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ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de reception):
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Ratanak ព្រះរាជាណាចក្រកម្ពុជា



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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី
Written Record of Interview of Witness
Procès-verbal d'audition de témoin

លេខស៊ើបសួរ/Investigation/Instruction
លេខ/No: 002/19-09-2007

On the 27th August, two thousand and nine, at 11:08 hours, at the Pha-av (ផ្កាវ) village,
Pha-av (ផ្កាវ) commune, Trapeang Prasat (ក្រុងពាំងប្រាសាទ) district, Odor Mean Chey
(ឧត្តរមានជ័យ) province;

We, Chay Chan Daravan (ចាយ ច័ន្ទតារាវណ្ណ) and Thomas KUEHNEL, Investigators of the
Extraordinary Chambers, being 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 ECCC Internal Rules;

With Mr. Samorn NIL (សាម៉ែន នីល), as a sworn Interpreter of the Extraordinary
Chambers;

Recorded the statements of PECH Chim (ពេជ្រ ជឹម), a witness, who provided the
following information regarding his personal identity:

Original KH: 00373463-00373472

ឯកសារបានច្នៃចម្លងតាមច្បាប់
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Ratanak

then on to the Sector. After the Sector made the decision, it sent back its decision to the District and down to the Security Center who would then implement it. But not all the cases had to go through District 105. It depended on the matter of the case whether or not it related to District 105. If it related, it must be absolutely sent through District 105. For example, the confessions of [the prisoners] who had been interrogated by the security police were placed in the envelope and sent to the District, and then the District sent them on to the Sector. After the Sector made the decision, it sent them through the District back to the Security Center. If the case did not relate to District 105, the Security Center sent the confessions directly by the Sector messenger to the Sector without going through District 105.

Q: You said that Security Center was created by the Sector party and the District party, so who were referred to as the Sector party and the District party? Could you please explain?

A: The Sector party was the party provincial branch. The Sector party was referred to Ta Soam (តាសោម) who was the Sector secretary, Ta Phèn (តាផែន) who was the deputy, and MEAS Mut (ម៉ាស់ ម៉ុត) who was the member. The District party was referred to the party secretary named Khom (ខុម) (female) who was Ta Mok (តាំម៉ុក) daughter, Keav (កាវ) who was the deputy, and the member whose name I could not recall. At that time I was the deputy of the District Front whose chairperson was Ta San (តាសាន). At that time I did not know about the existence of a security center. But 1 year later when I asked Nhēv (ញ៉េវ), who was Khom deputy and in charge of District military, if there was a security center in our District, he told me that there was one. He said ["I don't want you to know it yet, just wait until one day when you visit it, you will see it"].

Q: As you knew it, where did that Security Center locate?

A: That Security Center located in Kraing Ta Chăn village, Kous (កុស) commune, District 105 (Trăm Kâk district), Takeo province.

Q: What was the purpose when that Security Center was first created from 1972 to pre 17 April 1975?

A: That Security Center was created with a purpose to use it for reeducating people. People who were brought in the Center for reeducation were those who had been involved with politics during the war period. For example, people who refused to join the recruitment into the army would be educated; and if they were still adamant after they had been educated, they would be sent to the Security Center for reeducation. Certain people, at that time, went around attacking [the party] by saying that making war was futile. These were the people who would be sent to the Security Center. The Khmer Rouge soldiers, who defected to the Lon Nol side, and the Lon Nol soldiers, who defected [from their unit] to join the Khmer Rouge, were also sent to the Security Center to be educated and interrogated. As for the people who had problems at the bases, for example, those who had committed immoral acts, were educated locally by the village

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and the commune. But if they still did not obey the rules after being educated, the commune would ask for an opinion from the District [committee] which composed of Khom, Keav, Nhēv and me and the relevant commune committee. We would then hold a meeting to discuss the matter and make the decision. In the meeting at the District level, the party secretary was the one to make the final decision on the fate of the person being educated. But the District level had to consult with the Sector party first before any specific decision was made. The Sector party then would make a final decision. The District party was the one to implement the decision of the Sector party. [I] would like to specify that both the soldiers and civilians, who were decided by the party that they had to be reeducated and refurbished, must be sent to that Kraing Ta Chăn Security Center.

Q: Which level controlled the Kraing Ta Chăn Security Center? And who were the chief and the deputy when that Security Center was first created?

