

## **Civil Party Testifies on Medicine and Experimentation during Regime**

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On Thursday, August 23, 2012, trial proceedings in Case 002 involving the accused Nuon Chea, Ieng Sary, and Khieu Samphan resumed at the Extraordinary Chambers in the Courts of Cambodia (ECCC).

Defense teams for Nuon Chea and Ieng Sary concluded their questioning of witness Kim Vun, whose testimony at the tribunal came to an end. Civil party Em Oeun was called to the stand and questioned by civil party lawyers.

Ieng Sary waived his presence in the courtroom and followed proceedings from a holding cell for the entire day. Khieu Samphan and Nuon Chea were present in the courtroom in the morning, but Nuon Chea retired to a holding cell midway through the hearing due to health complaints.

### ***Nuon Chea Defense Proceeds with Witness Examination***

National Co-Lawyer for Nuon Chea Son Arun kicked off his questioning by asking the witness to elaborate on comments made before investigators from the Office of the Co-Investigating Judges (OCIJ) that his father was a “pro-Samdech Sihanouk Khmer Issarak.” Mr. Vun said that, to his knowledge, several groups resisted against the French including the Khmer Vietminh and a group led by Norodom Sihanouk, whom his family supported. In response to questions from Mr. Arun about his statement, Mr. Vun confirmed when he was about 12 years old, he was assigned as an assistant in a “10 house group”<sup>[1]</sup> under the Lon Nol regime and sometimes assisted the district governor. Mr. Vun said though he was very young, he was asked to work because he could read and write and many of his family members were officials in the former regime. If he did not work, he would be executed as many of his family members had been, he testified. He also said that he was part of a youth group at the time and did not understand administrative matters.

Mr. Arun sought confirmation that in 1971, North Vietnam approached Kratie, Ratanakiri, and Mondulakiri provinces and Norodom Sihanouk appealed for people to go to the maquis. The witness verified this. Mr. Arun also inquired about Mr. Vun’s connection to a cadre from North Vietnam named Vorn in 1971. Mr. Vun said after the coup d’état everyone had to work, songs were all “pro-Lon Nol regime songs,” and people were forbidden from singing pro-Sihanouk songs. Mr. Vun said some people who had been in Hanoi since 1952 or 1953 – some for over a decade – came into the country and were called the “Vietminh Group” or “Network.” The witness

then said that Sihanouk's appeal was convincing and because of his family background, Mr. Vun was "well-considered." People at the district level, specifically the governor of Santouk district<sup>[2]</sup> and Comrade Vorn – a Cambodian who came from Hanoi – persuaded him to join the movement, he concluded.

Following a question from Mr. Arun about his birthplace and subsequent whereabouts, Mr. Vun testified that during the Issarak period when people were fighting the French, they could not remain in one place for a long time and his family had to change names and places of residence.

### ***Defense Counsel for Nuon Chea Turns to "Revolutionary" Magazines***

Mr. Arun moved his questioning to the *Revolutionary Flag* and *Youth* magazines, asking Mr. Vun if he knew who wrote them when he worked at K-25. Mr. Vun said he did not know because during the "five-year period"<sup>[3]</sup> he was significantly engaged in printing, but under the Khmer Rouge he was more involved with the photography section than the printing house. Mr. Vun said he did not read the magazines frequently and if he wanted to, he would have to ask Chhay for a copy. He did recall, though, reading Koy Thuon's confession and content related to his wife's disappearance. Mr. Vun stated that after he went to bases in the countryside, briefing sessions would be held to exchange information before articles were written and he was obliged to occasionally read the magazines to keep himself abreast of the situation.

In response to inquiries from Mr. Arun about the physical appearance of magazines and texts, Mr. Vun said during the five-year period, texts were handwritten and he copied them for printing purposes. Mr. Vun testified that Yun Yat was the author of *Youth* magazines at the time and later in Phnom Penh he assisted her with news coverage, but *Revolutionary Flag* magazines were solely the party's responsibility.

The exchange between defense counsel and witness grew somewhat confusing at this point, as Mr. Arun continued to ask whether *Revolutionary Flag* magazines were handwritten or typewritten sent for printing. After the witness explained the technicalities of the printing process at length, President Nonn instructed Mr. Arun to frame his questions within a specific time period.



