach the pagoda. Three days after the event he was near there, searching for his cattle, and said that he saw clothes strewn on the ground, a blood stained bamboo stick and a freshly dug pit near to the well of the pagoda. He said the guards and detainees had disappeared. When prompted with a previous interview, he was also able to recall that two people of Chinese ethnicity, Yeay Lang and her son Kun survived the executions and moved away from the village shortly after Vietnamese troops arrived.

### **3. Witness Demeanor and Credibility**

During his testimony the Witness was consistent in his statements, was not defensive and was happy to clarify details when asked. He sometimes had trouble keeping on topic, and was confused on a number of occasions, particularly about the possible use of ethnicity lists before and after 1975, although this confusion could have been related to his advanced age or the significant length of time which has elapsed since the events in question. Monitors observed that, despite some minor discrepancies, Ey Von was able to provide a clearer and more logical account of the events at Wat Khsach than previous witnesses.<sup>8</sup>

#### **C. Summary of Testimony by Witness 2-TCW-1000**

This week Witness 2-TCW-1000 was examined by the Office of the Co-Prosecutors and the Civil Party Lawyers about the treatment of the Vietnamese in Democratic Kampuchea.<sup>9</sup> As the Defense Teams requested extra time for preparation, the Witness will return to be questioned by both Defense Teams on 5 January 2016 when the Trial Chamber reconvenes after the Christmas break. Witness 2-TCW-1000 remained anonymous as a protective measure in



accordance with the Trial Chamber's prior ruling on the confidentiality of the investigations into Cases 003 and 004.

### **1. Witness Background and Position in the DK Navy**

The Witness testified that he joined the KR military forces in 1972 in Kampot Province and in 1975 he joined Division 164 in Battalion 129; part of the naval forces based in the Southwest military zone in Kompong Som under the command of Meas Muth.<sup>10</sup> In 1975 he was stationed on Tang Island and then was assigned in 1976 to Poulo Wai Island, and in 1977 was assigned to the naval force at Ouchheuteal Port. The Witness recounted having training "once or twice" in which it was announced that the Vietnamese were the hereditary enemy of Pol Pot and the Khmer, a message which he said was spread throughout the division and battalion. He also stated that no one dared to question their orders, repeatedly saying that since he joined the navy in 1972 he had been an "ordinary soldier," not a party member or cadre, and had obeyed orders out of fear. He also testified that he had worked as a messenger and guard of Ta Muth in 1979 in Kampong Som, where he described the post-1975 situation as "chaotic."

### **2. Treatment of Vietnamese by the Navy**

The Witness testified that orders were to either arrest Vietnamese people and take them to shore, or shoot to kill, regardless of whether they were armed or not. According to the Witness, soldiers had told him that those Vietnamese who were taken to shore were made to record confessions before being killed, sometimes at orange and coconut plantations where their bodies were subsequently used as fertilizer. He further testified that as soon as they were aware Vietnamese vessels had guns, they were to sink the vessels rather than merely capture them.

When asked about the treatment of Vietnamese refugees found in DK waters, he stated that if there were only a few refugees, the order was to kill them on the spot because then they did not have to "bother" interrogating them. The Witness spoke about differences between the treatment of Thai and Vietnamese people, stating that in 1976 Vietnamese boats were sunk whereas Thai boats were captured and the fishermen were sent to Ream to work at the dam at Koh Ta Khiev. 2-TCW-1000 stated that he had been told the Thai people were eventually sent back to Thailand, whereas the Vietnamese were always executed.

The Witness also described two events he had observed involving the killing of Vietnamese people. Firstly, while he was working at Ouchheuteal Port he witnessed the arrest of a group of unarmed people fleeing to Thailand, and said he saw a baby thrown into the sea by a soldier. He later recounted seeing a Vietnamese civilian couple and their baby captured by Unit 62. He said the family were found in a boat about 5 kilometers from Poulo Wai Island, then they were taken to the island and killed with hoes and bamboo clubs, their baby smashed to death against a coconut tree.