A: This Kraing Ta Chăn Security Center was controlled by the Sector level, but the District was the one who supplied it with food and materials. The Sector level, whose secretary was Ta Soam, controlled political part and made final decision. Chhēn (ឃីន) was the chief of the Center, and Ǻn (អ័ន) was Chhēn deputy, but there might not be any member. I did not recall how many security guards working in that Center. I, followed people requests, for many times, used to intervene in asking for the release of some light crime prisoners; for example, in a case of two women who once carried some goods to sell in Ǻng Ta Soam (អង្គការសោម). The women had been arrested by the militias and were sent to Ta Phēm commune. At that time the commune did not ask for an opinion from the District, they instead sent the two women directly to the Kraing Ta Chăn Security Center. I visited Khom who was then the secretary of the District party. I requested Khom to release those two women because their parents came to ask me repeatedly for their release. I said that I had already checked with the case and found that no serious offenses were committed because the women just took the duck eggs to sell [at the market]. Khom said she was told by the militias that those two women were the spies. I said to her please, comrade, examine [the case] further. Then in the late afternoon of that same day, Khom told me to tell [the security guards] to release those women. I then told Chhēn to release the women, so he did it. For some cases my intervention was successful, but for others it was not.

Q: After 17 April 1975, was the [administrative] structure of the Kraing Ta Chăn Security Center changed?

A: The structure of the Kraing Ta Chăn Security Center was not changed. The chief and the deputy were still the same persons.

Q: After 17 April 1975 did the number of the prisoners at the Kraing Ta Chăn Security Center increase?

A: I did not see them with my own eyes, but I could know that the number of the prisoners clearly increased because I saw the demand for rice to be taken from [the District] to supply to the security Center increasing.

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Q: At that time were there any prisoners who were the evacuees from Phnom Penh?

A: In early 1975, immediately after the liberation, there were not yet any prisoners who were the evacuees from Phnom Penh. Those people [the evacuees] were placed in the cooperatives. I saw some families of the Lon Nol soldiers whose wives and husbands had been separated. When I asked the wives of those soldiers about their husbands, they told me that the military took their husbands out [during their journey]. The phrase 'the military took out' meant disappearance. So, most of those women were widows.

Q: After 17 April 1975 were there any changes at the district level of the administrative structure of District 105?

A: In early 1975 the administrative structure of this District was not yet changed. It [the administration] was still shared by the District Front and the District Party, and Khom was the secretary of the District Party, and Keav (កែវ) was her deputy. Until mid 1976 there was a change after the conflicts had erupted. The conflicts stemmed from [the events] in which the District Party disdained the District Front by saying that the Front was that of Prince Sihanouk. That phrase was later heard by Ta Soam, who was the secretary of the Sector, who then announced in the meeting that [from now on] there was no difference between the Party and the Front, and there was only one Front which belonged to the Party. He also said starting from today onward, there was no separation between the Party and the Front any more. After that, they formed just one committee for the District 105. But the substance [of administration] was still the same [as before], they just used this form to generalize. The composition of the District committee included Khom who was the secretary, Keav was the deputy, Nhēv (ញ៉ែវ), me and Ta Chay (តា ចាយ) who were the members.

This interview paused at 12:30 hours on the same date.

This interview resumed at 13:30 hours on the same date.

Q: When did you become the secretary of District 105?

A: After the liberation in 1975, Khom was still the secretary of District 105 until early 1976 when Khom fell sick, and I was the one who took care of Khom. Her husband, MEAS Mut (ម៉ាស់ មុត), went to take a position in Kampong Som (កំពង់សោម) about 10 days after the liberation day in 1975. After Khom fell sick, Ta Keav, who was her deputy, took over her work, but he did not dare to make any main decision because he was not the secretary of the District. Six months later, after Khom had recuperated, she left for Kampong Som to join her husband, MEAS Mut. After Khom had moved to Kampong Som, Ta Keav replaced her as the secretary of District 105. After Ta Keav became the secretary of District 105 for about two to three months, Ta Soam, the Sector secretary, and Ta Nhēv came to tell me personally that they wanted to take Ta Keav to work as the assistant to the Sector. They said that they needed him immediately. Later, I told Ta Keav that "your number is rising up because you will become the assistant to the Sector". Ta Soam told [me] that Ta Keav would be sent to work at comrade Choeun (ចៀន) office,

