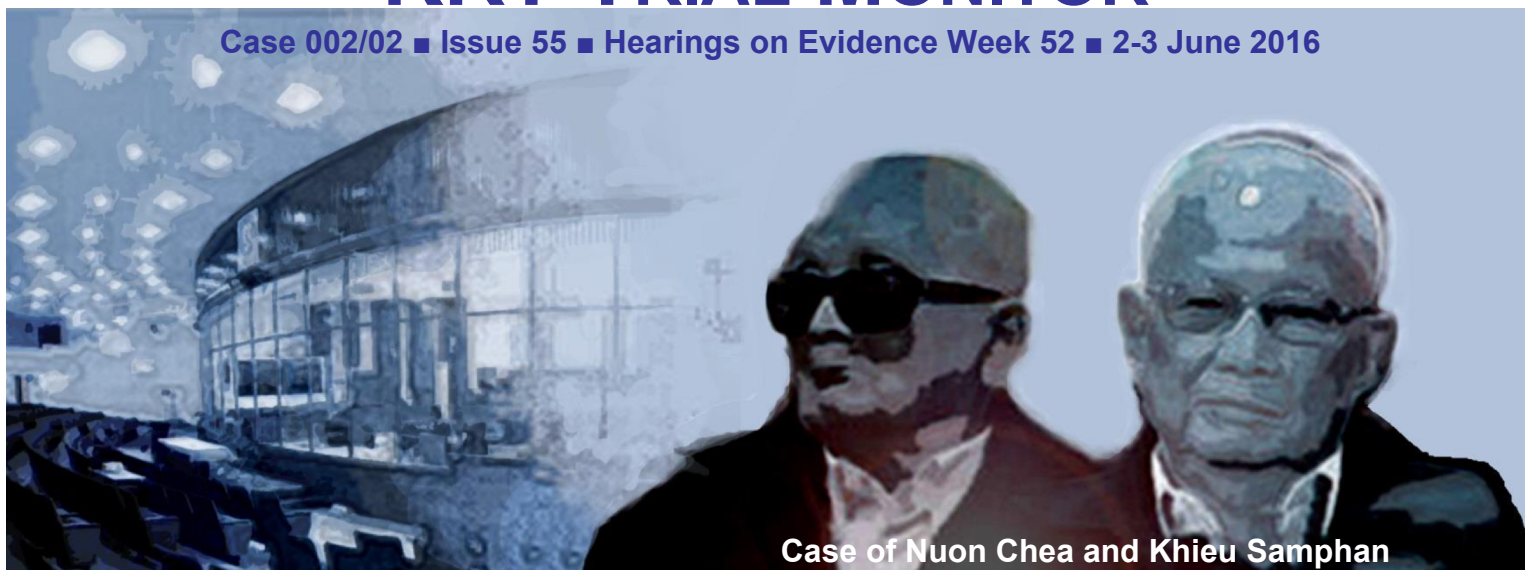


# KRT TRIAL MONITOR

Case 002/02 ■ Issue 55 ■ Hearings on Evidence Week 52 ■ 2-3 June 2016



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)

*“Hor emphasized that if I had mixed up the prisoners  
who had already been interrogated with those who had not  
I would fall into the category of a prisoner;  
so I was very cautious with my lists.”*

- Witness Suos Thy

## I. OVERVIEW

This week the Trial Chamber reconvened on Thursday after a one and a half week recess.<sup>1</sup> Over the course of two days the Chamber heard testimony from Witness Mr. Suos Thy, who previously testified in Case 001 about his role working at S-21 during the Democratic Kampuchea (DK) period. Suos Thy testified to being in charge of maintaining lists of prisoners entering and leaving S-21 Security Center, under the command of Ta Hor who answered to Kaing Guek Eav, *alias* Duch. Suos Thy will conclude his testimony early next week, after which Duch will appear to give evidence over nine days about his role as the head of S-21.<sup>2</sup>

## II. SUMMARY OF WITNESS TESTIMONY

The only witness to testify this week was Suos Thy, who was questioned by the OCP, LCLCP and the Bench over two days about his administrative role at S-21 and his knowledge of what went on there between 17 April 1975 and 7 January 1979. He testified with the assistance of a duty counsel in order to protect his privilege against self-incrimination.