In response to Mr. Arun's questioning, Mr. Vun said during the Democratic Kampuchea (DK) period different sections of newspapers were typewritten and arranged into blocks with headings. As Mr. Arun continued to press Mr. Vun on the distinction between handwritten and typewritten magazines and the printing process, it was unclear whether Mr. Vun's responses referred to the period preceding or following April 17, 1975. President Nonn again interjected and requested that Mr. Arun bind his questions to a particular timeframe, as there was technological development over the period.

International Co-Lawyer for Khieu Samphan Anta Guissé briefly commented on the need for pauses during exchanges in Khmer, in order to render an accurate French translation.

International Senior Assistant Co-Prosecutor Keith Raynor queried a phrase he noted from the English translation, remarking that he did not know what a “letter mole” was. President Nonn confessed he did not understand it in Khmer either and observed it was important to know about the evolution in printing techniques from the early 1970s until 1979.

Mr. Arun proceeded, asking Mr. Vun to isolate when he saw *Revolutionary Flag* magazines in handwritten and typewritten form. Mr. Vun said the handwritten form came from the five-year period before 1975, but after 1975 the magazines were typewritten. The style of the magazines differed between the two periods and more modern printing technology was used after 1975 with covers printed using the offset technique, Mr. Vun testified. The witness noted that the format of *Revolutionary Flag* magazines was mostly the same across the two periods, but in 1977 the cover was changed and had only one red flag instead of five.

Citing a section of Mr. Vun’s statement that referred to Nuon Chea as chairman of the People’s Representative Assembly, Chea Sim as vice-chairman and Matt Ly as a second vice-chairman, Mr. Arun asked if the witness stood by his comments. Mr. Vun confirmed the statement and said it was based on his “analysis during the period” and his colleagues held the same view. Mr. Arun referenced another response Mr. Vun gave to investigators that the central committee was comprised of Pol Pot as party secretary, Nuon Chea as deputy party secretary, and others and asked if the witness knew how many people were in the central committee. Mr. Vun said he only knew “Om 1 and Om 2”<sup>[4]</sup> were in that committee.

Mr. Arun quoted another response from Mr. Vun, which stated that Nuon Chea, Khieu Samphan, and Pol Pot knew him, but he did not know Ieng Sary and Ieng Thirith. When asked if he knew the three men well, Mr. Vun said he was in the youth league and an “outside the party cadre,” which intellectuals were also considered to be. The witness testified that he was in charge of the newspapers when Chhay was absent and was perceived as a cadre by the minister. When Mr. Arun repeated his question and inquired if Mr. Vun could describe Pol Pot, National Lead Co-Lawyer for Civil Parties Pich Ang objected that Mr. Arun was asking the witness to give his “idea” about a person’s character. The objection was overruled. Mr. Vun said Pol Pot instructed him during education sessions in 1976 and encouraged attendees, asked them to do “good things” and reminded them about the “12-point morality.” Mr. Vun said he saw Pol Pot as a person of “good personality, good character” but he later observed that he may have made mistakes because he “believed in reports.”

When asked about Nuon Chea’s character, Mr. Vun testified that Nuon Chea was “friendly and simple” and “an ordinary person” who instructed people to do well at jobs and live a good life.

Mr. Arun questioned Mr. Vun about the structure of the Communist Party of Kampuchea (CPK). Mr. Vun said that within the party, Pol Pot was “Number One” and Nuon Chea was “Number Two,” and within the government, Pol Pot remained “Number One,” Ieng Sary was deputy prime minister in charge of foreign affairs, and Son Sen was in charge of national defense. He could not recall the other deputy prime ministers. When asked about legislative bodies and leadership of the People’s Representative Assembly, Mr. Vun restated his comments about Nuon Chea, Chea Sim, and Matt Ly. Mr. Vun said that in Yun Yat’s absence Nuon Chea was tied to the propaganda section’s education program and instructed people in the editorial department.

Mr. Arun asked if Mr. Vun had ever seen a document detailing the CPK’s organizational structure, to which the witness replied that his group did not pay great attention to the structure as they were busy taking photographs and accompanying delegations and never attended meetings in the assembly or the government. Mr. Vun said the newspapers had to disseminate information about confined topics, such as farming, building canals, and agriculture.