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which was then called the Thnoat Taul (ត្នោតទោល) Reeducation Center, which located at the border of Kirivong (គីរីវង់) and Treäng (ត្រាង) districts. This Security Center was previously called the Security Center 160, which located in the Dâmrei Romeal (ដំរីរមៀល) Mountain. After Ta Keav left, Ta Soam told me to replace Ta Keav as the secretary. I recalled that I became the secretary of District 105 about in May or June of 1976. At that time at the Sector level, Ta Soam was still the secretary; there was no change. The communication work [chain of command] was still the same from the District to the Sector and vice versa, and from the District to the commune and villages and the Security Center; there was no change. The new composition was as follow: I was the secretary of the District, Ta Chay was the deputy, Ta Kith (តា គីត), my elder brother, was a member, and comrade Boeun (ហៀន) was a member. At that time there was no Ta Nhêv [in the committee] because he had been killed by an explosion at the border in 1976. Ta Nhêv was the one in charge of the District military previously. I was overall in charge [of the District]. Ta Chay and Ta Kith were in charge of the Party internal affairs, going around to strengthen the internal party with the people at the bases level. I and comrade Boeun were in charge of propaganda and education, and Neang (នាង), an assistant of the District, was in charge of the District military. At that time, because the situation was tense, the District assembly was never held. The Sector took over control of the District work. They personally came down to the District to hold the District assembly, or the Sector would call every district [cadre] to attend the assembly at the Sector level. At that time, Ta Soam was still the secretary of the Sector, and Ta Prak (តា ប្រាក់) did not yet arrive [in the Sector].

Q: Regarding to the Kraing Ta Chăn Security Center, was that Center still under the Sector control?

A: The Kraing Ta Chăn Security Center was still under the Sector control, and it still located in the geography of District 105. The District at that time worked like the assistant to the Sector on the matters related to this Kraing Ta Chăn Security Center. The communication procedure [chain of command] with the Security Center was still the same that the Security Center reported to the District about all of their works, the District reported to the Sector. The Sector gave the instructions to the District, and then the District instructed the Security Center [what to do].

Q: Was Chhên (ឆេន) still the chief of the Kraing Ta Chăn Security Center? And was Ân (អាន) still the deputy?

A: At that time Chhên was transferred to another position as the chief of the Boeung Srâ-ngè (បឹងស្រងែ) Security Center which located in Srâ-ngè (ស្រងែ) commune, west of Trâpeäng Ândoeuk (ត្រពាំងអណ្តើក). That area previously belonged to the Chhouk district

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but later integrated into the Trămkâk district. That Center was in the border area of Kampong Speu (កំពង់ស្ពឺ) province. He was transferred there in about mid 1975. The Boeung Srâ-ngè Security Center did not belong to Trămkâk district or Sector 13, it might be a security center of Sector 33. Chhên was seen to return after he had become the chief of Boeung Srâ-ngè Security for three to four months. I met him during a main assembly of the Sector in the Trâpeăng Thom (ត្រពាំងធំត្បូង) South village. At that time, Ta Soam led that assembly meeting. Ta Mok came to attend it on the last day of the assembly. At that time Ta Soam consulted with Ta Mok about how to do with comrade Chhên who had just returned. Ta Mok asked whose force Chhên was. At that time, Ta Soam answered that comrade Chhên was comrade Chim force. Ta Mok then decided to give comrade Chhên back to comrade Chim. I then assigned Chhên to work in the mobile unit building the irrigation system at Thnâl Bâmbèk (ផ្ទះបំបែក). [I] would like to specify that the reason they removed Chhên from the position as the Security Center chief was because comrade Chhên had had conflicts with the chief of the women unit of Sector 33. In fact, with that type of problem Chhên should be purged, but, in Sector 33, they did not dare to decide [on his case] because he had been appointed to that position by Ta Mok. That was why they rather sent Chhên back to the District [105].

Q: Was Ta Mok the one who appointed people to take charge of the security center at the district level? Or was Chhên case a special one that he had been appointed by Ta Mok to be the chief of the Security Center at the district level there?

A: This appointment was a case between Ta Mok and Chhên. As for Chhên, the reason was that because he had been appointed by Ta Mok, he was not purged when he made mistakes. Sector 33 did not dare to make a decision to purge Chhên. So, they had to send him back to his original place.

Q: How was Ta Mok informed about what happened at the Kraing Ta Chăn Security Center?

A: I thought he was briefed with either verbal report or written report about the Kraing Ta Chăn Security Center by the Sector. As for my self, who was at the district level, I did not report to him.

Q: Why did you believe that Ta Mok was briefed by the Sector about the issues of the Security Center?

A: I did not report to him, but I knew about that because in one day at the table of the Sector level meeting, I overheard the Sector reported to Ta Mok about the matters of the Security Center. I heard they said for that matter or this matter, it was decided like this or like that. I overheard Ta Soam told Ta Mok that [“] that group had been resolved [”]. As I understood it, the phrase [“]had been resolved [”] meant [the group] was already purged. [“] That group [”] might mean the prisoners at the Kraing Ta Chăn.