### Summary of Testimony by Witness Suos Thy

This week Suos Thy, a 65 year-old from Prey Koe Village, Koh Khael Commune, S'ang District, Kandal Province, testified about his role working in administration at S-21 for approximately three years until the arrival of the Vietnamese in 1979.<sup>3</sup> The Witness has previously testified before the Trial Chamber in Case 001.

#### 1. Witness's Background prior to 17 April 1975

Suos Thy testified that prior to joining the revolution on 3 August 1971 he had studied in grade two in the old education system at Champu Wan pagoda, in Chom Chao. He was one of eight

siblings, a number of whom held positions in the army or administration of the Lon Nol regime. The Witness testified that he joined the revolution in his early twenties in order to “Liberate the country from the Lon Nol regime.”<sup>4</sup> He said initially he took part in a movement in Koh Khael Commune, before being enlisted into Battalion 12 in the Special Zone, where he was a combatant in Regiment 23 until 17 April 1975. He said he engaged in battlefields in Siem Reap Province, where he was wounded. After being wounded he was trained as a medic in Battalion 3, Regiment 123, however when his wound had not fully healed by early 1974, he was assigned to maintain lists of soldiers and supplies in Battalion 112, and make daily reports of his findings. He remained in that position until 17 April 1975. Suos Thy said this educational background led him to be labeled a “petit bourgeois” in the DK regime, which prevented him from ever becoming a member of the Communist Party of Kampuchea (CPK). Additionally, his family’s connection to the former regime and the fact that his two brothers had been Lon Nol soldiers inhibited his promotion within the regime.<sup>5</sup>

## **2. Witness’s Role at the Judicial Police (PJ) Office and Relocation to S-21**

Suos Thy testified that he began working at S-21 in late 1975.<sup>6</sup> He described how he had simply being told that he had to relocate to Phnom Penh, adding: “After I learned that [S-21] was a prison, I could do nothing because it was an assignment from the upper level.”<sup>7</sup> Suos Thy explained that the Security Center had initially been located near the Central Market at the Judicial Police Office, which he referred to as the ‘PJ Office,’ using its French abbreviation. Only later did the Center relocate to the site of the current Tuol Sleng Genocide Museum. The Witness stated that the PJ Office was used to detain prisoners, but interrogations did not take place there.<sup>8</sup> Although he told the Court that his work at the PJ Office consisted of registering the names and biographical details of incoming and outgoing prisoners, he also claimed that prisoners were rarely brought there, saying most had already been present when he arrived. He could not estimate the number of detainees at the PJ Office but said that they were mainly former factory workers.<sup>9</sup>

## **3. Physical Buildings and Organizational Structure of S-21**

Suos Thy testified that once S-21 had been moved from the Judicial Police Office to the Ponhea Yat High School in either late 1975 or early 1976, Duch replaced Ta Nat as the Chief of S-21. He told the Court that S-21 consisted of four units: S-21A<sup>10</sup>, S-21B, S-21C<sup>11</sup> and S-21D. He explained he was part of S-21B; the guard unit, which was under the supervision of Ta Hor. The guard unit consisted not only of guards, but also messengers, drivers, medics and cooks. The interrogation unit, also known as S-21A, typists, interrogators, and photographers. S-21D referred to the rice farming unit. Suos Thy explained that Meng was overall in charge of all units at S-21. He added Meng had also drawn up prisoner lists, and that he had to hand his lists of incoming and outgoing prisoners into Meng, who in turn forwarded them to Duch.<sup>12</sup> Although Meng was in charge of all units, Suos Thy identified Ta Hor as his direct superior in the guard unit and the sole person who gave him orders. He said Ta Hor received his orders in turn from Duch.