### ***Defense Questions Witness on Nuon Chea’s Role at Ministry***

International Co-Lawyer for Nuon Chea Jasper Pauw took the lead, asking Mr. Vun when Yun Yat assumed control over the ministries of Propaganda and Education. The witness said he could not recall precisely, but she may have controlled them between 1977 and 1978, until Vietnamese soldiers arrived in January 1979.

Turning to Mr. Vun's time at the Kampuchea Krom radio station Mr. Pauw quoted from Mr. Vun's statement before OCIJ investigators and asked if the witness could clarify the year he was transferred to that position. Mr. Vun said he was transferred in late 1977 but was not installed as chairman until 1978 after he wrote the programs. The witness confirmed the radio station fell under the Ministry of Propaganda and Education.

After quoting from a draft transcript of August 22 proceedings, Mr. Pauw asked if Mr. Vun moved to a different location when he worked with Kampuchea Krom radio. Mr. Vun said that in 1978 the offices were split. In response to Mr. Pauw's inquiries, Mr. Vun confirmed that certain people moved to a different building and he spent less time in the "original" Ministry of Propaganda. Mr. Pauw again referred to Mr. Vun's August 22 testimony in response to a query from the prosecution about his statement to OCIJ investigators that leadership at the propaganda office was not Nuon Chea's "task." Mr. Vun said that Nuon Chea replaced Yun Yat when necessary – which, he asserted, is what he was saying in his interview. Nuon Chea was also in charge of agricultural programs and did not work at the ministry on a permanent basis, Mr. Vun concluded.



Mr. Pauw read an August 22 exchange between Trial Chamber Judge Jean-Marc Lavergne and Mr. Vun, in which the witness said Nuon Chea's role at the Ministry of Propaganda and Education was in an agricultural education program and Mr. Vun had no other knowledge of Nuon Chea's involvement, particularly because he was transferred to the Kampuchea Krom radio station. After confirming the comments, Mr. Pauw sought more detail about the program. Mr. Vun said the agricultural information was communicated with a training manual sourced from the rice "research center" in Battambang province and prepared by a Chinese expert.

Asked why the fact that Nuon Chea's education program focused on agriculture did not feature in his statements to OCIJ investigators. Mr. Vun said that when investigators inquired about Nuon Chea's involvement in the Ministry of Propaganda, he told them Nuon Chea went there because of a new agricultural education program. At this point, Mr. Pauw noted the word "agriculture" did not appear in Mr. Vun's statements before OCIJ investigators and stated that the defense team would be requesting a transcription of the interview. The Nuon Chea defense team concluded their examination of Kim Vun.

***Witness Kim Vun Questioned by Ieng Sary Defense***

International Co-Lawyer for Ieng Sary Michael Karnavas began by focusing on Mr. Vun's statement to OCIJ investigators on July 28, 2009, asking the witness about a comment regarding leaflets that was not included in a 48-minute recording of the two-hour interview. Mr. Vun said he could not recall when he first mentioned the leaflets. Mr. Karnavas said a second statement by Mr. Vun was noted as beginning at 8:50 a.m. and ending at 2:30 p.m., but the audio recording was 2 hours and 47 minutes long. Mr. Karnavas asked if conversations were held with investigators on those two occasions where the witness answered their questions without being tape-recorded.

Mr. Vun said he only paid attention to the questions asked and did not understand the recording and recordkeeping procedures. Mr. Karnavas inquired as to whether investigators presented him with documents to refresh his memory. Mr. Vun said he was given copies of documents but he did not examine them thoroughly.

Mr. Karnavas revisited comments made by the witness to President Nonn on August 21 that he gave three interviews to court investigators, but there were only two official documents recording them because he had to attend a workshop on the third occasion and investigators could not wait for him. Mr. Karnavas sought clarification and the witness repeated that there were three interviews but only two were recorded in a document. Mr. Karnavas asked if an exchange of questions and answers took place during the third interview that was not tape-recorded or summarized. Mr. Vun said he was busy and had asked investigators to wait, but a foreign investigator who might have been upset "threatened" to bring him to Phnom Penh using "public force." The witness said the investigator – who was not present at previous interviews - then said he was joking. When Mr. Karnavas again attempted to clarify if a question and answer session took place, Mr. Vun said there was a record of interview, but when he had asked them to wait, they left.

