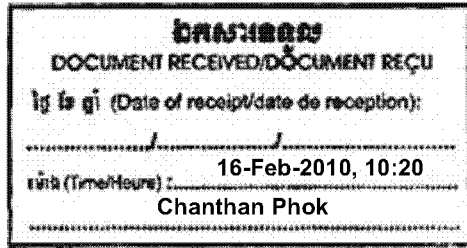




អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

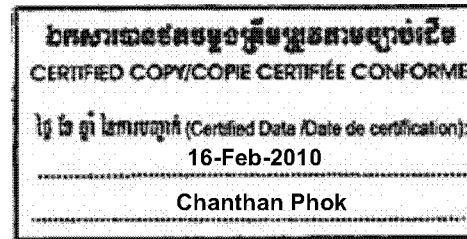
ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation-Religion-King



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

កំណត់ហេតុនៃការស្តាប់ចម្លើយដើមបណ្តឹងរដ្ឋប្បវេណី
Written Record of Interview of Civil Party
Procès-verbal d’audition de partie civile

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



On the twelfth day of December, in the year of two thousand and nine, at 0840 hours at Kôk Khmông គោកក្បែង Village, Roneam រន្ទាម Commune, Treang ត្រាំង District, Takeo Province.

We, Philip CAINE, 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, dated 11 December 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**

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

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

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Original KH : 00418482 - 00418489

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

With Ham Samnang (ហាម សំណាង), 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:

Name: YUOS Phal (យួស ផល), alias/revolutionary name Phin (ភីន), born on 28 October 1955 in Kôk Nhor (គោកញ័រ) village, Prey Sloek (ព្រៃស្លឹក) commune, Treang (ទ្រាំង) District, Takeo Province. He is of Cambodian nationality and he is a teacher at Sok An Prek Sandèk High School (វិទ្យាល័យ សុខ អាន ព្រែកសណែក). He is teaching mathematics at grade 7. His father, YUOS Suong (យួស ស្ងួង) is deceased and his mother, Khun Sâ (ឃុន សំន), is alive.

Present Address: Kôk Khmông (គោកឃ្មោង) Village, Roneam (រនាម) Commune, Treang (ទ្រាំង) District, Takeo Province. He is married to Sèt Sopheap (សែត សុភាព), alive, and is mother of 8 children.

The person declared that he/she can read, write and understand the Khmer language.
 The person declared that he/she cannot read or write any foreign languages.
Therefore, the original copy of this written record is written in the Khmer language.

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.

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

The interview started at 0830 hours.

Questions and Answers:

Q: Investigators

A: Civil party

Q: What did you do after you finished school?

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A1: In Lon Nol’s regime, I attended school and after that I became a policeman. I stayed at Wat Chen Dâm Dèk (វត្តចិនដំដេក), near Chrôy Chàngva (ជ្រោយចង្វារ) bridge.

Q: What happened on the liberation day of Phnom Penh?

A2: On the liberation day, 17 April 1975, I stayed at Stoeng Kâmbot Dam (ទំនប់ស្ទឹងកំបុត), north of Phnom Penh. Khmer Rouge sprayed bullets onto the dam. The fighting at that time was very intensive. I started throwing my belongings and rolled myself by the dam and ran off to get a taxi to Phnom Penh. When I arrived in Phnom Penh, Khmer Rouge defeated my unit. We then regrouped together at Stoeng Kâmbot Base. After that, we I was transported to Khan Serei Rât (ខ័ណ្ឌសេរីរដ្ឋ) at kilometre No. 7 (គីឡូម៉ែត្រលេខ ៧), north of Phnom Penh where we confronted with Khmer Rouge. We stayed there for one night while the fighting was more and more intensive. One colonel told me not to run away but later on, I ran off.

On 17 April at about 8:30 in the morning, I was at Chaktomuk Theatre (សាលាមហោស្រពចតុមុខ). One of my police chiefs lined up us and there were shootings into that place. My commander drove off on a motorbike and we then run away too. When I left my base, I met one Khmer Rouge soldier who told me to take off my military boot and helmet. I walked on my bare feet to Pèt Chen/Chinese Hospital (ពេទ្យចិន) and continued to Chrôy Chàngva bridge. One young Khmer Rouge soldier pointed gun at me and asked me if I had a pistol. I replied that I did not have a pistol. So, the young Khmer Rouge soldier let me go. Khmer Rouge soldiers who wore civilian clothes were holding AK riffles and short guns. They ordered us to line up and searched on our bodies. Khmer Rouge ordered people to leave their houses. I walked to the west of Phsa Thmei (ផ្សារថ្មី) and I saw brigadier general Chhim Chhuon (ឈឹម ឈួន), a younger brother of Lon Nol. At that time, he was escorted to the Ministry of Information. Khmer Rouge confiscated many military tanks and deployed them around Phreasakmony Chèdei (a Buddhist stupa where the remains are kept). I saw many journalists at Phnom Penh Hotel where a slogan was written as “Neutral Zone”. After that I went to Wat Chen Dâm Dèk. There, I saw a GMC truck driver died. Monks in the Wat (pagoda) told me that the truck driver was shot dead by Khmer Rouge soldiers. I turned on radio and I heard an announcement on radio that they were commanders from the Southwest, Northern and Eastern Zones. I heard General Mei Sichân (មី ស៊ីចន) spoke on radio. He said, “We meet together and negotiate. Do not shoot at each other.” I heard commanders like Ta Mok, Sao Phim talked on radio. At 0300 hours on the same day, I saw people departed from all directions along the riverside, from Chrôy Chàngva bridge to Kilometre number 6. Along the way, I saw many dead bodies. Khmer Rouge told me to leave for three days. So, I headed to Prêk Kdam (ព្រែកក្តាម) Ferry Ports. I took the ferry and later arrived at district Office of Phăo, near Phăo market. There, Khmer Rouge officials were screening officials of Lon Nol’s regime from the ranks of second lieutenant, first lieutenant, captain, major and colonel and told them that they would be sent for education. I stayed 2 or 3

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nights in a pagoda where everyone has to report about their biography. Khmer Rouge asked me about my occupation. I lied to them that I was a reserve government agent/(staff), but Khmer Rouge wrote that I was a private. After that I was transferred to Trápěang Snao (ត្រពាំងស្នោ) in Kampong Cham (កំពង់ចាម) province. I stayed there for a fortnight. I stayed with a man named LONG Sinuon (ឡុង ស៊ីនួន). Long Sinuon told me to throw away that card/letter because it was written with a red pen. I helped farmers in plowing rice-fields. Later on, I left Kampong Cham to meet my parents in Takeo (តាកែវ) province. Long Sinuon helped me in asking for a letter of authorization for travelling. I spent one month travelling and then arrived at Lâ Ach Sva (ឡូអាចស៊ីស្វា) in Kamopt (កំពត) province. Here, I could not find my parents, but great aunt, Yân (យ៉ន), told me that my elder cousin named Nat (ណាត) was killed. Later, I went to Ta Moan (តាម៉ាន់) office in Angkor Chey (អង្គរជ័យ) district where I met my siblings and my parents.

Q: How long did you stayed at Angkor Chey?

A3: I stayed there about a half month with my parents who lived nearby Ta Moan office. I saw them sent people to Ta Moan office everyday. Those people were women holding children on their waists, carrying the hands of their children. And those women had white skin (white complexion) and men had fat bellies whom I could presume that they were rich or government officials. I think those people had been executed because I did not see them coming back. Khmer Rouge spied on me. They concealed under my bed and hid near banana trees. Thus, my parents brought me back to Lâ Ach Sva because there, I could conceal my background. Khmer Rouge ordered me and my father to farm. In late 1975, my family was transferred to stay at Trápěang Tum (ត្រពាំងធំ) village, Roneam commune, but later on I was separated from my family to join the commune mobile unit (កងចល័តឃុំ). We were ordered to cut down and clear woodland for planting. There was not enough food to eat so I was skinny. After that I got malaria so I was sent to the commune hospital. Here, there were no proper medicines. There were only medicines made in the country, made of cassava. They used coconut juice for injection and medical staff did not equip with any skill. They only knew how to pump the solution out of ampoule. People slept around me died.

Q: How long were you with the mobile unit?

A4: I stayed with the mobile unit for there (3) years. The commune mobile unit chief named Vung (វង្ស) and the district unit chief named Put (ពុត). I heard that they both were from Nearay (នារាយណ៍) village of Kampot province. There were about hundred (100) people in the commune mobile unit. The unit moved its worksite within the district by digging cannels, building up dams, planting rice and clearing weed. We worked from 6:00 AM to 6:00 PM and then continued working after dinner until 10:00 PM. Everyone was skinny. We were given little

food to eat. We were given food two times a day, lunch and dinner. They gave us rice and water-lily soup. We were sometimes given beef to eat. Some young men from other youth units choked up their throats with beef as they had not eaten beef before this time. In 1977, the Khmer Rouge closely spied on me because it was reported that I used to be a second lieutenant. They confiscated a blanket from me in winter. They purged people in the unit. After that they relocated me to another separate unit where there were former soldiers and police there. I was told that my name was already at Cheung Chab (ជើងចាប) Security Centre.

Q: What happened after that?

A5: I was transferred to a special unit where there were former police and soldiers. Everyone in this special unit was respectively interrogated two to three times on their biography and they (KR) recorded such information. Every time of questioning, I always said I was a student. One day, they told people in the unit that they had to clear forest, weed and to plant maize. The unit chief called out 10 people each time until there were only me, cook(s) and the unit chief himself remaining. Later on, a group chief told me that those who had been called out were all smashed. I believe that I have survived just because every time they questioned me, I told them that I was a student. Later, they transferred to another unit to build up dams and to dig canals at Anlung Pô (អន្លង់ពោធិ៍) village, Sambuo (សំបួរ) commune, Treang district. I remember there was a young man in the unit named Lavou (ឡាវូ) whose hands were tied up to the back and walked away into forest by two militiamen. When walking Lavou away, the unit chief shouted “smash the thief”. I did not see Lavou returned.

The interviewed paused at 1230 hours on the same day.

The interview resumed at 1315 hours on the same day.

Q: We want to ask you about your marriage.

A6: I married in late 1978. Unit chief named Ri (រី), male, asked me if I had been engaged to someone. Before, Ri lived at Trâpěang Sala (ត្រពាំងសាលា) village, but I do not know where he lives now. I already fell in love with a woman. I told Ri that I had a fiancée. Ri asked me if my fiancée had any relatives or siblings smashed by Angkar. I told Ri that a brother of my fiancée was soldier and already smashed by Angkar. Ri told me that I could not marry her. Ri told me that if I were a child of Angkar, Angkar thus will select a woman and marry off. I told Ri that I was the son of Angkar, because if I refused, I would be smashed by Angkar. One day, I was called to a meeting organized by the district youth chief named Put (ពុត). At the meeting, there were 50 men and 50 women. Put said in the meeting, “You have to marry a woman even though she is not beautiful. Otherwise, you will be smashed as those in Sector 33.” At the meeting, men lined up in one row and women lined up in one row next to one another. They married 10 couples per time and each couple had to commit to one another. After each pair devoted themselves, they left the meeting. I knew that I had to marry a woman standing in a

row next to me. I had never seen her before. I was really sorry because I already fell in love with one girl. To my observation, a handsome man had to marry to a woman who is not pretty while a pretty woman had to marry to unhandsome man, an educated man had to marry to an uneducated woman and an educated woman had to marry to an illiterate man. I do not know where this was the Khmer Rouge policy or not. I did not know about their policy. When it was my turn, I vowed very short. I declared, “I will follow Angkar for ever because Angkar organized my marriage.” After that I returned to my house and she went to hers. My wife’s name is SOK Khat (សុខ ខាត់). Presently, she is living at Kôk Nhor village, Prey Sloek commune, Treang District, Takeo Province. The next day, they told me to build a cottage for me and my wife to stay in. They gave me one day to build the cottage. Women brigade’s chief named Pêt (ប៉ែត) brought her to me, saying, “This is your wife, take her.” We lived together in the cottage. Those who stayed near us spied on us in order to know if we made love or not. We were very tired so, I slept with (made love to) my wife just for sometimes. I told my wife that if anyone asked us, we had to tell them that we had sex together. Otherwise, Angkar would ‘smash’ us. During that time, we stayed together like brother and sister. To my understanding, my wife was happy with the marriage, but I was disappointed because I did not marry to the one I loved. We did not have any children after the marriage. After 1979, we had 7 children. In 1990, my wife fell sick and consequently, I separated from her. After that, I remarried a new wife. Not all people were forced to marry in that regime. Some couples could select someone they loved. These people were the ones whose relative were smashed by Angkar meaning that new people could marry to the new people and based people married to the based people.

Q: Do you have anything to add?

A7: In 1978, my father was hospitalized at district hospital located in Chēs (ច្រែង) pagoda. At that time, district medical staff injected water to my father so, he convulsed and then died. That was the policy of Khmer Rouge in which they said, “To keep you is no gain, to lose you is no lose”. Thus, old aged people, who were chronically ill and who were difficult cure, had to be killed by the injection. I was very disappointed that I could not continue my education and lost a number of relatives. I am also very sorry that I lost my land, farm, trees and animals which were the heritage of my parents.

The interview ended at 1520 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.

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

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ដើមបណ្តឹងរដ្ឋប្បវេណី

Civil Party
Partie civile

YUOS Phal

អ្នកបកប្រែ

Interpreter
Interprète

អ្នកស៊ើបអង្កេតតាមដីកាចាត់ឱ្យស៊ើបសួរជំនួស

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

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