Concerning the physical make-up of S-21, Suos Thy testified that the compound had been surrounded by zinc iron fences, and that it had extended all the way to the sewage canal on what is now Street 105. He explained that there had been two fences surrounding S-21, the zinc fence directly surrounding the prison compound and mounted with barbed wire, and one outer zinc fence. Ta Hor’s office faced the entrance of Ponhea Yat High School and was where Suos Thy was based while he recorded names of prisoners entering and exiting the prison. He stated that the interrogation of prisoners usually took place in other buildings outside the prison compound. Suos Thy was asked by Judge Jean-Marc Lavergne whether he recalled seeing a red signboard above one of the gates at S-21 which encouraged people to “fortify the spirit of the revolution, be on your guard for the enemy so as to defend the country, people and party,” however the Witness said he had no memory of this placard.

The Witness confirmed when questioned that S-21 had also contained a “special prison,” but said that it had been located outside the main prison compound. He explained that senior cadres “from divisional level up the line” were held here, and that “special prisoners” would be taken straight to their detention facility, bypassing his registration desk. Suos Thy said he did not have the authority to visit the special prison himself and was therefore unable to give details on its exact location or set-up.<sup>13</sup> He said he had only become aware of “special” prisoners after they had been moved into the main prison to a building located south of the main compound, although he added he was still not authorized to visit this location.

#### **4. Procedure for Making and Maintaining Lists at S-21**

Suos Thy repeatedly told the Court that his sole task at S-21 consisted of making and maintaining lists of incoming and outgoing prisoners; a system which he described in some detail. Incoming prisoners would be brought to his office by the Special Unit, after which he would take down their personal details including name, family background and place of birth.<sup>14</sup> Suos Thy explained that he had created a printed template with gaps to be filled in with each prisoner’s information to facilitate the process. He said that these forms, together with a photograph of each prisoner, were kept together in big books in his office.<sup>15</sup> He said when he had spare time he would duplicate the records, although he added that this rarely happened because he was usually too busy registering new prisoners. The Witness said that originally he was solely in charge of this task, however later he would sometimes be assisted by a boy aged about 15 years old named Lan. When large numbers of prisoners arrived they would be brought to his office in groups of 30 and Lan would assist him in taking down their information to speed up the process. After prisoners were registered, guards would take them to whichever cell was unoccupied and later Suos Thy would go to the cells to record where each prisoner was being kept. The Witness recalled one occasion when a large group of prisoners from the East Zone arrived, saying that in this case an exception to the usual process was made and he went to the cells to collect information from each prisoner directly.

#### **5. Types of Prisoners Detained at S-21**

Suos Thy identified various categories of prisoner detained at S-21. He said there were Vietnamese prisoners, “important” prisoners, and children. The Witness explained that when Vietnamese prisoners arrived he received help from a prisoner named Chan who knew how to speak, read, and write Vietnamese, and could obtain the biographical information of these prisoners for him. Suos Thy testified that even though he was in charge of registering new prisoners at S-21, this did not apply to important prisoners or children. He explained that important prisoners were sent directly to special prison and did not go through his office for registration.<sup>16</sup> Child prisoners usually arrived at the prison with their families, and when they were under the age of 15 they would not be registered; only when children arrived unaccompanied would they be registered. The Witness also recalled particular times when many prisoners from the North, East and West Zones arrived. He further testified that the number of prisoners coming to S-21 varied every day. Suos Thy declined to estimate how many prisoners would arrive each day on average, although he noted that when large groups brought in from the East Zone numbered 100 per day this was unusually high.

#### **6. Prison Conditions**

Although the Witness said he was stationed mainly in Ta Hor’s office near the entrance to the S-21 compound, he was also able to describe the conditions of the prison to a limited extent. He said all of the prisoners were shackled by the ankles, even while they slept. Prisoners had to eat their meals and relieve themselves in their cells, which caused a “stench” throughout the prison. Suos Thy recalled that prisoners were very skinny, surmising that this was because they had

insufficient food to eat. He said some prisoners died because they were too weak and lacked sufficient food and drink, while others died during interrogations as the result of “severe” torture.

