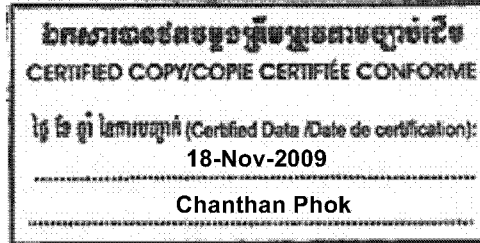


ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ  
Kingdom of Cambodia  
Nation Religion King

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  
Investigation  
លេខ/No: 002/19-09-2007-ECCC-OCIJ

**កំណត់ហេតុនៃការស្តាប់បង្ហើយសាក្សី**  
**Written Record of Interview of Witness**

On the twentieth of October two thousand and nine, at 1126 hours at Thnal Kaeng (ផ្ទះលំកែង) Village or Village 105 (ភូមិ ១០៥), Ph'av (ផ្ការ) Commune, Trapeaeng Prasat (ត្រពាំងប្រាសាទ) District, Oddar Meanchey (ឧត្តរមានជ័យ) Province,

We, SIM Sorya (សឹម សុរិយ៉ា) and THOMAS Grange Morrow, Investigators of the Extraordinary Chambers, having been assigned by the Rogatory Letter of the Co-Investigating Judges dated 24 July 2009,

Noting the Law on the Establishment of the Extraordinary Chambers, dated 27 October 2004,

Noting Rules 24, 28, and 60 of the Internal Rules of the Extraordinary Chambers,

With Mr. HAM Samnang, as sworn interpreter of the Extraordinary Chambers,

Recorded the statements of SAO Sarun (សៅ សារុន), a witness, who provided the following information regarding his identity:

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 1

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

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Original KH: 00398479-00398484

The undersigned **SAO Sarun** (សៅ សារុន), (no) alias, aged 77, was born at Kaoh Mayeul (កោះម៉ាយើល) Village, Peam Chimiet (ពាមជីមៀត) Commune, Kaoh Nheak (កោះញែក) District, Mondulkiri (មណ្ឌលគិរី) Province.

He is of Cambodian nationality and is a soldier. His father Nou (នូ) is “deceased”, and his mother Brâng (ប្រាំង) is “deceased”. His current residence is at Thnal Kaeng (ថ្នល់កែង) Village or Village 105 (ភូមិ ១០៥), Ph'av (ផ្កាវ) Commune, Trapeaeng Prasat (ត្រពាំងប្រាសាទ) District, Oddar Meanchey (ឧត្តរមានជ័យ) Province. He is married to Yun (យ៉ន), “alive,” and is father of six children.

The witness has no criminal record.

- The witness declared that he can read, write, and understand the Khmer language.
  - The witness declared that he cannot read and write the foreign language.
- Therefore, the original of this Written Record is written in the Khmer language.

- We advised the witness that an audio or video recording was being made of this Interview.
- The witness told us that he is not related to either the Charged Persons or to any of the Civil Parties.
- The witness took an oath, in accordance with Rule 24 of the ECCC Internal Rules.
- We notified the witness of his right against self-incrimination, in accordance with Rule 28 of the ECCC Internal Rules.

**Questions (Q) – Answers (A):**

**Q:** When I conducted the first, second, and third interviews with you on the seventeenth of December two thousand and eight here (D125/167, ERN 00251435-00251441), on the thirtieth of June two thousand and nine, and on the twenty-ninth of June two thousand and nine, you told me about the guideline the Central Committee or the Standing Committee of the Khmer Rouge regime made an announcement to amnesty the traitors or the guilty people late 1978 or in September 1978. Would you make an additional clarification on this point?

**A:** I remember that in September 1978 at Borei Keila (ប៉ូរីកើឡា) near the Olympic Stadium, the Central Committee that included all members of the Central Committee namely POL Pot (ប៉ុល ពត), KHIEU Samphan (ខៀវ សំផន), NUON

Chea (ឡន ជា), IENG Thirith (អៀង ធីរិទ្ធ), and IENG Sary (អៀង សារី), as well as the representatives of all provinces and the representatives of all divisions participated in the Great Congress; in total, there were many hundreds of people. In this congress, POL Pot announced that both the military and the base had no longer the rights to arrest or tie anyone; in the province, there was no court; the province had the rights to only question, could not threaten anyone; the province had to conduct the enquiries and send the report of the enquiries to the Centre.

Q: How did you receive the letter of invitation to attend the congress? And from whom did you receive the letter?

A: I received the letter of invitation through the telegram.

Q: Where did that telegram come from?

