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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Ratanak



ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation-Religion-King

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges
Bureau des Co-juges d'instruction
សំណុំរឿងព្រហ្មទណ្ឌ
Criminal Case File /Dossier pénal
លេខ/No: 002/14-08-2006
លេខស៊ើបអង្កេត/Investigation/Instruction
លេខ/No: 002/19-09-2007-ECCC-OCIJ

ឯកសារច្បាប់ត្រឹមត្រូវតាមច្បាប់ដើម
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កំណត់ហេតុនៃការស្តាប់ចម្លើយដើមរបស់ភ្នាក់ងារស៊ីវិល
Written Record of Interview of Civil party
Procès-verbal d'audition de partie civile

On the fifteenth of October, two thousand and nine, at 1030 hours, at Skuh (ស្កុះ) Village, Sangkat Svay Kravan (សង្កាត់ស្វាយក្រវាំង), Chabar Morn (ច្បារម័ន) City, Kampong Speu (កំពង់ស្ពឺ) Province,

I, Paolo PASTORE STOCCHI, Investigator of the Office of the Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia (the "ECCC"), being assigned by the Rogatory Letter of the Co-Investigating Judges, date 18 August 2009,

Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004, (the "ECCC Law");

Noting Rules 23, 25 and 59 of the ECCC Internal Rules;

Noting the ongoing judicial investigation against **NUON Chea and other charged persons** in relation to charges of **Crimes Against Humanity and Grave Breaches of the Geneva Conventions of 12**

Original KH: 00390309-00390319

~~no/n. 0206/16~~

August 1949, offences defined and punishable under Articles 5, 6, 29 (new) and 39 (new) of the ECCC Law;

With Mr. UN Sam An (អ៊ុន សំអន), as sworn Interpreter of the ECCC,

Recorded the statement of the civil party mentioned bellow, who provided the following information regarding his/her personal identity:

Surname & Given Name: SOT Sèm (សុត សែម), alias: no, was born on 20 September 1948 in Prey Tunloap (ព្រៃទន្លាប់) Village, Baek Chan (បែកចាន) Commune, Angk Snuol (អង្គស្នួល) District, Kandal (កណ្តាល) Province. He is of Cambodian nationality and is a staff member in the provincial Department of Fine Arts.

Her father, SOKH Sot (សុខ សុត), is deceased, and her mother, CHHUN Kun (ឈុន គុន), is deceased.

He is married to RUOS Sieng (រស់ សៀង) and is father of eight children: three sons and five daughters.

The person declared that she can read, write and understand the Khmer Language.

The person declared that she cannot read or write any foreign languages.

The written record is written in the Khmer language, at the civil party's choice.

The civil party declared as follows: I agree to be interviewed by you today, in execution of the above-mentioned Rogatory Letter.

The civil party waived the right to the presence of a lawyer in a separate, signed written document, annexed to this written record of interview. The waiver was audio-recorded pursuant to Internal Rule 25.

We advised the civil party that an audio recording will be made of this Interview.

Questions and answers:

Q: How many people were there in your family in early 1975?

A: In 1975, there were five siblings including me. My wife and I lived in a separate house. So, in 1975, I did no longer live with my parents.

Q: What did you do before 1975?

A: I was a LON Nol soldier.

Q: What was your rank?

A: I was a soldier with three stripes (sergeant).

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~~004/0-0946/16~~

Q: Where were you stationed?

A: I was stationed at Saom Kim Dok Headquarters (មូលដ្ឋានសោមគីមដុក) in Chbar Morn District.

Q: What was your role in the army?

A: Actually, I was in the bodyguard unit of Prince Chan Reangsei (ព្រះអង្គម្ចាស់ច័ន្ទរង្សី).

Q: Where were you on 17 April 1975? What happened?

A: That day, I was staying in the Prince's residence named Damnak Trapcang Ropeak (ដំណាក់ត្រពាំងរោក) in Kandal Province. That day, the Khmer Rouge did not yet arrive at that residence. My role was to protect him because the Khmer Rouge had already surrounded that area.

Q: On 17 April, where was your wife? How about your siblings and parents?

A: My wife and I were together. My siblings were living with our parents in Prey Tonloap Village, Baek Chan Commune, Angk Snuol District, Kandal Province.

Q: I have read the summary in your Civil Party Application Form; you mentioned that your family was evacuated from Phnom Penh City. If it is true, why did you say that your siblings were in Kandal Province?

A: That day, my wife and I left that residence, came to Phnom Penh and slept in Sansam Kosal Pagoda (វត្តសន្សំកុសល) for one night.

Q: What happened next day?

A: Next morning, my wife and I left the pagoda to see my uncle at his house which was located north of Tuol Tumpoung Pagoda (វត្តតូលទំពូង). His name is Lvey (លៃយ).