Mr. Karnavas cited an order from former International Co-Investigating Judge Marcel Lemonde dated January 13, 2010, in which Judge Lemonde said that in October 2009, Mr. Vun was approached by investigators for a third interview but became "wholly uncooperative" and "refused to be interviewed." When Mr. Karnavas asked if this order corresponded with Mr. Vun's account, Mr. Vun denied that he had been uncooperative and said he found the investigators "rather rude."

President Nonn interjected and stated that there was no need to dwell on the working procedure of the OCIJ. The Ieng Sary defense team concluded their questioning of Kim Vun, bringing to an end to this witness's examination.

### ***New Civil Party Takes the Stand***

As Mr. Vun's examination had ended, civil party Em Oeun took the witness stand. In response to preliminary questions from President Nonn, Mr. Oeun stated that he was a 61-year-old farmer who was born in Prey Veng province but is now living in Kampong Cham province. Mr. Oeun said that from April 17, 1975, to January 7, 1979, he was a doctor in Sector 20 and attended medical training sessions at the 7 April Hospital in Phnom Penh. He has three children.

### ***Civil Party Lawyers Lead Questioning of Em Oeun***

After being given the floor, National Civil Party Lawyer Kim Mengkhy began his examination of the witness by delving into Mr. Oeun's activities prior to 1975. Mr. Oeun said he never attended school and wanted to learn but he came from a poor family and went to Phnom Penh to work, where he stayed with his great uncle. His great uncle was a doctor and Mr. Oeun began acquiring medical skills from him on the job when the civil party was about 10 years old, Mr. Oeun recalled. When Mr. Mengkhy asked what Mr. Oeun did in 1965, Mr. Oeun said that his great uncle grew worried about the country being at war and sent him home. Mr. Oeun said his father was a

“senior person” in the Khmer Issarak movement and later when the Khmer Rouge learned Mr. Oeun belonged to a family with skills and history in medicine, he was asked to work for them. Mr. Oeun testified that the Khmer Rouge noted his skills were not good enough and he was permitted to attend training sessions in Vietnam when he was less than 20 years old, under the orders of East Zone Secretary Sao Phim. Mr. Oeun said his father asked him to work as a doctor with the Khmer Rouge and he began at Sector 20.

When asked by Mr. Mengkhy if he acquired a certificate after studying medicine in Phnom Penh, Mr. Oeun said he learned “on the job” in Phnom Penh when he was young, and was later sent to the city for training under the Khmer Rouge. After leaving Vietnam he became a doctor in the sector when in his early 20s, he stated.

### ***Trial Chamber Reminds Parties of Questioning Procedure***

President Nonn reminded parties that the chamber encouraged them during a recent trial management meeting, to nominate one person to put questions to the witness or civil party in order to expedite proceedings. International Civil Party Lead Co-Lawyer Elisabeth Simmoneau Fort said that some favored the hybrid nature of examination and told the chamber only two civil party lawyers would examine Mr. Oeun.

### ***Civil Party Lawyers Continue Examination of Em Oeun***

Mr. Mengkhy asked Mr. Oeun about his activities upon returning to his village. Mr. Oeun replied that he put his medical skills to use because there were no medics at the time and looked after his parents, though his father later disappeared. In response to questions from Mr. Mengkhy, Mr. Oeun said he was engaged in medical training in the Sector 20 office in Prey Veng province in the East Zone under the supervision of sector secretary Kham, with the help of his uncle. Mr. Oeun said the sector was in his village and was a “Khmer Rouge liberated zone.”

When asked about the medical training he provided, Mr. Oeun said he had to “start from scratch” and teach people who were initially not able to do anything about medical ethics and responsibility for patients, as well as causes and treatment for diseases such as malaria. Mr. Oeun said he learned his medical skills “on the job” and had not been acknowledged by other “professional doctors,” but as he was asked to treat and teach others at the time he could not pursue his medical training. When asked if patients died under his or others’ treatment at the time, Mr. Oeun said doctors and medics had to be “well-trained” and he never had patients die under his supervision. Mr. Oeun said that if they allowed patients to die during treatment, the party could perceive them as enemies.