A: From the Central Committee.

Q: Do you remember who signed that telegram?

A: POL Pot signed it.

Q: Do you remember what was said in that letter of invitation?

A: The telegram was sent one month ahead, that was in August.

Q: Upon receiving the telegram, did you respond [to it]?

A: I responded confirming my receipt of the telegram and said that I would be present on the said date.

Q: In that telegram, was the date clearly stated?

A: It was clearly stated.

Q: On the day that congress was held, was it the special day on which [the congress] was held annually or was it the normal day on which the meeting was held?

A: This congress was held once a year; it was held in September.

Q: How many times did you participate in such congress?

A: I participated only one time at Borei Keila because I had not held any position before.

Q: Would you read this document and explain to me whether the event you mentioned above and [the content of] this document is the same (the amnesty)?

A: I no longer see it; my eyesight is very poor. Would you read it and I listen?

Note: The investigator read this document with Number ERN 00079279-00079282, D 189.1 aloud to the witness to listen from the beginning till the end.

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ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

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Q: What do you understand about the directive I just read? Did you really listen to this same or similar guideline announcement?

A: Yes.

Q: Do you still remember that there was a classification of the enemy types as [said] in that announcement?

A: Yes.

Q: Do you still remember that the cadres who stopped betraying in July 1978 would be amnestied as [said] in this document?

A: Yes.

Q: Did you hear the term “elimination” (កម្ចាត់) of the enemy?

A: I heard of it.

Q: To your knowledge, what was the meaning of this term “elimination”?

A: In the place I controlled, there were no people who committed so [serious] mistakes that they would be eliminated; so, I do not know its meaning; I did not know about other locations.

Q: Did you know about the instruction of implementing this guideline?

A: Yes. The announcement at that congress instructed to frequently have this amnesty guideline [read] at the meetings at every base, unit, and cooperative. As for me, I held an instruction meeting only one time in my region.

Q: Did you hold an instruction document of four pages or [a document] similar to this from the place where the congress was held to your region to disseminate?

A: This similar document that contained similar number of pages and contents that was just read was distributed to me as well as to other participants for dissemination.

Q: Besides POL Pot who read this directive, who else made comments?

A: Besides POL Pot, representatives from the regions rose and spoke about their situation and made the determination to respect and follow this guideline.

Q: The Central Committee besides POL Pot, who else made comments?

A: No one; it was only POL Pot.

Q: In that congress, how did the Central Committee sit?

A: The Central Committee was seated on the high platform next to each other and the provincial representatives were seated facing them at the tables affixed with the labels indicating which province had to be seated at which location.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 4

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

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Q: What did the Central Committee wear?  
 A: They wore white short-sleeve shirts and trousers of mixed colour, but did not wear *kramar* (scarf) around their necks.

Q: At that time, how did you recognize who was whom sitting on the platform?  
 A: I was seated about four to five metres from the platform.

Q: You talked about a number of people that were members of the Central Committee, how did you know them?  
 A: The master of ceremonies called those people to climb up to the platform.

Q: Did you know the name of the master of ceremonies that called the presiding people to come up to the stage?  
 A: I did not know.

Q: In that meeting, did the provincial representatives talk about the arrests they had made before?  
 A: I did not hear the talks.

Q: When you were in Kaoh Nheak, did you ever visit the Phnom Kraol (ភ្នំក្រោល) Security Office?  
 A: I never went there.

Q: To your knowledge when *Ta (grandfather) Laing (តាឡាំង)* held power, to whom did he report?  
 A: He reported only to POL Pot, according to him.

Q: When you controlled Sector 105, was the Phnom Kraol Security Office functional?  
 A: It was functioned as usual, but there was no arrest of this or that person.

Q: During that time, who was the chief of the Phnom Kraol Prison?  
 A: Before it was Sophea (ស៊ីវា) who controlled it; later on, there was nobody; there were only combatants working there.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 5

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

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Q: Did you know *Ta Meang* (តាម៉ាំង)? Did he control the Phnom Kraol Prison after *Ta Lēng* (តាឡេង) had been arrested?

A: During that time, I knew *Ta Meang* who was a soldier of the regiment that defended the entire Kaoh Nheak in the rear battlefields; he did not get involved with the security issue.

One copy of the written statement was provided to this witness.  
End of the interview at 1325 hours on the same day.

The Written Record was read out to the witness; the witness had no objections and signed it.

The Written Record was read out to the witness; the witness refused to sign it.

Witness

Interpreter

Investigators

[Thumbprint]

[Signature]

[Signatures]

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 6

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

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Original KH: 00398479-00398484