

០២៣១/៦៦

ឯកសារទទួល
DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de reception):
..... 30 / 05 / 2011

ម៉ោង (Time/Heure) :..... 11:00

ឈ្មោះបុគ្គលសំណុំរឿង /Case File Officer/L'agent chargé
du dossier:..... Ratanak



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

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

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

On the twenty-first of November two thousand and nine, at 8:25 a.m. at the Tram Kak (ត្រាំកក់) Commune Headquarters, Takeo Province,

I, EM Hoy (ឯម ហ៊ឺយ), Investigator 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 (none), as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of SĀO Hean (សៅ ហ៊ឺន), a witness, who provided the following information regarding his personal identity:

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh
Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

The undersigned SAO Hean (សៅ ហ៊ីន), alias/revolutionary name [none], 62 years old, was born in 1947 at Trapeang Rumpeak (ត្រពាំងរំពាក់) Village, Tram Kak Commune, Tram Kak District, Takeo Province. He is of Khmer nationality and is a rice farmer. His father SAO Lorn (សៅ លន) is deceased, and his mother CHUON Kien (ជួន គៀន) is deceased. His current residence is at Trapeang Rumpeak Village, Tram Kak Commune, Tram Kak District, Takeo Province. He is married to KUOL Kimseng (គល់ គឹមសេង), living, and is the father of eight 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 can read the French language.
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: Where did you live prior to 17 April 1975, and what did you do?
A.1: I was a worker and a farmer living in Trapeang Rumpeak Village, Tram Kak Commune, Tram Kak District, Takeo Province.

Q: Did you know about the coup in 1970?
A.2: I knew. At the time I was in my home village. I saw demonstrations and furniture being broken at the Tram Kak District Headquarters. The reason for that coup was to overthrow Samdech Sihanouk.

Q: Did you participate in those demonstrations?
A.3: I did not participate in the demonstrations, but I was there because I pedalled a rickshaw. I did not see any killing during the demonstrations.

Q: Did anything else happen?
A.4: I saw Thieu-Ky soldiers come to the village where I was living. The Thieu-Ky soldiers came from South Vietnam. Later on, I once saw North Vietnamese

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 2

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh
Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.
Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

soldiers come. Still later on, I saw the Khmer Rouge come out of the forest and organize the villages and subdistrict and create village and subdistrict militias to govern.

Q: What did they tell the people when they arrived?

A.5: When they arrived, they told us they were a liberation group.

Q: What year did they come?

A.6: During 1970.

Q: What was the situation like at that time?

A.7: At the time, the LON Nol group stayed in the populated areas like Takeo and Ang Ta Saom (អង្គភាពសាម), and there was fighting between the LON Nol group and the Khmer Rouge group.

Q: Did they say anything about policies when they created the villages and subdistrict?

A.8: They did not tell us anything. At the time, IN Tim (អ៊ិន ទីម) was the chief of Trapeang Rumpeak Village. Today he is living in the same village and subdistrict. I do not remember the commune com. Later on, they had the people farm rice and increase agricultural production, carry the wounded, and send wrapped-up rice to the troops fighting on the battlefield.

Q: Did they call the people in your village to any study meetings?

A.9: The people were frequently called to attend meetings. During the meetings they spoke about recruiting youths to become soldiers on the battlefield, and they had the people increase agricultural production. Also, they spoke about using solidarity groups to increase food production.

Q: What is the meaning of solidarity group?

A.10: Solidarity group meant having the people work the rice fields communally, transplanting together, increasing agricultural production together; but the produce was not stored communally: they distributed it to one another. That system was in place from 1970 to 1975.

Q: How was the produce distributed?

A.11: They distributed according to labour manpower; however at that time, they distributed it as necessary to provide enough food.

Q: At that time, did they make accusations of laziness, of people being lazy and not working?

A.12: They did make accusations like that.

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 3

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh

Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh

Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Q: What did they do to the people who were accused of being lazy?

A.13: They did not do anything to those people; they just gave them additional education.

Q: Who put in place the plans for working the rice fields in solidarity?

A.14: The village chairman set out the plans to create solidarity groups from the people right there in the village. The plans had originated from *Angkar*. By 1975 there was a kind of psychological warfare; for instance people who had a lot of paddy land, not to be angry or displeased with one another.

Q: Who was *Angkar*?

A.15: I did not know. I just heard that *Angkar* was the upper-echelon that put in place the plans for us to carry out.

Q: Were there any schools at that time?