Suos Thy was also asked about blood-drawing and sexual violence at S-21. Although he had previously testified in Case 001 that some prisoners had had their blood drawn at the Security Center, in Court this week he said he was not “clear” about this. When prompted with his earlier statement, the Witness said it was the medics who knew about this, not him, but that Ta Hor would give him a list of prisoners whose blood had been drawn for him to include in the lists of people to be smashed. When asked about sexual violence and rapes that had allegedly occurred at S-21, the Witness again said he was “busy with [his] task” and did not know about this. Lead Co-Lawyer for Civil Parties, Marie Guiraud, presented him with testimony from Witness Him Huy who had recounted instances of sexual violence in the prison, however Suos Thy consistently denied any knowledge of this.<sup>17</sup>

## **7. Procedure for Prisoners Leaving S-21**

Suos Thy told the Court that he would know when prisoners were to be executed because Duch would write the word “*kam*” next to their name on the prisoner list.<sup>18</sup> The Witness explained that he would then make up a new list of those to be “smashed,” indicating the cell numbers of each condemned prisoner. These prisoners were then taken out of the prison compound by the Unit of 100 Men, who reported to Hor. The Witness claimed not to have witnessed any executions himself and thus could not verify if the people listed as outgoing prisoners had indeed been killed. Suos Thy told the Court that in cases where prisoners died at S-21, either from sickness or due to “severe torture,” he would receive a special report compiled by medics, which would be brought to him by Ta Hor. He said that he would incorporate the reason for their death into his list. Although he could not recall how many prisoners would usually leave the prison every day, he did say that he: “was pretty busy with the lists towards the end of the regime.”<sup>19</sup> When presented with a list of prisoners leaving S-21 that was made on 31 December 1978, which contained the names of 225 prisoners to be executed, Suos Thy confirmed that this was the last such list he made.

## **8. Witness Demeanor and Credibility**

Witness Suos Thy was polite and attentive throughout his testimony, and appeared to closely analyze all documents and lists presented to him in order to respond to questions. His position as keeper of lists has been corroborated by the prior testimony of a number of other witnesses and Civil Parties and his responses about the procedure of admitting prisoners was largely consistent with prior accounts.<sup>20</sup> However, he repeatedly said his role was limited solely to recording prisoner names on their arrival and departure, which contradicts earlier testimony from Civil Party Chum Mey who identified Suos Thy as the guard who assigned him to work as a mechanic while detained at S-21.<sup>21</sup> Furthermore, during the two days of his testimony, Suos Thy consistently claimed that he had been too busy with his job to pay attention to other events at S-21 and that he could only give information on the tasks performed himself. Given the amount of time he worked at S-21 it seems unlikely that his knowledge of what went on there was so limited.

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

Over the two days of hearings this week, issues arose over whether questions on Prey Sar and Takhmao were outside the scope of Case 002/02, as well as how to proceed when documents have not been translated into all three official court languages.

### **A. Objections over Questions on Prey Sar and Takhmao**

During questioning from the OCP on Thursday, International Co-Lawyer for Nuon Chea, Victor Koppe, asked for clarification about questions that had been asked which were related to

Takhmao Prison and Prey Sar. He argued that such questions were inappropriate as they did not form part of the charges against his client or Khieu Samphan as part of Case 002/02. Takhmao, he said, was not contained at all in the Case 002 Closing Order,<sup>22</sup> whereas Prey Sar (also known as S-24) was explicitly excluded from the scope of Case 002/02 outlined in the severance order of 4 April 2014.<sup>23</sup> On returning after the lunch break, the Bench ruled in favor of allowing questions on these topics. Although confirming that the two crime sites were “irrelevant” to Case 002/02 as they indeed do not form part of the charges against the two Accused, they are nonetheless “interrelated with the creation and functioning of S-21” as well as potentially providing information on the treatment of former Lon Nol soldiers. Following this ruling, Parties asked further questions on the topic of Takhmao and Prey Sar.<sup>24</sup>

## **B. Issues Concerning Translation of Documents**

Another issue which was raised this week concerned the availability of court documents in all three official languages; English, French and Khmer. While questioning the Witness, Judge Lavergne relied on an original Khmer-language S-21 prisoner list, to which Counsel for Nuon Chea objected, stating that: “Unless it is translated in all three court languages I think this question cannot be asked.”<sup>25</sup> International Civil Party Lead Co-Lawyer stood to express her reaction to the views of the Defense. Prefacing her comments by saying she did not want to risk “opening up a can of worms,” she expressed her concern that most documents that had been used as the basis for the new OCIJ prisoner list in cases 003 and 004 (one of which Judge Lavergne had been quoting) were only available in Khmer. She argued it was too “limiting” to only use documents translated into all three languages as this would take a lot of time.