### **3. Purges of Former East Zone Cadres and Tuk Sap Detention Center**

2-TCW-1000 testified that Ta Dhim, chief of a regiment and deputy to Meas Muth, and soldiers within his regiment were arrested and never returned to the East Zone. The Witness also testified that arrests of cadres from other battalions and units, many of whom were high-ranking officers, happened often. He said that between three to ten soldiers would be taken away each time. The Witness suggested Ta Dhim had made a confession and that this may have implicated other soldiers under his command, leading to their arrest, although this was speculation. The Witness spoke of his fear of being arrested at the time, but said the worst he experienced was being sent to farm rice as punishment for being suspected of writing the word "*tmul*" meaning 'communist devil,' which he denied doing. He testified that soldiers and officers who committed serious infractions were arrested and sent to a detention center at Tuk

Sap.

#### **4. Treatment of “New People” and Lon Nol Soldiers**

2-TCW-1000 testified that in Kampong Som shortly after 17 April 1975, he received instructions from the regiment leader that “17 April People” were to be evacuated so that soldiers could “organize the city.” When he was relocated to Tang Island he told the Court that he lived and worked alongside “New” or “17 April people,” and while he noted that new people were doing their best to integrate into the community, he said that some would disappear from time to time.<sup>11</sup> The Witness recalled hearing that three truck loads of 17 April People were sent away and killed at Chumnaot execution site. The Witness also testified about the treatment of Lon Nol soldiers. He stated that he did not participate in the arrest of any Lon Nol officials, merely that he followed orders from the upper echelon to evacuate the cities. He noted also that those who had links to the former Lon Nol regime were often sent to mobile units.

#### **5. Witness Demeanor and Credibility**

During three sessions of examination, Witness 2-TCW-1000 provided reasonably clear and direct responses. On a number of occasions the Witness needed to be prompted by information from his prior statements to the OCIJ in order to recall specific details, possibly due to his advanced age, or the amount of time that has elapsed since the events in question. For example, when questioned about the number of ethnic Vietnamese brought into the port after being captured at sea, the Witness responded that he had only seen arrested people come through once or twice. However when International Co-Prosecutor Nicholas Koumjian recounted the answer the Witness gave in his interview with the OCIJ, he then agreed that thousands of people were captured. In instances where the Witness amended prior testimony, he often apologized, saying he “could not recall everything because many things happened,” due to the amount of time that has since passed.

### **III. LEGAL AND PROCEDURAL ISSUES**

This week the only significant issue of a legal nature to be raised concerned the reliability of Civil Party Park Doeun who has previously appeared before the Chamber. The Defense Team for Nuon Chea raised questions about whether Prak Doeun had testified honestly, based on the contents of another Civil Party’s application.

#### **A. Reliability of Prak Doeun**

On 16 December international Defense Counsel for Nuon Chea, Victor Koppe, made oral submissions to the Chamber related to the credibility of the testimony of Civil Party Prak Doeun, who appeared before the Trial Chamber on 2 and 3 December.<sup>12</sup> During his testimony, Victor Koppe had repeatedly asked Prak Doeun whether he had ever been accused of killing his first wife, an allegation the Civil Party denied and a question that was ultimately disallowed by the bench. However, on 16 December Victor Koppe argued that a different Civil Party application makes reference to a ‘Ga Doeun’ from the same village, who had been forced to murder his Vietnamese wife during the DK regime. The Nuon Chea Defense Team asked the Chamber to recall Prak Doeun to put further questions to him regarding this issue, based on the possibility that Ga Doeun and Prak Doeun could be one and the same person. The Defense Team further made the point that, as the same Civil Party Lawyer, Ms Lyma Nguyen, had interviewed both Civil Parties that the Court should investigate whether she had acted improperly when interviewing the Civil Parties.

The Civil Party lawyers responded by reminding the court that both Civil Party Applications had been on their document list since 2011 and raised doubts that the two individuals of Ga Doeun and Prak Doeun would be the same person. Civil Party Lead-Co-Lawyer Marie Guiraud

concluded by saying she would wait to hear from the Trial Chamber as to how they wish to proceed, and confirmed that the Civil Party lawyers would cooperate to get to the bottom of any alleged conflict of interest, but that it seemed to her that the best way forward was for the Nuon Chea Defense team to formulate a request based on Internal Rule 87.4, concerning the admission of witnesses based on new evidence that was unavailable before the opening of the trial. As of the time of writing no such request has been made.