A.16: There were no schools then. There were no teachers either, since it was what they called a liberated zone. The national highways were cut. They drafted the people in the villages to cut the roads in what they called cutting off the enemy's legs. There were no hospitals, no doctors, nothing.

Q: Were there any changes of the village chairmen during 1975?

A.17: Yes. The position changed from Ta Tim to Achar Neang (អាចារ្យ នាង), who is now at Anlong Veang (អង្គរវែង), and Ta Ek (ឯក) (dead). They were village chairmen up until 1979. As for the commune com, that was Hum (ហ្ន៎) and Ta Thim (ធីម); they were the Tram Kak Commune Com up until 1979.

Q: Were people arrested between 1970 and 1975?

A.18: People were arrested and were told they were being sent away to study. Some of them were seen to return after the liberation in 1975, and some of them never reappeared. I do not remember the names of those who returned. Those who were called away to study were mostly accused of being wealthy or having lots of paddy land or large houses. I remember the names of some who were arrested and taken away, including ING Rin (អ៊ីង រិន), KÈV Mát (កែវ ម៉ត់), and ING Lung (អ៊ីង លុង). They are all dead.

Q: Between 1975 and 1979, what did you do, and where did you live?

A.19: I still lived here, and I still worked the rice fields.

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 4

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh

Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh

Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Q: Immediately after the liberation of Phnom Penh, what did you see?
 A.20: I saw the people they evacuated from the cities, but I did not know where those people came from. Some were carrying their belongings on shoulder-poles; some were pushing cars or motorcycles that held their belongings. There were large numbers of people along the roads. Some of them had relatives, and they came to live with their relatives in their home villages. A number of them were distributed out to my village to live.

Q: Do remember how many of those people were in your village?
 A.21: I do not know about the number. I saw there were many of them and that small thatch huts were built for them to live in one area. Those people were called the 17 April people. When those people arrived, rice was distributed to them to eat in their huts. No plates or dishes were distributed. Initially those people had enough to eat.

Q: Immediately when those people arrived, did they make biographies, or were their biographies screened?
 A.22: Yes, they did that. They went around researching to discover who had been teachers or soldiers or workers. Those discovered to have been soldiers or teachers were arrested and taken away and never reappeared.

Q: Do you remember the names of those who were arrested?
 A.23: I remember some of them: LUON Hâm (លួន ហាម) (my older brother) was a soldier; and TAUCH Chhan (ត្នោច ឆាន់), a teacher; they were told that they were being sent away study and never reappeared. Their wives and children were not arrested.

Q: Do you remember when they eliminated private property rights?
 A.24: After Phnom Penh fell in 1975, all property such livestock, paddy fields, and houses were placed under collective ownership. The people reacted to property being placed under collective ownership, but they did not dare say anything for fear they would be taken away and killed.

Q: What did they have you do next?
 A.25: They had me work the rice fields like before. I did not do anything else.

Q: Can you describe the break-down of the cooperatives or units?
 A.26: In 1976 they began communal meals in the cooperatives. Then there was no more eating at home. The units were the children's units, the assembly units, the youth units, the female youth units, the elderly units, the vegetable growing units. All those units ate in the cooperatives. My commune had four cooperatives, and there were many units. At that time I was in Cooperative 1. In my cooperative there were 17 April people who came to eat communally with us. The work in my cooperative was farming, digging feeder canals, dry season rice farming, etc.

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 5

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh
 Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh
 Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Aside from working the rice fields, there was digging feeder canals and putting up dams. I do not know if people were arrested at the dam and feeder canal construction sites and sent away to study.

Q: What system was used to work the rice fields?

A.27: They had us put up checkerboard-straight paddy dikes, either single or twin, and we dug both large and small feeder canals.

Q: When you were in the cooperative, did they call you to meetings?

A.28: Yes. In the meetings they told us to strive to work the rice fields, to plant. The meetings were led by Ta Mâm (ម៉ម) (dead), the cooperative com. Sometimes the commune com also attended the meetings. Sometimes they called the group chairmen to meetings to give them plans. The members of the commune committee were TUON Huot (ទុំ ហ្គុត), who now lives at Angk Roneab (អង្គរនាប) Village, Tram Kak Commune, Ta Khal (ខាល) (dead), Ta Khim (ឃឹម) (dead), and Ta Hum (dead).

Q: Who were the district and Sector committees?

A.29: The district committee was Ta San (សាន), but I am unsure whether he is in Samlaut, Pailin or Anlong Veng. I do not remember the Sector com. I remember Ta Mok, whose birth place was in Trapeang Thom Commune, Tram Kak District, Takeo Province. I do not remember any names aside from those.