## **IV. TRIAL MANAGEMENT**

After permitting an extended adjournment for Parties to have time to prepare for the remaining S-21 witnesses, this week the Trial Chamber reconvened the two days of hearings on Thursday and Friday, hearing the testimony of Witness Suos Thyin relation to his role working as prison registrar at S-21 Security Center under DK regime.

### **A. Attendance**

As is usual practice, Nuon Chea waived his right to be present in the courtroom this week and observed proceedings from the holding cells due to his poor health, while Khieu Samphan was present in the courtroom in all the sessions throughout the week. Duty Counsel Moeung Sovan was present in the courtroom this week in order to provide legal counsel to Witness Suos Thyin on his privilege against self-incrimination.

**Judge Attendance:** All Judges were present in the courtroom throughout the week.

**Parties:** All Parties were properly represented in the courtroom this week.

**Attendance by the public and Civil Parties:**

DATE	MORNING	AFTERNOON
Thursday 02/06/2016	<ul style="list-style-type: none"> <li>Approximately 100 students from Steung Sen High School, Steung Sen District, Kampong Thom Province</li> <li>23 foreign observers</li> <li>Nine Civil Parties</li> </ul>	<ul style="list-style-type: none"> <li>Approximately 70 students from Steung Sen High School, Steung Sen District, Kampong Thom Province</li> <li>Three foreign observers</li> <li>Nine Civil Parties</li> </ul>

Friday 03/06/2016	<ul style="list-style-type: none"> <li>▪ Approximately 200 students from Chea Sim Samaki High School, Phnom Penh</li> <li>▪ Three foreign observers</li> <li>▪ Seven Civil Parties</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approximately 160 students and six teachers from Bun Rany Chanthnal High School, Oudong District, Kampong Speu province</li> <li>▪ 150 students from Hun Sen Batdeng High School, Oudong District, Kampong Speu province</li> <li>▪ Two foreign observers</li> <li>▪ Six Civil Parties</li> </ul>
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## B. Time Management

Due to the Trial Chamber's decision to adjourn proceedings last week in order to allow Parties to have additional time to prepare for the remaining two S-21 witnesses,<sup>26</sup> this week the Trial Chamber successfully managed to hear part of testimony of one of the two remaining witnesses, over the course of two days. On Friday, the Trial Chamber granted the request by international Senior Assistant Prosecutor Vincent de Wilde d'Estmael for extra time to conclude to his line of questioning. Although he had requested an additional session, the Bench informed Parties by email that each side would be granted 30 extra minutes.<sup>27</sup> The Trial Chamber would resume the testimony of Witness Suos Thy next Monday.

## C. Courtroom Etiquette

There were no significant breaches of courtroom etiquette this week.

## D. Translation and Technical Issues

Prior to the commencement of hearings this week, President Nil Nonn advised all Parties to speak "slowly and clearly," particularly when using names, numbers and dates, so that interpreters can keep up with them. Nonetheless this week Monitors noted a number of mistranslations and incomplete translations from Khmer to English.<sup>28</sup> There were no significant technical issues that interrupted proceedings this week and overall, the hearings ran smoothly.

## E. Time Table

DATE	START	MORNING BREAK	LUNCH	AFTERNOON BREAK	RECESS	TOTAL HOURS
Thursday 02/06/2016	9:01	10:11-10:31	11:29-13:29	14:39-15:00	16:06	4 hours 24 minutes
Friday 02/06/2016	9:01	10:10-10:30	11:33-13:30	14:39-15:00	15:46	4 hours 7 minutes
Average number of hours in session				4 hours and 15 minutes		
Total number of hours this week				8 hours and 31 minutes		
Total number of hours, day, weeks at trial				699 hours and 51 minutes		
189 TRIAL DAYS OVER 55 WEEKS						