**IV. TRIAL MANAGEMENT**

The Trial Chamber heard from a total of three witnesses over three days this week before adjourning for two weeks for the Christmas and New Year break. The Chamber will return in 2016 to complete the testimony of the final witness to appear this week; 2-TCW-1000. No major issues of etiquette or translation held up proceedings this week.

**A. Attendance**

Nuon Chea waived his right to be present in the courtroom and observed proceedings from the holding cell all week, while Khieu Samphan was present in the courtroom during all sessions.

**Judge Attendance:** International Judge Claudia Fenz was absent for the entirety of the week for personal reasons and was replaced by international reserve Judge Martin Karopkin. All other judges were present in the courtroom throughout the week.

**Civil Parties Attendance:** Approximately ten Civil Parties observed the proceedings each day from inside in the courtroom.

**Parties:** All Parties were properly represented in the courtroom this week. Monitors noted that national Co-Lawyer for Nuon Chea, Son Arun, was approximately 10 minutes on Wednesday afternoon, while national Lead Co-Lawyer for Civil Parties Pich Ang was absent for the entire week for health reasons.

**Attendance by the public:**

DATE	MORNING	AFTERNOON
Monday 14/12/2014	<ul style="list-style-type: none"> <li>▪ Approximately 130 villagers from Bakan District, Pursat Province</li> <li>▪ 3 Monks</li> <li>▪ 24 students and teachers from Australia</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approximately 90 villagers from Bakan District, Pursat Province</li> </ul>
Tuesday 15/12/2015	<ul style="list-style-type: none"> <li>▪ Approximately 84 villagers from Krakor District, Pursat Province</li> <li>▪ 13 students and 3 teachers from Australia</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approximately 50 villagers from Krakor District, Pursat Province</li> </ul>
Wednesday 16/12/2015	<ul style="list-style-type: none"> <li>▪ Approximately 150 villagers from Teuk Chhu District, Kampot Province</li> <li>▪ 24 observers from the Star Kampuchea, Phnom Penh</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approximately 100 villagers from teuk Chhu District, Kampot province</li> <li>▪ Two foreign observers</li> </ul>

**B. Time Management**

This week the Trial Chamber continued its efficient time keeping ahead of the upcoming two week break for Christmas and New Year celebrations. One minor upset occurred on Tuesday when the President realized he had neglected to read Nuon Chea's waiver after beginning his interview of the Witness, leading him to interrupt his questioning to grant the waiver. Due to the unavailability of some witnesses to appear last week, the witness schedule was reshuffled meaning that some witnesses who were originally scheduled to testify in 2016 were moved forward to this week, namely Ey Von and 2-TCW-1000. On 11 December the Trial Chamber had asked for comments on this reshuffle, and consequently additional time was granted to the Defense teams for hearing 2-TCW-1000, meaning that only the OCP and LCLCPs interviewed this witness this week. Overall the Trial Chamber heard from three witnesses this week, and 2-TCW-1000 will continue his testimony under questioning from the Defense teams in the new year.

**C. Courtroom Etiquette**

During proceedings this week Monitors noted several instances of disagreement and tension between Co-Counsels Koppe and De Wilde, but no notable issues of professional conduct.

**D. Translation and Technical Issues**

There were a few minor technical issues in relation to translation this week primarily on Wednesday, when Judge Lavergne complained of static in his headset and problems with the French translation channel, however this only caused a very minor delay to proceedings. During the testimony of Witness 2-TCW-1000, in relation to his membership in Division 164 part of the Witness's answer to the question had no English translation, however it was later clarified that he was in fact part of Division 164. There was no significant translation issues this week that affected proceedings.

**E. Time Table**

DATE	START	MORNING BREAK	LUNCH	AFTERNOON BREAK	RECESS	TOTAL HOURS
Monday 14/12/2015	9:10	10:15 – 10:33	11:31 – 13:31	14:40 – 15:00	16:04	4 hours 16 minutes
Tuesday 15/12/2015	9:02	10:12 – 10:32	11:23 – 13:30	-	14:16	2 hours 27 minutes
Wednesday 16/12/2015	9:08	10:11 – 10:20	11:31 – 13:31	-	14:42	3 hours 13 minutes
Average number of hours in session				2 hours and 34 minutes		
Total number of hours this week				10 hours and 16 minutes		
Total number of hours, day, weeks at trial				474 hours and 13 minutes		
<b>126 TRIAL DAYS OVER 35 WEEKS</b>						



\*This report was authored by Alexander Benz, Borakmony Chea, Melanie Hyde, Somaly Kum, Caitlin McCaffrie, Elizabeth Orr, Thi Son, Lina Tay, Penelope Van Tuyl and Talisa zur Hausen as part of the KRT Trial Monitoring and Community Outreach Program. KRT Trial Monitor 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 Eavalias “Duch” (CaseNo.001/18-07-2007-ECCC)</i>
Case002	<i>The Case of Nuon Chea, Ieng Sary, Ieng Thirith, and Khieu Samphan</i>
	(CaseNo.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
DSS	Defense Support Section
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
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
VSS	Victims Support Section

<sup>1</sup> For more information on OUM Son’s testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 36, Hearings on Evidence week 33 (7-11 December) pp. 5-6.

<sup>2</sup> Trial Chamber “Decision on International Co-Prosecutor’s Request to Admit Documents Relevant to Tram Kok Cooperatives and Kraing Ta Chan Security Center and Order on Use of Written Records of Interview from Case Files 003 and 004” (24 December 2014) E319/7.

---

<sup>3</sup> Witness SIN Chhem (2-TCW-820) was questioned in the following order: President NIL Nonn; international senior assistant prosecutor, Dale LYSAK; national deputy co-prosecutor, SREA Rattanak; international defense counsel for Nuon Chea, Victor KOPPE; international defense counsel for Khieu Samphan, Anta GUISSÉ.

<sup>4</sup> Witness EY Von (2-TCW-846) was questioned in the following order: President NIL Nonn; international senior assistant prosecutor, Vincent DE WILDE D'ESTMAEL; international civil party lead co-lawyer, Marie GUIRAUD; international defense counsel for Nuon Chea, Victor KOPPE.

<sup>5</sup> For more information on Mr. SEAN Sung's testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 34, Hearings on Evidence week 31 (26-28 October) pp. 1-3. For more information on Mr. OUM Son's testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 36, Hearings on Evidence week 33 (7-11 December) p. 5.

<sup>6</sup> It should be noted that this is the first time a witness has testified that Chantha was adopted.

<sup>7</sup> Related to some details other witnesses gave to this topic, he was also questioned by Senior Assistant Co-Prosecutor Vincent De Wilde about the visibility of this building through the outer fence from the east side, which he described as unproblematic.

<sup>8</sup> Previous witnesses to testify about the executions at Wat Khsach include SEAN Sung, from 27 and 28 October 2015, see CASE 002/02 KRT TRIAL MONITOR, Issue 34, Hearings on Evidence week 31 (26-28 October 2015) pp. 1-3 and OUM Son, see Footnote 1.

<sup>9</sup> Witness 2-TCW-1000 appeared in court under a pseudonym and was questioned in the following order: President NIL Nonn; international co-prosecutor, Nicholas KOUMJIAN; Judge Jean-Marc LAVERGNE;

<sup>10</sup> MEAS Muth was charged as part of Case 003 on 14 December 2015 with the crimes of Genocide, Crimes against Humanity, Grave Breaches of the Geneva Conventions of 1959 and Violations of the 1956 Cambodian Penal Code.

<sup>11</sup> The term "new people" refers to people who were relocated after the evacuation of Phnom Penh on 17 April 1975. Those who were already living in the villages before the arrival of "new people" are referred to as "base people."

<sup>12</sup> For more information on Mr. PRAK Doeun's testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 35, Hearings on Evidence week 32 (30 November – 3 December 2015) pp 5-6.