Q: When you said that you overheard the report at the meeting table, did you also hear if Ta Mok gave any instruction in return?

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A: I heard Ta Mok talked about the work plans for doing rice farming, and instructed Ta Soam to lead this or that work.

Q: When Ta Mok came down to work at the Sector, did he ever visit Kraing Ta Chăn Security Center?

A: No, he never visited it. Even Ta Soam never visited Kraing Ta Chăn Security Center. He only read the reports and briefs.

Q: Did MEAS Mut ever visit Kraing Ta Chăn Security Center?

A: As I knew it, Ta Mut never visited this Kraing Ta Chăn Security Center either.

Q: Was the report usually sent to the next higher up level?

A: Yes, the report had to be sent to the next higher up level.

Q: Did you ever forget making any report about certain matters to the higher up level?

A: Yes, I used to forget to report about some minor things. I recalled one story about which I forgot to report to the higher up level. One time there was a person arrested by the militias because of a minor problem. I met and spoke with the arrested and the militia unit, and then I decided to release that person. Later, Ta Soam scolded me and asked why I dared to make such a decision. He warned me not to take a personal view. I apologized to him and admitted my guilt. That person, whom I released, is still alive until nowadays.

Q: Did you hear Ta Saom and Ta Mok discuss other issues after the end of that main Sector assembly meeting?

A: After the Sector assembly ended, and the problem of comrade Chhên was resolved, I heard Ta Soam and Ta Mok discussed another problem, which was involve with a group of 60 people who were living in Cheang Torng (ជាងទង) and Kbal Aur (ក្បាលអូរ) villages in Trămkâk district. These 60 persons were implicated by others. Ta Soam asked Ta Mok how to resolve this problem. At that time Ta Soam and Ta Mok called comrade Boeun in and asked whose force they [60 persons] were. Comrade Boeun, who was the committee of the Cheang Torng commune, said that they all were our forces since during the time of our underground struggle. But comrade Boeun said that she did not dare to decide what to do with them because [it was a serious matter] that they were implicated in the confessions. Ta Mok then called me in and said giving these 60 persons to comrade Chim to monitor and examine. After Ta Mok made that decision, I met with comrade Boeun at the commune base to talk about the matter of these 60 persons. Comrade Boeun told me that these 60 persons were all our forces since during the time of our underground struggle, and most of them were the party members. Comrade Boeun concluded that these 60 persons might be implicated in the confession of CHOU Chēt (ជូ ជេត) alias

Sy (ស៊ី) who was the secretary of the West Zone. Before the West Zone was created, he was the Ta Mok deputy in the Southwest Zone. He implicated these 60 people after his arrest. Comrade Boeun concluded that comrade Sy was a leader of the underground struggle who used to stayed with and be fed by the people of the Cheang Torng commune. And these 60 persons were the people of the Cheang Torng commune. After

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tracing their [background], [we] found that these 60 people had no problem. I did not do anything to these people, and they have been living normally until today.

Q: In our interviews with you on 26 and 27 August 2009, we have noticed that your answers relating to the Kraing Ta Chăn Security Center were inconsistent. In your answers on 26 August 2009, you said that you did not know about the existence of the Sector 13 Security Center which located in District 105, and also said that you did not even know a person named Ǻn. But in your answers on 27 August 2009, you provided a testimony in details about the existence of the Kraing Ta Chăn Security Center, and also knew Ǻn. Can you please explain to us what caused these inconsistencies in your answers?

A: As for your question about the name Ǻn, I mixed up with another name An (អ័ន)

because you also asked me about An who was KÈ Pauk (កែ ព័ក) deputy. This An never worked at the Kraing Ta Chăn Security Center, so I answered that I never knew Ǻn. As for Ǻn who was at the Kraing Ta Chăn Security Center, I do not know whether he is dead or still alive now. As for An who was KÈ Pauk deputy, after we left the camp, he was separated from me and went to live in Malai (ម៉ាលៃ). I do not know whether he is now dead or still alive because we have been separated from each other for ten years. Regarding to your question about the existence of the Kraing Ta Chăn Security Center in District 105, the reason I answered that there was no security center was because that Security Center did not belong to District 105, but it was the Security Center of Sector 13. Therefore, I was afraid if I answered you that District 105 had a security center, I could be the person who was responsible for [what happened there] directly. But this Center located in District 105.

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

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

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

This interview ended at 15:29 minutes on the same date.

Witness

Interpreter

Investigators

[Signature/Thumbprint]

[Signature]

[Signatures]

PECH Chim