Q: Did they talk about the three tonnes of paddy per hectare plan?

A.30: They held meetings to tell us to strive to get three to four tons per hectare by using cattle manure, leaves termite mound soil, etc, as fertilizers.

Q: If your cooperative was unable to do that, did anything happen to the people?

A.31: Nothing happened. They just held meetings to have us try, that's all.

Q: What was the food like?

A.32: The rations were gruel and sometimes a little rice, but it did not satisfy our hunger. There was a large bowl of soup that we shared, eating ten persons per table. There was some hygiene at the cooperative; there was boiled water to drink. In my cooperative the chief cook was Yeay Ngaol (យ៉ោល), who is now living at Angk Roneab Village, Tram Kak District, Takeo Province. The cooperative chairman supervised the food and rationing of food by inspecting to see how many people there were and how much food was required.

Q: When they ate communally and there was not enough food, did the people resist?

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 6

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh
Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

A.33: Because they could not satisfy their hunger, some people were dissatisfied and they secretly discussed the issue with the people they trusted.

Q: Into how many categories were the people divided?

A.34: The people were divided as follows: the full-rights people [ប្រជាជនពេញសិទ្ធិ], the candidates [ប្រជាជនត្រៀម], and the deposites [ប្រជាជនផ្ញើរ]. Angkar made those distinctions. The full-rights people were the base area people who had good biographies and who had children and grandchildren in the struggle. The candidate people were also base area people, but they had brothers and sisters or relatives with enemy (meaning LON Nol and Sihanouk) inclinations. The deposites were the 17 April people who had been evacuated from the cities.

Q: What category of person were you considered to be?

A.35: I was considered to be a candidate person because I had a relative who had been a LON Nol soldier.

Q: Were there many sick people in the cooperatives?

A.36: Many of the people were sick, for instance, with fevers and diarrhoea. They made their own medicines, like the round rabbit-pellet like medicine that was issued when people became sick. The serious ill were transported to a hospital. There were medics and midwife practitioners of traditional medicine who went around the houses delivering babies. I only went to a hospital one time, when I had a toothache.

Q: What did you see in that hospital?

A.37: I do not know. I just went there to ask for medicine, that's all.

Q: Do you know if people died of illnesses?

A.38: People did die of illnesses, and their relatives and friends were unable to take the bodies for cremation or ceremonies because there were people who took the bodies away for burial. If they died in the hospital, there were people to carry the corpses away and bury them. It was unnecessary for relatives to go.

Q: Were all the people skinny?

A.39: All the people were emaciated and vulnerable to sickness.

Q: Did they have the children in the cooperatives study?

A.40: In the units they had the children study some, and after those studies the children would go around collecting cattle manure and collecting fertilizers, and they cut up leaves to make fertilizers. The teachers had only a little knowledge.

Q: Did you ever see anyone arrested in the cooperatives?

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh

Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh

Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

A.41: One night I saw them call a person away with them, but I do not remember the name. That person was sent to carry leaves on shoulder-poles, but never reappeared. The militia chairman used his subordinates in the militia to call that person away. Siem (សៀម) was the militia chairman (whether he is dead or alive is unknown). Many others disappeared besides that one, but I do not remember their names.

Q: During meetings, did they talk about sweeping clean internal enemies?

A.42: They did. Even people who had conflicts about not getting enough food or who had broken a spoon or a plough were considered to be enemies. I never saw them arrest anyone during the meetings.

Q: Do you know about weddings in that era?

A.43: I knew about weddings of ten to twenty couples at a time; they had them make resolutions. They did not let the parents know about those resolutions.

Q: Did you ever hear of arrests because of immorality?

A.44: I heard of that.

Q: During 1975-1979, was there any religion?

A.45: There was no religion. The Buddha statues were all broken up and thrown into the water. The pagodas were used as hospitals, workshops, etc.

Q: Do you know if there was a detention office in your commune?

A.46: I knew that there was a killing site at Kraing Ta Chan (ក្រាំងតាចាន់). My older brother LUON Hâm was arrested and taken to Kraing Ta Chan.

Q: Do you have anything you want to add?

A.47: I do not.

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.

End of the interview at: 4 p.m. on the same day.

Witness

Interpreter

Investigator

[Thumbprint]

[Signature]

Original KH: 00408312-00408320

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 8

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Chaom Chao, Dangkao Phnom Penh

Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Chaom Chao, Dangkao, Phnom Penh

Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.