*Lao Prince Sophanavong (in light gray jacket) observes medical staff at a hospital in Phnom Penh during his visit to Democratic Kampuchea. Khieu Samphan (left) and Ieng Sary (to right of the prince) are also present.*

*(Source: Documentation Center of Cambodia)*

In response to queries from Mr. Mengkhy about “liberated zones,” Mr. Oeun said they were zones under the supervision of the Khmer Rouge that had been “liberated” from enemies; he had lived in a liberated zone from a young age. The population of such zones were grouped into cooperatives for “mutual assistance farming” and had to listen to the party, he stated. From the 1970 coup d’état onwards there were separate groups, but the living conditions were decent, life was normal, work was good and people could talk without any problems, Mr. Oeun said.

However after 1975, Mr Oeun testified, there were “infiltrated individuals” in the party and people were classified into three categories, one of which included those perceived to be “enemies of the party.”<sup>[5]</sup> “The living condition of each respective category of people was different according to this status,” Mr. Oeun said. He claimed he had to be very careful after 1975 because “bad things could happen” but his sector secretary was fond of him and attempted to conceal his identity by changing Mr. Oeun’s autobiography because he knew Mr. Oeun’s father had affiliations with a former regime; this sector secretary allowed him to attend study sessions in Phnom Penh. Mr. Oeun testified that young people were classified as “progressive people” who had to obey instructions from the party and had to leave their parents to join the army if the party wanted them to do so.<sup>[6]</sup> Those who were 16 years or older were forced to perform their duties because if they protested or refused to follow orders they could be considered enemies or adversaries, Mr. Oeun said. He then related that the party had asked him to “smash” a pagoda. Mr. Oeun said:

I loved Buddhism and I was bestowed with the authority to smash the religion, the Buddhas, that I once loved and respected, but I had no choice. I was sent to study in Phnom Penh I was blessed to be offered the opportunity to attend training session in Phnom Penh.

Upon further questioning from Mr. Mengkhy on how he was ordered to “destroy Buddhism,” Mr. Oeun testified:

Destroying Buddhism took many forms, one of which was not allowing people to enter monkhood, and they also forbid pagoda construction and building. That was the overall picture of the destruction of Buddhism. And particularly in 1973 and 1974, I kept wondering to myself if I resist against the order I would be accused of protesting against the party, then I would be considered a traitor and they also said that the Buddhist statues were merely a stone, a piece of stone, and it could be thrown into the water or the river or the lake.

President Nonn interjected and advised Mr. Mengkhy to limit his questions to the confines of the first trial in Case 002.

### ***Civil Party Lawyers Move to Phnom Penh Evacuation***

Mr. Mengkhy moved his questioning to the liberation and evacuation of Phnom Penh. Mr. Oeun said he was a physician in Sector 20 at the time and saw evacuees coming in. He explained that when Sao Phim was still in the east, people were organized and there was no segregation in the early part of the liberation, though people who came from Phnom Penh were called the “17 April people” or “new people.” Mr. Oeun said the people from Phnom Penh were “mainstreamed” into the base people and that if “old people” had houses they went to live with their relatives at some point in order to accommodate “new people.”

In response to questions from Mr. Mengkhy about his movements, Mr. Oeun testified that after 1975, sector secretary Kham sent him for year-long medical training in Phnom Penh where he was attached to the Russian hospital.<sup>[7]</sup> Mr. Oeun said he only attended for nine or ten months because there were issues in the East Zone, especially clashes along the Cambodia-Vietnam border, and he had to return early. He attended the training because he had to be “vigilant,” he

explained; he had “constant fear” and witnessed things he could not speak about. Upon further questioning about the training, Mr. Oeun testified that he was under “intense pressure” as a designated “student leader” with different tasks from other students and privy to “updated information” that he had to transfer to people below him.

Mr. Arun briefly objected that a question from Mr. Mengkhy about what Mr. Oeun witnessed at the time was “leading.” The objection was not sustained, but President Nonn advised Mr. Mengkhy to pose precise questions.