\*This report was authored by Lena Harris-Pomeroy, Caitlin McCaffrie, Visot Nom, Lina Tay, Sathapor Thom and Penelope Van Tuyl 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 (CaseNo.002/19-09-2007-ECCC)</i>
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
WESU	Witness and Expert Support Unit

<sup>1</sup> The Chamber initially held a one-week recess (9-13 May) at the request of the Nuon Chea Defense Team for additional time to review new documents related to the updated S-21 prisoner list. The Court reconvened after a one-week scheduled recess to mark the Cambodian King's birthday (17-20 May), however on 23 May the Nuon Chea Team again argued for an adjournment to continue reviewing the documents. The Chamber granted a further one-and-a-half-week recess, thus reconvening on 2 June 2016. For a more detailed summary of Parties' arguments over the proposed recess, see CASE 002/02 KRT TRIAL MONITOR, Issue 54, Hearings on Evidence Week 52 (23 May 2016), pp. 1-2.

<sup>2</sup> KAING Guek Eav (*alias* Duch) was found guilty by the Trial Chamber in Case 001 and sentenced to 35 years' imprisonment on 26 July 2010, see Trial Chamber "Judgment" (26 July 2010), E188. KAING Guek Eav appealed the verdict to the Supreme Court Chamber, which was dismissed. The OCP also appealed the verdict, and on 3 February 2012 the Supreme Court Chamber quashed the decision of the Trial Chamber and increased the Accused's sentence to life imprisonment, see Supreme Court Chamber, "Appeal Judgment" (3 February 2012), F28.

<sup>3</sup> SUOS Thy (2-TCW-816) also testified in Case 001 on 27 and 28 July 2009. For a summary of this testimony see CASE 001 KRT TRIAL MONITOR, Issue 15, Week ending 2 August 2009. This week he was questioned in the following order: President NIL Nonn; international senior assistant prosecutor Vincent DE WILDE D'ESTMAEL; international lead co-lawyer for Civil Parties, Marie GUIRAUD; judge Jean-Marc LAVERGNE;

<sup>4</sup> Taken from monitoring notes. As of writing, the official court transcript is yet to be published.

<sup>5</sup> SUOS Thy testified that these two brothers had been arrested and killed during the DK regime

<sup>6</sup> When international senior assistant prosecutor Vincent De Wilde D'Estmael presented the Witness with his own prior testimony that he had begun working at the PJ Office in December 1975 the Witness confirmed this was accurate. However later he testified to being relocated from the PJ Office to the Ponhea Yat High School in December 1975.

<sup>7</sup> Taken from monitoring notes. As of writing, the official court transcript is yet to be published.

<sup>8</sup> SUOS Thy stated that he did not know "where prisoners were taken for interrogation."

<sup>9</sup> Vincent De Wilde D'Estmael again presented the Witness with his Case 001 testimony in which he had estimated 100 prisoners were already detained at the PJ Office when he arrived, however the Witness said this was just an "estimate" and was reluctant to speculate further.

<sup>10</sup> While the Witness stated that S-21A had referred to the guard unit, at one point he remarked that this abbreviation had referred to the PJ Office.

<sup>11</sup> Vincent De Wilde D'Estmael presented the Witness with his own prior statement and other evidence alleging that S-21C was another name for Prey Sar, however the Witness could not confirm this. He did say S-21C was under the management of Division 703, however also said he was "confused" about this particular unit.

<sup>12</sup> Suos Thy claimed to be the main list-maker at S-21. However, on several occasions throughout his testimony the Witness was confronted with lists allegedly produced at S-21 and asked whether he had composed them himself. The majority of the time he claimed that the list did not resemble one of his lists, but rather looked as if Meng had written it.

<sup>13</sup> Other witnesses have also spoken about the secrecy surrounding the "special prison" within S-21. During his testimony, Witness LACH Mean, who worked as an interrogator at S-21, also stated that he did not have the authority to go to this area of the compound. For a summary of his testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 52, Hearings on Evidence Week 49 (25-28 April 2016), pp. 3-5.

