

~~លេខ/No. D40/8~~



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

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

National Royal Palace

DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de réception):

.....10 / 09 / 2008.....

ម៉ោង (Time/Heure):..... 09 : 40.....

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé

du dossier:SANN RADA.....

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី

Written Record of Interview of Witness

The year two thousand seven, the month of November, the 19th day, at 2:00 hours at Watt Chum Kreal វត្ត ជុំគ្រាល.

I, SVAY Samnang ស្វាយ សំណាង, Investigator of the Extraordinary Chambers, having been assigned by Rogatory Letter of the Co-Investigating Judges, dated 9 November 2007,

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

Having seen Rules 24, 28, and 60 of the Internal Rules of the Extraordinary Chambers

Have recorded the statements of Head Monk **EM Phoeung ឈម ភឿង**, a witness, who provided the following information regarding his personal identity:

Last name: **EM ឈម**

First name: **Phoeung ភឿង**

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សម្រេចលេខ៧១

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

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ឯកសារទទួលបានបច្ច័យត្រឹមត្រូវតាមច្បាប់ដើម
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
10 / 09 / 2008
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier:SANN RADA.....

~~1032/No.D40/8~~

Alias: None.

Born on 5 January 1932 at Dâmnăk Châmbăk ដំណាក់ចំបក់ Village, Samraong សំរោង Subdistrict, Banteay Meas បន្ទាយមាន់ District, Kampot កំពត Province.

Nationality: Cambodian

Occupation: Head monk of the province [មេគុណ] and head monk of Chum Kreal pagoda.

Father's name: ÈM Lieng អែម លៀង (deceased)

Mother's name: MĪN Nēng មិន ណេង (deceased)

Present residence at Chum Kreal ជុំគ្រាល Village, Chum Kreal ជុំគ្រាល Subdistrict, Kampot កំពត District, Kampot កំពត Province.

Wife's name: None

Children: None

Previous crimes: None

- This person declared that he/she could read, write, and understand the Khmer language.
- This person declared that he/she could read and write a little English and French. Therefore, the original of this Written Record is written in the Khmer language.
- We advised this person that the taking of this statement is being audio or video recorded.
- This person told us that he/she had no relationship with the Charged Persons and Civil Parties.
- This person took an oath in accordance with the provisions of Rule 24 of the Internal Rules of the Extraordinary Chambers.
- We notified this person of the right against self-incrimination, in accordance with the provisions of Rule 28 of the Internal Rules of the Extraordinary Chambers.

Question-Answer:

SS: Prior to 1975 where were you, and what were you doing?

EP: I was in Phnom Penh, residing as a monk at Watt Sâmpeou Meas វត្ត សំពៅមាន់.

SS: On 17 April 1975, where were you?

EP: In Phnom Penh at Watt Sâmpeou Meas.

SS: After 17 April 1975, where were you?

EP: When Phnom Penh fell, the Khmer Rouge entered at 10 o'clock at night. They had us leave the pagoda, meaning leave Phnom Penh, at once.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 2

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

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SS: What did they tell you when they had you leave?

EP: They came to tell us. They said, " Now Angkar is having you leave, Angkar is not letting you stay." When they came to tell us, they said to leave for just a week, so there was no need to take much along.

SS: Who were they?

EP: They were Khmer Rouge soldiers, all youngsters, shouldering weapons which drug the ground.

SS: The Khmer Rouge soldiers who came to tell you, how many were there? Many?

EP: Not many, about two or three, but they were well-armed. They pointed their weapons while they told us.

SS: So the monks residing at Watt Sâmpeou Meas were all told the same thing?

EP: At the time I did not know, because they forbid us from contacting one another.

SS: Do you know how many monks were in residence at that pagoda?

EP: I don't know the actual number, but I know that there were many, because there were many monks who had fled from the provinces residing there too.

SS: Where did you go next?

EP: Let me tell you that I wanted to go to Battambang Province, but at the time they divided us up, everyone from Achar Sva អាចារ្យស្វា Street all the way to the street behind Phsar Thmei had to go along the road to Pochentong. They pointed out the direction for us. They said whatever road Angkar told us to follow, we had to follow that road.

SS: While leaving, were there many monks?

EP: Many, and the Khmer Rouge soldiers escorted us pointing the way to avoid having us evade off in a different direction.

SS: How were you travelling?

EP: We were all walking, and there were many people along the roads, monks too, we walked all night. We walked until daybreak without rest. Then I stayed at Watt Chong Thnâl វត្ត ចុងថ្នល់. I found a boy to take me on the back of his bicycle to look for my monks' residences, and when I got there they would not let me enter.

SS: Where was it that they would not let you enter?

EP: East of the pagoda; they would not let me enter. I went from the South and the West, and they also did not let me enter. When I asked to enter, they said, "Where are you going, Venerable One?" I said that I was going look for the monks' residences, and they said there were no such residences any more, to go where Angkar said to go, to follow Angkar.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 3

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

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SS: What did they have you do next?

EP: After I stayed at Watt Chong Thnâl for one week, they chased me away again. That time they said that the Americans were going to bomb there.