Mr. Oeun testified that while in Phnom Penh he attended medical training and political training at Borei Keila to learn how to “change the mindset” of people to fall in line with the “great leap forward” policy. Mr. Oeun said the political training course lasted for a week or 10 days or so and was held once or twice a month; as a party member and student leader he was permitted to participate. When asked what was taught at the political training session, Mr. Oeun said topics included the victory of the CPK revolution and the “great leap forward” – a reference to the transformation of Cambodia to a communist country – and Minister Yun Yat supervised. He testified that Pol Pot, Nuon Chea, Khieu Samphan, and Hu Nim also spoke at the political training.



In response to questioning about speech content, Mr. Oeun said he recognized Nuon Chea, Khieu Samphan and Leng Sey<sup>[8]</sup> on stage, all of who linked their speeches together by summarizing the speech of the previous speaker at the beginning.

Mr Oeun said party secretary Pol Pot took the floor first and said that as communists they had to understand their roles and be in line with the “great leap forward,” which was explained to Mr. Oeun by others as leaping from a democratic situation to communism without going through socialism. “If we could not have this great leap then we would be considered as enemies. This was the language used by Pol Pot,” Mr. Oeun recalled. He testified that Nuon Chea then picked up a few words from Pol Pot before beginning his speech and Khieu Samphan did the same. Mr. Oeun said he believed the session ran for between seven days or 10 to 14 days with roughly 2, 000 attendees because people were invited from the districts.

Mr. Mengkhy returned to the content of speeches, and Mr. Oeun said Nuon Chea spoke about a policy to strengthen communism and was very firm about leaders needing to know who was opposing and infiltrating the party. When Mr. Mengkhy asked if Nuon Chea said who was categorized as infiltrating the party, Mr Oeun said he felt at the time that Nuon Chea was referring to soldiers in previous regimes – such as those of Norodom Sihanouk and Lon Nol – and they also targeted intellectuals and students, particularly those who studied abroad.

The civil party also described how Khieu Samphan said in his speech that people had to observe how they could change themselves, to ensure that they performed well. Mr. Oeun said he could

tell Khieu Samphan wanted them to “start from small things” and examine their daily lives. He also testified that Khieu Samphan advised them to observe how people behaved, for example, if women used needles carelessly or workers pretended to be sick, they could be betraying the party. He said Khieu Samphan told attendees they had to “look into people’s ways of doing things” and do whatever the party wanted them to do.

Turning to Mr. Oeun’s time at the hospital in Phnom Penh after the political study session, Mr. Mengkhy asked the civil party about his superiors and duties. Mr. Oeun said he helped in the political education sessions and had to “study heart,” looked after medical students, and was in charge of patients. He recalled that patients at the 17 April Hospital were mostly workers, employees, and officials from Phnom Penh and he never saw a patient die because of the treatment. When asked about the prescribing medicine, Mr. Oeun said there was a pharmacy section that distributed medicine. Mr. Oeun further testified that during the period when the East Zone “did not change politically” they had decent medicine and did not experience shortages because, he believed, medicine left over from former regimes was gathered from various locations and stored in the hospital.

### ***Civil Party Details Medical Experiments under Regime***

Mr. Mengkhy asked if medical operations were conducted on people for experimental purposes. Mr. Oeun said he saw this happening at the base when people expected to be executed underwent operations as part of experiments. Mr. Oeun explained:

People would be laid on a table and trainees would be asked to look at how the fingers would be cut and removed. So they cut parts of the body, then they only leave one of the hands attached to the drip and the operation was on, but these people were unconscious already because some kind of medicine was injected to make sure the people were unconscious when the operation was conducted. This happened in Prey Veng at Sector 20 and I saw this with my own eyes.

In response to further questioning, Mr. Oeun said he was told the majority of those people were spies, people who remained from the old regime, and those who would be executed according to the slogan “keeping you is no gain, losing you is no loss.” Mr. Oeun said the whole body would be operated on and cut into pieces and then put in a bag to be discarded.

Mr. Mengkhy asked what the slogan meant, to which Mr. Oeun replied that any person who fell in that category was perceived to be dead already and would be executed. He said the party made the decisions about these people.

