

០០២/១៤-០៨-២០០៦/១៩



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

លេខស៊ើបសួរ
Investigation/Instruction
No: 002/19-09-2007-ECCC-OCIJ

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ ពណ៌ស ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation Religion King
DOCUMENT RECEIVED/DOCUMENT REÇU
ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de reception):
..... 16 / 12 / 2009

ម៉ោង (Time/Heure) : 12:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé
du dossier: C.A. Auy

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Interview of Witness
Procès verbal d'interview de témoin

On the twenty-third of November two thousand and nine, at 2:30 p.m. at the Khemara 1
(ខេមរា១) Hotel, Street 515, Group 24, Chrey Kaong (ជ្រៃកោង) Village, Slakaet (ស្លាកែត)
Commune, Battambang City, Battambang Province,

We, LIM Sokuntha (លីម សុគុណ្ណា), Investigator of the Extraordinary Chambers, being
assigned by the Rogatory Letter of the Co-Investigating Judges, dated 8 July 2009,

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

Noting Rules 24, 28 and 60 of the ECCC Internal Rules,

With (none), as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of IENG Phan (អៀង ផាន), a witness, who provided the
following information regarding his personal identity:

Original KH: 00407745-00407752

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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ឯកសារបានចម្លងត្រឹមត្រូវតាមច្បាប់
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
..... 17 / 12 / 2009

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

The undersigned IENG Phan (អៀង ផាន), alias [none], was born on 28 March 1952 at Ang Thnaot (អង្គត្នោត) Village, Ang Ta Saom (អង្គតាសោម) Commune, Tram Kak (ត្រាំកក់) District, Takeo Province. He is of Khmer nationality and is the Deputy Commander of Military Region 5. His father IENG Phau (អៀង ផូ) is deceased, and his mother UONG Mitt (ឃ្លឹង មិត្ត) is deceased. His current residence is at Beng (បេង) Village, Anlung Vil (អង្គវិល) Commune, Sangkac (សង្កែ) District, Battambang Province. He is married to TUNG Orn (ទង់ អ៊ិន), living, and is the father of five children.

- [X The witness has no criminal record.]
 - X The witness declared that he can read, write, and understand the Khmer language.
 - X The witness declared that he cannot read or write any foreign languages.
- Therefore, the original of this Written Record is written in the Khmer language.

- X We advised the witness that an audio or video recording was being made of this Interview.
- X The witness told us that he is not related to either the Charged Persons or to any of the Civil Parties.
- X The witness took an oath, in accordance with Rule 24 of the ECCC Internal Rules.
- X We notified the witness of his right against self-incrimination, in accordance with Rule 28 of the ECCC Internal Rules.
- [We provided the witness with a letter of assurance, in accordance with Rule 28(3)(b) of the ECCC Internal Rules.]

Question - Answer:

- Q: Please describe your background prior to 17 April 1975.
- A.1: I remember that when I was 17 years old I was studying at Samdech Au School in Ang Ta Saom. On 18 March 1970, LON Nol launched a coup to overthrow Samdech Norodom Sihanouk. Then the people of Ang Ta Saom demonstrated to demand that Samdech Au return to power, and some demonstrators were shot and killed by LON Nol soldiers. This caused turmoil and confusion, and then the school shut its doors. I heard Samdech Sihanouk’s announcement on the radio from Beijing calling for the people to join the Marquis in the forest to resist. I quit my studies and first joined the army on 28 July 1970 at Ang Ta Saom where worked in the militia under the supervision of Ta Un (ត៊ុន). About a month and a half later, I joined the district military forces under the supervision of District Com. Ta Nhēv (ញ៉ែវ) (deceased). At that time Ta Nhēv was the District 105 Com.

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

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of Takeo Province. I was in the district military forces until 28 July 1971. I was a combatant at the provincial military level under the supervision of Saom (សោម) (deceased), the Sector 13 Com. My company commander was Sien (សៀន) (deceased). On 23 March 1972, I became the commander of a platoon of Company 14, still under the supervision of Sien. My platoon was a special unit under the supervision of Sector 13. In December 1974, I was chairman of Battalion 204, subordinate to Brigade 2 stationed in the Southwest Zone. During October 1976, I became chairman of Regiment 12, still subordinate to Brigade 2.

Q: Where were you on 17 April 1975, and what events did you see?
A.2: I participated in the attack on Phnom Penh from the direction of National Highway 3 and National Highway 4 up until 17 April 1975 when I was deployed at Kantouk (កន្ទោក) near Pochentong Airport. I saw many people carrying their personal belongings on shoulder poles and on their heads, and some were travelling by vehicle along National Highways 3 and 4.

Q: You stated that you participated in the attack on Phnom Penh on 17 April 1975. Were there advance plans or meetings regarding the attack on Phnom Penh? Who ordered the attack, and after the attack, what did they have the troops tell the civilian populace?

A.3: SÂM Bît (សំ ប៊ីតិ), the commander of Brigade 2 of the Southwest Zone, attended a meeting with upper-echelon, but I don't know exactly who upper-echelon was. I just know that it was probably Ta Mok, the commander of the Southwest Zone. At that time, the Zone commander always called his brigade/division commanders to meetings, and then the brigade/division commanders disseminated information about the meetings on down to regimental and battalion levels. I attended meetings with SÂM Bît when he said that the entire Southwest Zone army was to just attack the Pochentong Airport and then evacuate the civilian population from the city with the goal of assessing to see who were LON Nol soldiers.

Q: Please describe the military structure of the Southwest Zone after victory day, 17 April 1975.

A.4: I cannot remember that structure clearly, but probably there were just two brigades [កងពលតូច], Brigade 2 commanded by SÂM Bît and Brigade 3 commanded by MEAS Muth (ម៉ាស មុត), who was later transferred to another position and was replaced as commander by Sēng (សេង) (died in 1997), the older brother of Rèn (រ៉ែន). I was commander of Special Battalion 203, under Brigade 2. Brigade 2 had four regiments. Regiment 11 was commanded by Rèn, Ta Mok's

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

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son in law (died of illness at Anlong Veang during the 1980s). Rèn's wife, who uses the alias A-Krou (អាក្រូ), is now living at Anlong Veang (អន្លង់វែង). Regiment 12 was commanded by Prāk (ប្រាក់) (deceased). Regiment 13 was commanded by Mēng (ម៉ែង), and Regiment 14 was commanded by Soeun (សៀន) (disappeared). Between late 1976 and early 1977, the Southwest Zone set up a structure of four brigades directly subordinate to the Southwest Zone. They included: Brigade 210 commanded by Phea (ផា) (deceased); Brigade 230 commanded by Yoeun (យ៉ៀន) (deceased) from Kampot; Brigade 250, whose commander I cannot remember; and Brigade 270 commanded by Mân (ម៉ែន) (deceased). All the brigades had their own special units, which were regular/main forces [ទ័ពស្រួច]. At that time I was commander of Regiment 12, subordinate to Brigade 210.

Q: Document ERN 00194462 states that the Southwest Zone military forces participated in operations to sweep clean [បោសសម្អាត] cadres in the East Zone between 1977 and 1978. Please clearly clarify these events according to your knowledge.

A.5: In late 1977, Rèn, the son in law of Ta Mok, called me and all the division/brigade [កងពល] commanders of the Southwest Zone to a meeting at Ta Mok's house in Takeo City. At that time Ta Mok presided over the meeting, and SÂM Bít was also present. No regimental-echelon commanders attended the meeting. During that meeting, Ta Mok spoke about: first, preparing forces to be sent to the East Zone to counter the Vietnamese who were invading Cambodia, and second, preparing additional forces to be inserted to fill-out the former forces that had been previously been pulled-out and sent to the East Zone. I did not know about that previous plan to pull-out forces, because I did not attend the meeting. In 1977 I learned through hearsay about a purge of East Zone cadres. When I arrived in Svay Rieng Province in mid 1978, there was reorganization with the forces divided into five brigades. Brigade 460 was commanded by Phân (ផែន) (deceased). Brigade 340 was commanded by Thi (ធី) (deceased). Brigade 703 was commanded by Dy (ឌី) (deceased) with Sung (ស៊ីង) (deceased) as deputy. Intervention Brigade 221 was commanded by me, and Mr. SOKH Chhean (សុខឌី)

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ណាន) was deputy commander. Brigade 805 was commanded by Phn (ជន) (deceased). All five of these brigades made up a Central Division supervised by Rn. When I reached Svay Rieng City the first time in mid 1978, I did not see a single person living there, just the Khmer Rouge soldiers who were deployed there. Therefore, I did not know about the purge of those East Zone cadres. I got to know Mr. SOKH Chhean, my deputy, for the first time when they sent me to Svay Rieng.

Q: Witnesses have spoken about the sweeping clean of the East Zone cadres around late 1977. In your position as commander of Regiment 12 of the Southwest Zone, why were you not assigned to participate in those sweeping clean operations?

A.6: In 1977 at the Cambodian-Vietnamese border in Takeo Province and in Kampot Province there were disputes with Vietnam. Therefore, my troops were stationed on the Southwest Zone battlefield, at Preaek Chik Vinh (ព្រែកជីកវិញ); they were in Takeo Province. At that time I was wounded in left hand during combat with Vietnamese troops at Preak Chik Vinh.

Q: The same ERN document mentions the capture of Vietnamese soldiers in Svay Rieng Province and their transport by truck to Phnom Penh during the fighting between Khmer Rouge and Vietnamese soldiers. Please state what you know about this.

A.7: I was commander of Intervention Brigade 221 in direct combat with the Vietnamese troops that were invading Cambodia. Many of my soldiers were killed and were captured by the Vietnamese at that time, but we never captured a single Vietnamese soldier. As for whether the other brigades/divisions did or did not capture Vietnamese soldiers, I don't know. As far as I know, no Vietnamese soldiers were captured.

Q: In your position as a Khmer Rouge military brigade commander, did you ever attend meetings with any of the Khmer Rouge leadership?

A.8: I attended meetings with SON Sen in Svay Rieng Province many times, especially at Kraol Kou (ក្រោលកៅ) when I was sent to Svay Rieng Province. That was the first time I got to know SON Sen. During those meetings SON Sen spoke about military duties surrounding border defense tactics to counter the Vietnamese soldiers. In late 1981, I attended a meeting with POL Pot for the first time at Samlaut (សំឡូត) on the Cambodian-Thai border. I never attended meetings or knew any other leadership-level Khmer Rouge, but I heard that POL Pot was Party Secretary, NUON Chea was Deputy Secretary, KHIEU Samphan was Head of State, and IENG Sary was responsible for Foreign Affairs and after the collapse of the Khmer Rouge regime, he was responsible for economics and finance. Aside from that, I never heard the names of any more of the leaders.

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Q: Did you attend meetings in Phnom Penh with any of the Khmer Rouge leadership before they sent you to fight the Vietnamese in Svay Rieng Province?

A.9: I never attended meetings in Phnom Penh, but I did visit Phnom Penh after 17 April 1975.

Q: Please describe in detail the supervisory and leadership structure of Sector 13, Tram Kak District, Takeo Province.

A.10: Saom (ស្រែវ) (deceased) was Sector 13 Secretary. Tram Kak District was called District 105, and the District Com. was Nhēv (ញ៉ែវ). I do not know where Saom and Nhēv came from; I just know that they had been members of the resistance during the pre-1970 era. I do not know clearly the civilian leadership structure, because I was in the military. In general, in the hierarchy at that time, Sector-level was appointed by the Zone, and District-level was appointed by the Sector. I do not know clearly about the administrative government of Sector 13, because my responsibility was military.

Q: In your position as a brigade commander, how did you communicate with upper-echelon about the work?

A.11: My military communications were by telegrams which were transmitted by a 15 watt machine in secret code numbers and then were decoded into letters of the alphabet. The machine could be used with communications radios as well. I routinely used telegrams like this and always sent them to Rèn. My telegrams did not pass through any another leadership level, but I do not know who Rèn sent telegrams to or what levels they passed through. I received telegrams many times directly from SON Sen. They were about military plans, but those telegrams never passed through any leadership level. After I received the telegrams, I called my subordinates to set out plans to follow the orders of Rèn.

Q: While you were based in Svay Rieng, did Rèn ever hold meetings to tell you about any plans for treason by people in the East Zone?

A.12: Rèn made announcements during meetings about treason by East Zone cadres, saying that this person had been arrested or that person was sent to upper-echelon, and others had fled to Vietnam. At that time, there were no more East Zone cadres, so the meetings primarily focused on strategy to counter and fight Vietnam. I knew that Rèn frequently went up to meetings in Phnom Penh, since he wrote documents telling me that he was going up to Phnom Penh for meetings and requesting that those at the base area master the battlefield with vigilance. Going to Phnom Penh for meetings certainly meant meetings with POL Pot and SON Sen. The most senior persons in regard to military planning were POL Pot and SON Sen.

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Q: How did Rèn disseminate information from those meetings to brigade/division level after he returned from Phnom Penh? Did he talk about who had attended those meetings?

A.13: After returning from Phnom Penh, Rèn always called all brigade/division commanders to meetings to tell them what he had participated in while he was in Phnom Penh and to tell those who attended the meetings that the upper-echelon attendees were just POL Pot and SON Sen because they were both responsible for the military. As for the content of the meetings, he spoke only about military strategy and planning focused on countering and fighting Vietnam.

Q: What do you know about screening [ការសម្រិតសម្រាំង] and sweeping clean within the Khmer Rouge army framework?

A.14: During the Khmer Rouge era, in general there was screening within the army framework. That is, if they discovered that someone one had inclinations toward former high-ranking LON Nol soldiers, that person would be removed from their position or sent to another location like an agricultural worksite to raise chickens, raise pigs, break rocks, plant cotton, etc. They were not allowed to work again inside the Khmer Rouge military framework. I never saw any killings of people discovered to have those inclinations.

Q: According to Democratic Kampuchea documents, there were three large-scale evacuations. The first was in April 1975. The second was in mid 1975 until 1978. The third was in May 1978. In your position as a military commander, did you know about these evacuation plans?

A.15: I heard Rèn personally talk about all those evacuation plans, and in general even the ordinary Khmer Rouge combatants knew or heard about those plans. I personally saw them evacuating those people, but as to the third evacuation in mid 1978, I did not personally see that. I do not know who organized those evacuation plans or who may have attended the meetings.

Q: Do you have anything to add or any type of requests for the ECCC?

A.16: I have nothing to add, and I only request that the Court try the Khmer Rouge high-level leadership.

X One copy of the Written Record was provided to the witness.

X The Written Record was read out to the witness; the witness had no objections and signed it. [Signature/Thumbprint]

After the Written Record was read out to the witness, the witness refused to sign it.

The interview was completed at 5:50 p.m. on the same day.

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អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 7

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

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Witness

Interpreter

Investigators

[Thumbprint]
[Signature]
IENG Phan

[Signature]

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អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 8

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