SS: Where did they have you go next?

EP: Next I walked along the road to Pochentong to National Highway 3, and stayed for a little while. It was one month before I reached Watt Âng Rokar វត្ត អង្គរកែវ.

SS: Where is Watt Âng Rokar?

EP: Watt Âng Rokar is in Cheang Tông ជាងទង Subdistrict, Tram Kâk ត្រាំកក District, Takeo Province.

SS: What food did you have along the way?

EP: Let me explain that while on the way, the believers who stayed in the monks' residences with me, they offered me food.

SS: When you first reached Watt Âng Rokar, what did they have you do in the pagoda?

EP: Let me tell you that at Watt Âng Rokar, the Khmer Rouge had gathered up all the monks from Takeo Province into that pagoda. Next they had all of those monks go to plant potatoes while still in their monk's robes. Then they told us that no one would serve anyone else anymore; everyone had to work.

SS: What were the work hours before they let you eat at midday?

EP: They had us work from 6:30 until 11, and at noon we rested to eat. At 1 o'clock we went back to work until 5 in the afternoon. Then the monks were divided into one team to do labor and some other monks for being cooks. The monks in the cooking section did everything, but they were helped and supported by the base people with meat, salt, and fermented fish.

SS: Had the monks remained as monks throughout that era?

EP: Later Angkar set the direction by calling a planning meeting, telling everyone to disrobe and giving each of us a pair of trousers, a shirt, a scarf, a pair of tire sandals, meaning all those clothes were black, and had us disrobe ourselves.

SS: Where did they have you go next, after they had you leave the monkhood?

EP: After leaving the monkhood, they had me go build a canal. Then I met Nop Nèm ណុប ណែម and his wife Kim Nauva គីម ណូវ៉ា and we worked together. Later the husband and wife and their daughter were requested and taken away [ស្នើយកទៅ] by Angkar and disappeared. Then we met together and were afraid, having seen that. I

returned to my place of birth, to Touk Meas ទូកមាស, that is at Dâmnâk Châmbâk ដំណាក់ចំបក់, Samraong Subdistrict, Banteay Meas District, Kampot Province. When I reached my place of birth, one of my teachers was residing at Watt Dâmnâk Trayeung, still in residence and not yet having left the monkhood. The other monks had all already left the monkhood. This monk was named Sây សាយ, the head monk of Watt Dâmnâk Trayeung. When I learned that he had not yet left the monkhood, I went to visit with him, and I told him about the matters he wanted to know about. He asked what Angkar said during meetings. I told him that they called meetings very frequently, and that insulted us saying that for many thousand years the monks had been tapeworms, leeches, with crazy people on top and stupid ones at the bottom. I told him that [he] could not stay anymore and he replied, "I will not leave! I cannot follow these insane people who have no religion."

SS: Then what happened to the head monk of Watt Dâmnâk Trayeung?

EP: Then he went to Kampot in his horse cart.

SS: Did you get any news about him after that?

EP: After about four days they called a meeting, and they brought up the offenses of the monk who had fled from the pagoda. They said he was evil, that whatever they requested [from him] he refused, he would rather burn it. Now where could he run? He had been captured already. He has disappeared up until today. I have only heard rumors that they had killed him at this or that place. During the meeting they told us that a women's unit had captured him.

SS: Do you know what they used Watt Dâmnâk Trayeung for during the Khmer Rouge era?

EP: They used this pagoda for the group who built the dams and canals to live in. As for the sanctuary, the Buddha images, and the monks' residences, they were all destroyed. Only one concrete monks' residence remained, which the cadres lived in at the time.

SS: And Dâmnâk Châmbâk Village where you lived during the Khmer Rouge era, how far is it from Watt Dâmnâk Trayeung?

EP: It is about three kilometers from Watt Dâmnâk Trayeung.

SS: After you came to live in Dâmnâk Châmbâk Village, did they move you anywhere else during the Khmer Rouge era?

EP: Let me explain. After coming to this village, they had me work in a mobile unit. Then, since they saw I was the oldest, they had me come back to plant vegetables in the village to support the mobile unit.

SS: And after 1979 did you ever go to Watt Dâmnâk Trayeung again?

EP: After 1979, when I was a monk again, I went.

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~~002/No: D40/8~~

SS: Then when you saw the pagoda, how was it?

EP: I just saw an open field with only the concrete monks' residence left, like I just told you.

SS: Has Watt Dâmnăk Trayeung been rebuilt?

EP: The pagoda has been reconstructed.

SS: Do you know [any] monks they expelled from the monkhood during the Khmer Rouge era who are still living today?

EP: As far as I know, there is no one still alive. They have all died already.

SS: Do you know any monks who were expelled from the monkhood during the Khmer rouge era who are residing in Kampot province?

EP: I have never conversed with any in this province.

- One copy of the written statement was provided to this witness.
- After it was read aloud the witness had no objections and agreed to sign or emplace thumbprint.

This task was completed at 3:50 hours on the same date.

Witness
[Thumbprint]

Investigator
[Signature] SVAY Samnang

ÊM Phoeung ឯម ភៀង