Returning to Mr. Oeun’s tenure at the hospital in Phnom Penh, Mr. Mengkhy asked if the civil party ever saw foreign experts offer training sessions. Mr. Oeun said that Chinese and Korean people provided medical training, including on operation techniques, and Chuon Choeun – a man of medium build – was also a good trainer. Mr. Oeun said people with different expertise were selected to train them in different specialties, such as a trainer named Ny who was good at teaching people about tuberculosis and Chuon Choeun who specialised in heart operations.

Mr. Mengkhy inquired if medical staff were ever arrested, to which Mr. Oeun responded that they were arrested; specifically, those who attended study sessions with those from the East, Northwest, North, and Northeast zones were in “great danger” in the beginning.

People would be loaded onto the trucks, and I asked where they could have been taken to. I was told that these people were the enemies of the party, or people who betray the party. And they were tortured when they were being loaded onto the trucks. That was a

very tragic moment and I always cry when I saw this. Women were even badly treated than the male prisoners.

After a few minutes pause as Mr. Oeun had become emotional, Mr. Mengkhy asked how the civil party felt about the arrests and if he knew why they occurred. Mr. Oeun said he only saw some arrests and related seeing Leng Sey, whom he was told was the wife of Tiv Ol and who was in a committee at their school in charge of political study sessions, being loaded onto a truck naked. Mr. Oeun said he learned later that Tiv Ol was an intellectual and a writer.

National Civil Party Lead Co-Lawyer Pich Ang assumed questioning of Mr. Oeun, beginning by asking whether the civil party started medical sessions as soon as he reached the Cambodian-Soviet Friendship Hospital. Mr. Oeun said he did not recall what he did prior to starting the medical study sessions but confirmed that he attended both those and political sessions. When Mr. Ang asked if there was a ceremony to mark the commencement of training sessions at the hospital, Mr. Oeun said there was a ceremony attended by Leng Sey, Chuon Choeun, and other doctors, which was chaired by about 10 people. In response to Mr. Ang's inquiries, Mr. Oeun said he perhaps worked at the hospital for about six or seven months after the political training session before returning to the base, but he could not be entirely sure. He believed he did not finish the curriculum at the hospital because the director told him he had to return to the base where there was a "desperate need" for physicians to treat injured combatants from the war between Cambodia and Vietnam. Mr. Oeun testified that he returned possibly around late 1977 or early 1978.

Moving back to the political training session at Borei Keila, Mr. Ang asked Mr. Oeun to clarify the number of participants and describe the environment and atmosphere. Mr. Oeun testified that the political training was conducted in a classroom setting – a building was constructed – with well over 1000, or about 2000, participants from across the country, who had the rank of at least district committee chiefs, committee members from sectors and districts, and directors of ministerial departments in Phnom Penh. Mr. Oeun said he sometimes stayed overnight at the school and sometimes at the hospital and that attendees to the training ate communally. The curriculum was "intensive" and he did not understand it well and had to study hard, he explained.

When asked by Mr. Ang about how the setting accommodated so many participants, Mr. Oeun said there was a hall for meetings and training sessions – which the Russian hospital also had – and there was not much space. After Mr. Ang inquired about the size of the table and chair, President Nonn interjected and remarked that Mr. Ang must think he had "abundant time" to dwell on the size of a table and advised him to ask questions relevant to the facts in the case. Mr. Ang said that he was trying to verify Mr. Oeun's presence at the training session but moved on anyway.

Mr. Ang cited Mr. Oeun's victim information form where he mentions that initially Khieu Samphan focused on new people in Chi Klang<sup>[9]</sup> because he thought they had a "mentality of feudalism" and that new and old people had to be screened to locate enemies. Mr. Ang read the document as saying that they had to impose work on people to single out enemies. He then questioned Mr. Oeun about whether there was a distinctive policy applied to "new people" during the DK regime. Mr. Oeun replied that the situation in Chi Klang – "a medical base for combatants" – was serious because people were experimented on in hospitals to which he was attached. Mr. Oeun said that they mentioned the slogan that "losing the new people was of no loss and keeping them was of no gain" and this was what happened on the ground. Mr. Oeun testified that in his document he mentioned asking his wife about fleeing because he did not want to witness such things.