<sup>14</sup> During his testimony, HIM Huy stated that he had been tasked with bringing prisoners to be registered by SUOS Thy, and that occasionally he had brought biographical information with him to hand over to SUOS Thy, however in court this week SUOS Thy denied this was the procedure for registration. For a summary of HIM Huy's testimony see CASE 002/02 KRT TRIAL MONITOR, Issue 53, Hearings on Evidence Week 50 (2-5 May 2016), pp. 5-8.

<sup>15</sup> This version of the registration process is corroborated by the testimony of Witness NHEM En, who worked as a photographer at S-21. For a summary of his testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 51, Hearings on Evidence Week 48 (18-21 April 2016), pp. 6.

<sup>16</sup> He qualified this by saying that there were rare cases when Ta Hor gave him the names of these important prisoners so that he could add them to his lists

<sup>17</sup> For a summary of the instances of sexual violence recounted by HIM Huy, see CASE 002/02 KRT TRIAL MONITOR, Issue 53, Hearings on Evidence Week 50 (2-5 May 2016), pp. 5-8.

<sup>18</sup> The Witness explained that 'kam' is an abbreviation of *kamtech* meaning "smash" in Khmer. The Prosecution confronted the Witness with information from his earlier Written Record of Interview (WRI) in which he had said Duch would write the letter X three times in order to indicate which prisoners were to be "smashed" however the Witness denied saying this. It was decided that it is possible there was an interpretation error during the taking of the initial WRI.

<sup>19</sup> Taken from monitoring notes. As of writing, the official court transcript is yet to be published.

<sup>20</sup> The testimony of CHUM Mey, HIM Huy, NHEM En and PRAK Khan all identified SUOS Thy as in charge of prisoner registration at S-21.

<sup>21</sup> CHUM Mey (2-TCCP-243) was the first individual to testify on the S-21 Security Center. For a summary of his testimony, see CASE 002/02 KRT TRIAL MONITOR, Issue 51, Hearings on Evidence Week 48 (18-21 April 2016), pp. 2-4.

<sup>22</sup> There is in fact one very brief reference to the existence of a "Ta Kmao Psychiactris Hospital" being used as a detention facility run by Division 703 in paragraph 419 of the Closing Order. Office of the Co-Investigating Judges, "Closing Order" (15 September 2010) D427, p. 109.

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<sup>23</sup> See Footnote 17 of Trial Chamber, “Decision on Additional Severance of Case 002 and Scope of Case 002/02” (4 April 2014) E301/9/1.

<sup>24</sup> The Witness testified to having very limited knowledge of the workings of both Prey Sar and Takhmao, having never worked at either location himself. He denied that prisoners were transferred from the PJ Office to Takhmao, adding that he had never been to Takhmao himself. Suos Thy also did not recall any prisoners who were sent from S-21 to S-21D, which he identified as Prey Sar.

<sup>25</sup> Judge Lavergne pointed out that the list had indeed been translated, although it seemed to have only been completed and uploaded to the court records system on the same day that the Judge used it in his questioning

<sup>26</sup> See Case 002/02 KRT Monitor, Issue 54, Hearings on Evidence Week 51 (23 May 2016) pp.1-2.

<sup>27</sup> Although he did not object to the additional time granted to each side, international co-counsel for Nuon Chea, Victor Koppe, observed that his team had filed a request to recall witness PRAK Khan, and said that: “If you grant this request now I’m sure you will be inclined to be very positive in our request to recall Prak Khan.” The Senior Assistant Prosecutor argued these were two very different circumstances and should not be compared in this way.

<sup>28</sup> Monitors noted mistranslations and simplifications from Khmer to English, including: ‘I was militiaman in Koh Khael commune’ to ‘I was in Koh Khael commune’; ‘battalion 112’ to ‘battalion 12’; ‘deputy chief who was in charge of third 50 men unit’ to ‘deputy chief’; ‘third 50 men unit’ to ‘third platoon’; ‘Meng was a chief of Division 12’ to ‘Meng was part of Division 12’; and ‘I knew through a report of medics who gave to Hor. In a report stated persons whose blood withdrawing were to “be smashed”’ to ‘I only knew through the report of medics’.