Q: If I am not mistaken, you left the army because you were concerned about your personal safety, weren't you?

A: I left the army because the Prince told us that we were defeated by the Khmer Rouge and he suggested me to look for my parents.

Q: But you did not meet your parents, did you?

A: No.

Q: What did you see in Phnom Penh that day?

A: When I arrived at Daem Kor Market (ផ្សារដើមគិរ), I saw people were shot dead.

Q: Could you clarify this point? Who shot? Who were shot dead?

A: When we arrived there, we were not allowed to go forward by the Khmer Rouge soldiers with their guns pointing at us. I saw those Khmer Rouge soldiers shot a few people dead. Those

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people were likely the house owners who refused leaving their houses. I saw that event personally.

Q: How were those Khmer Rouge soldiers dressed?

A: I saw they were in black dress and cap.

Q: Did you see many people along the streets in Phnom Penh leaving the city?

A: All people must leave the city following the announcement of the Khmer Rouge, who announced that people must leave the city for three days for the concern of the American bombardment. They would clean the city first and in next three days, people could return. For those who had army uniform and weapons, they had to leave those materials in the streets before leaving.

Q: How did the people leave Phnom Penh, on foot or by cart?

A: For those who owned cars, *cyclos* (ស៊ីក្លូ), bikes or motorbikes, they could load their belongings and their children but they were not allowed to drive. They had to walk their vehicles.

Q: Where did you go when leaving Phnom Penh and how?

A: After I saw the even at Daem Kor Market, I decided to return to my uncle's house. But when I arrived there he and his family had left already. I wanted to return to Kampong Speu but the Khmer Rouge forced us to go along the National Route 1 until Neak Loeng (អ្នកលឿង). At night time, I decided to leave the place. When I arrived in Kien Svay (កៀនស្វាយ), I took a boat to Takmao Market (ផ្សារតាកម្មៅ). Later on, I arrived in Ta Nong (តានុង) Village. I travelled with my wife on foot and carried belongings. From Neak Loeng to Ta Nong Village, it took us approximately five days and five nights.

Q: Along the way to Ta Nong Village, did you see any Khmer Rouge soldiers?

A: I saw very few of them along the way.

Q: When you were travelling along the way, were there many people going with you?

A: Yes, there were so many people along the way. Those who lived on the National Route 4 and would like to return to Phnom Penh were prohibited by the Khmer Rouge until a few days later.

Q: When you arrived in Ta Nong Village, how long did you stay there?

A: My wife and I stayed there less than one month. Then, we were sent to Angk Po Pagoda (វត្តអង្គពោធិ៍) in Thmei (ថ្មី) Village, Kreang Ampil (ក្រាំងអំពិល) Commune, Samraong Tong (សំរោងទង) District, Kampong Speu Province. Ta Nong Village and Thmei Villages were in the same commune.

Q: What did you do when you arrived in Ta Nong Village?

A: When we arrived we must build our own house but not yet work in the rice field.

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Q: Did you meet with your relatives there?

A: I met with my older sister-in-law there. Nowadays, she lives next door.

Q: What was the name of the Khmer Rouge cadre who supervised there?

A: Nory (នរ័យ) was the Commune Chief. I did not know others because I was a new people. I only knew Nory because he used to live in my village. But he is deceased at the present time.

Q: What kind of house did you build in Ta Nong Village? How did you get the food?

A: We built a wooden house but when we did not complete our building, we were transferred to another village. We had food that we had brought along with us.

Q: Why were you and other people sent to Ta Nong Village?

A: The night before we were sent away, Nory conducted a meeting and announced that since Ta Nong Village still had a lot of free land, we had to be sent to a new place. Approximately 20 households were sent out of that village.

Q: How did they transfer you out? Were there any protestors?

A: We were transported by carts to the new place. Even though we did not want to go we did not dare to protest. They measured and divided the land for us already. Since it was in jungle, we had to clear it first.

Q: When you arrived in new village, how long did you stay there?

A: I stayed there with my wife for about a few months.

Q: When you arrived, had they built the house for you already? Or you had to build it by yourself?

A: We had to build it by ourselves. The Cooperative Chief there was Kim (គីម).

Q: Is Kim still alive?

A: Yes, he is still alive and lives near Cheal Mountain (ភ្នំជ័រ) in Thlok Ta Sokh (ផ្នែកតាសុខ) Village, Kreang Ampil Commune.

Q: When you arrived there, were you assigned to work in the cooperative?

A: Yes, I had to plant rice in the cooperative with my wife.

Q: Did you have any children at that time?

A: Yes, I had one daughter named SOT Mom (សុត ម៉ុំ), who was less than one year of age. Three of us had to live in the same cooperative.

Q: Did you have sufficient food at that time?

A: The Khmer Rouge gave us food.

Q: How much food did you get?

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A: Three of us got one and a half of cans of rice per day. Each person got only a half of can of rice daily.

Q: Did you get any medicine or medical care when getting sick?

A: No, we got nothing but rice. It was the beginning of the Khmer Rouge regime. So, they did not have anything but rice to give us.

Q: Did any people died of lack of medicine?

A: Yes, many people died of sickness and starvation. One of my older brothers named SOT Son (ស៊ុត ស៊ុន) died of starvation in the cooperative of Thmei Village. He was about 40 years old at that time.

Q: How many hours did you work daily?

A: We had to work from 7 a.m. until 11 a.m. and from 1 p.m. until 5 p.m.

Q: Did you ever attend self-criticism meetings?

A: Yes, we did. But the self-criticism meeting in this cooperative was not as strict as the one conducted in Battambang (បាត់ដំបង).

Q: In the Thmei Village Cooperative, was there any security centre?

A: No, there was not. In the cooperative house, there were three or four militiamen.

Q: Was Kim a good person? What kind of person was he?

A: He was a good-hearted person. He tried to do good with us. Since we were new people, despite the strictness of the order from upper echelon, he tried to tolerate us.

Q: Did you ever know the order to execute the new people?

A: Actually, I never saw the order to execute the new people personally. However, near my village, there existed a village called "Chin Yum Village (ភូមិចិនយ៉ូ)" because the Chinese who were arrested and sent from Phnom Penh to that village and left to live on their ways. Therefore, that village was called "Chin Yum Village" (Village of the crying Chinese).

Q: Were you sent to Battambang after leaving in that cooperative for a few months?

A: A few months later, my family and I were sent to Battambang. We took the train at Prey Totueng Station (ព្រៃត្រែង) with many people. I did not know the exact number of the people on board because all wagons were full of people. We were probably sent there in October. As far as I can recall is that it was the time when the rice started to be ripe. The Khmer Rouge told us that there was a lot of rice for us and we could work in plantation in Battambang.

Q: Therefore, the transfer was well-organized, wasn't it?

A: Yes, it was. Even though, they said that we would be sent to Battambang, our train stopped in Svay Sisophon (ស្វាយស៊ីសុផុន). There, we were divided to work in separate cooperatives.

Q: Were you and your family in the same cooperative?

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A: When we arrived at Chub Market (ផ្សារជប់) we were transported on cart to a cooperative called “Bantoat Boah” (បន្ទាត់បោះ) in Tean Kam (ទានកម្ម) Commune, Preah Netr Preah (ព្រះនេត្រព្រះ) District, Battambang Province. Currently, this district is integrated into Banteay Meanchey (បន្ទាយមានជ័យ) Province.

Q: How long did you stay in Battambang?

A: My wife lived in that cooperative until sometime before the collapse of POL Pot regime. I had to work in various places. One day I was assigned to catch fish far away from the cooperative. At that time, I decided to go and live in one of three working sites, the people of which were accused of betrayal by the Khmer Rouge. In that working site, there was more food than in the cooperative where my wife lived. I stayed in that working site for a few days and then returned to take my wife to live with me.

Q: What was the name of that place?

A: That working site was called Kor Bei Daem (គរឋីដើម) under the supervision of a Khmer Rouge cadre named Ta Loeung (តាលឿង). That working site was small. Later on, I moved to a bigger working site called Tuol Lveang (ទួលល្វាង) under the supervision of Ta Peung (តាលើង).

Q: How long did you stay in Tuol Lveang?

A: More than one month. It was from late 1978.

Q: So, it means that you were in Battambang for approximately 2 years by moving from one place to another, weren't you?

A: Yes, approximately 2 years but I did not have much time to meet with my wife and child.

Q: How was the living condition in Battambang? Did you get sufficient food or medicine? Did any people died of starvation there?

A: Because I used to be a farmer I could do whatever I was assigned for including: collecting palm juice, planting rice, making ploughshare and so on. So, it was not so hard for me. While I was in Bantoat Boah, I saw approximately 70 to 80 people died of starvation daily. We did not have rice but rice dust to eat. When I moved to working site, I had sufficient food, so no one died of starvation. We did not get sufficient medicine beside traditional medicine make from plant. The Social Affairs was responsible for medicine under the supervision of the Cooperative Chief named Thàng (ថង់). However, nowadays, I do not know if he is deceased or still alive. He was a base people.

Q: Within the two-year period, were you ever interrogated?

A: No, never. I had a good relationship with the Khmer Rouge soldiers there because I played Khmer musical instrument for them. When I was transporting rice, some people fled to Thailand.

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~~no/n: 0246/16~~

Q: Were there any security center in Battambang?

A: No. When they wanted to arrest people, they would come to arrest at night.

Q: Were people frequently arrested by the militia?

A: Occasionally.

Q: Why were they arrested?

A: I did not know about the real reason. However, I assumed that because some new people would like to please the base people, so the former had to implicate their peers that they had been LON Nol soldiers so that they would be arrested.

Q: In your Civil Party Application Form, you mentioned that you used to see people from 200 to 300 were shackled. When did this event happen and where?

A: I saw the central army coming to arrest people in the Kor Bei Daem working site at night time in late 1978. Luckily, I could escape.

Q: You also mentioned that you had been tortured. When did this event happen and where?

A: When I left that working site, I tried to go to Sector 3, Kien Sbov (កៀនស្បូវ) Village, Svay Sisophon District. When I arrived there, the Khmer Rouge soldiers saw me and transported me in a boat to Serei Saophoan (ស្រីសោភ័ណ្ណ). When we arrived in Serei Saophoan, we stayed there for one night. Next morning, I was transported in a truck back to Svay Sisophon. On the way, they killed people in three trucks. Later on, other people and I were detained at Ta Yang Mountain (ភ្នំតាយ៉ាង), where I was tortured.

Q: When did it happen?

A: Probably in late 1978.

Q: How long were you detained?

A: I was detained there for three days with food or water. Detainees disappeared one by one because they were taken away and executed under the plan of killing of 40 people per night.

Q: What was the plan?

A: The Khmer Rouge accused us of betrayal. First, I did not know about that plan. But, I just learned about it later on.

Q: How did you learn about that plan?

A: Three days later, I was taken to have water in a pond near by. There, I saw many corpses of the people who died of drinking that water. So, I decided not to drink it and walked further until I saw a hut east of the mountain. In that hut I saw 12 Khmer Rouges, who were talking about the plan to kill 40 people per night.

Q: Did you know them?

A: No, I did not know them but they were young children with scary red eyes. When they first saw me they intended to kill me but among them a boy holding a *Tror* (ត្រូ) [a kind of Khmer

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traditional musical instrument] in his hand and asked me if I could play *Tror*. I said I could and I played it for them. Then, they asked me to cook for them.

Q: In the Khmer Rouge, did you know about the forced marriage?

A: In the cooperative in Battambang Province where I lived, the wedding was conducted for 20 to 30 couples at one time. Later on, some of them did not live as husband and wife. Most of them were from mobile unit.

Q: Did you ever attend self-criticism meeting?

A: Yes, I did. The meeting was conducted almost every night.

Q: After the meeting, were there any people ever punished?

A: Some people disappeared after the meeting. Most of them were criticized during the meeting.

Q: After the collapse of the Khmer Rouge regime, did you return to your home village?

A: Yes, I went to my home village in 1979 but I cannot recall the month. It might have been in harvest season.

Q: Did you meet with your family?

A: When I arrived in the home village, I lived with my parents in Baek Chan Commune.

Q: What did you lose in POL Pot regime?

A: I lost one older brother named SOT Son (ស៊ុត ស៊ុន) and one younger brother named SOT Seun (ស៊ុត ស៊ុន).

Q: How did they die?

A: SOT Seun was killed in Battambang by the Khmer Rouge militia in Rohal (រវាល) Cooperative when the Vietnamese entered.

Q: When you were at the cooperative, did you ever see any Khmer Rouge leaders appeared there?

A: I saw *Ta Mok* (តាម៉ុក) in 1977. I saw him driving an American Jeep in Preah Netr Preah District.

Q: As a civil party, what do you expect from the proceedings of the ECCC?

A: I want to get justice in the proceedings of the Khmer Rouge trial.

The interview ended at 1715 hours on the same date.

The original of the audio-recording was placed under seal in the presence of the civil party and signed by the Investigator(s), the interpreter and the civil party.

A copy of the Written Record was provided to the civil party.

Having read the Written Record, the civil party had no objections and signed it.

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- Having read the Written Record, the civil party refused to sign
- The Written Record was read out by the interpreter; the civil party had no objections and signed it.
- The Written Record was read out by the interpreter; the civil party refused to sign

ដើមបណ្តឹងរដ្ឋប្បវេណី
 Civil Party
 Partie civile

អ្នកបកប្រែ
 Interpreter
 Interprète

អ្នកស៊ើបអង្កេតតាមដីកាចាត់ឱ្យស៊ើបសួរជំនួស
 Investigator(s) acting under Rogatory Letter
 Enquêteur(s) agissant sur commission rogatoire

Thumbprint

Signature

Signature

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