In response to questions from Mr. Ang, Mr. Oeun said that after leaving Phnom Penh he returned to his base at Sector 20, and to his old office where he was in charge of medical training and political training for people in the base and inspected other hospitals when he could.



*Building used as a hospital by the Khmer Rouge. (Source: Documentation Center of Cambodia)*

### **Civil Party Em Oeun Recounts Forced Marriage**

Mr. Ang delved into information on Mr. Oeun's information form stating that he was forced to marry and asked the civil party to elaborate. Mr. Oeun said that at the time a marriage was arranged for him to someone he did not love. He testified that he initially protested and was punished by being transferred from the hospital to a worksite, though he was sent back because there were many patients who needed treatment.

Before they called me back they asked me again whether or not I agreed to get married to my arranged wife. Actually I took serious consideration, it took me approximately two weeks or so, and then eventually I decided that I had to get married otherwise my life would be in serious risk. So I had to force myself to accept this arranged marriage. I had to accept it but once again, accepting this proposed or arranged marriage, it was very difficult at that time. My wife did not love me either, so whenever we stayed together at night we cried to each other.

Mr. Oeun said that he suffered because of the marriage, but he could also imagine the woman's feelings:

She was suffering from it as well. At night we discussed to each other and if we refused then we would be killed eventually. So we had to force ourselves in order to satisfy those who arranged for us. So we had to concede to this. It took me approximately two weeks or so to decide to consummate my marriage with my wife; this was the suffering I had to endure at that time. And to date I cannot forget it and I could not even find out who ordered this heinous crime. I did not want to take any revenge, but I want to know who initiated this idea and I know that this was a very heinous act and the leaders, even though the leader might not have been aware of that, but they should understand who was actually doing that. I was one of the victims and I believe that there were many more victims.

Mr. Ang asked if Mr. Oeun and his wife were spied on after they were married. Mr. Oeun said he and his wife understood they would be under constant watch – day and night – and thought they would be killed if they did not pretend to love one another to please others. They had a daughter, he said, and remained married and had a son after the Khmer Rouge regime collapsed, but they later divorced and he subsequently remarried.

Mr. Ang attempted to clarify some dates, stating that in the document Mr. Oeun stated he was married on April 17, 1977, but he had also said that he studied in Phnom Penh in 1977. Mr. Oeun

said he apologized if he mistook dates and remarked that the date of his marriage could have been in 1977 or 1978.

President Nonn again advised the civil party lawyers to remain within the scope of the first phase of Case 002, so Mr. Ang turned to the evacuation of Phnom Penh. Mr. Ang proceeded to ask if Mr. Oeun's family was affected by the evacuation or if he had lost any family members. Mr. Oeun said his family was not affected by the evacuation, but he had lost about 20 to 30 family members prior to and after 1975.

Finally, Mr. Ang asked if Mr. Oeun had been affected by the loss of his loved ones. Before the civil party answered, President Nonn informed the court that Mr. Oeun would be given the opportunity to talk about his injuries and suffering at the end of his examination. Civil party lawyers concluded their examination.

President Nonn adjourned the hearing for the day. Proceedings are set to resume on Monday, August 27, 2012, for a morning session only, with further questioning of Em Oeun.

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[1] The term "10 house group" refers to an administrative division under the Lon Nol regime.

[2] Santouk district is located in Kampong Thom province.

[3] "Five-year period" refers to the 1970-1975 period in Cambodia under the Lon Nol regime.

[4] "Om 1 and Om 2" is a reference to Pol Pot and Nuon Chea, respectively.

[5] Mr. Oeun later said that those regarded as "enemies of the party" were mainly intellectuals and students.

[6] Where civil party Em Oeun spoke about "categories of people," parts of the testimony and the interpretation from Khmer to English were unclear.

[7] The names "Russian hospital," "Khmer-Soviet Friendship Hospital or Cambodia-Soviet Friendship Hospital," and "17 April Hospital" refer to the same facility in Phnom Penh.

[8] Leng Sey was described as being from "social action," which could be a reference to the Social Action Ministry.

[9] Chi Klang was a village located in B-20, or Sector 20.

Tags: