

T07-248

លេខ/No: D25/28



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

The year two thousand seven, the month of October, the 30th day, at 10:45 hours at Chrey Thnaot វ្រៃជ្រៃត្នោត Village

I, Monique SOKHAN, Investigator of the Extraordinary Chambers, having been assigned by Rogatory Letter of the Co-Investigating Judges, dated 5 October 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 IEP Duch អៀប ឌុច, a witness, who provided the following information regarding his personal identity

Last name: IEP អៀប

First name: Duch ឌុច

Alias: None

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

National Religion ជាតិ សាសនា ព្រះមហាក្សត្រ

DOCUMENT RECEIVED/DOCUMENT REÇU

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

10 / 09 / 2007

ម៉ោង (Time/Heure): 13 - 40

មន្ត្រីមជ្ឈមណ្ឌលសំណុំរឿង/Case File Officer/L'agent chargé du dossier: JANN RAPA

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Interview of Witness

ឯកសារបានចម្លងតាមប្រព័ន្ធស្របច្របូបច្របូប
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
10 / Sept / 2008
មន្ត្រីមជ្ឈមណ្ឌលសំណុំរឿង/Case File Officer/L'agent chargé du dossier: UCH ARUN

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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Born in September 1948 at Chrey Thnaot ជ្រៃត្នោត Village, ត្រាំកាក Subdistrict, Tram Kâk ត្រាំកាក District, Takeo តាកែវ Province.

Nationality: Cambodian

Occupation: Farmer

Father's name: IEP Daok អៀប ដាក់ (deceased)

Mother's name: CHHIM Hieng ឈឹម ហៀង (deceased)

Present residence at Chrey Thnaot ជ្រៃត្នោត Village, ត្រាំកាក Subdistrict, Tram Kâk ត្រាំកាក District, Takeo តាកែវ Province.

Wife's name: IENG Yô អៀង យោ (living)

Children: 6

Previous crimes: None

- This person declared that he/she could read, write, and understand the Khmer language.
- This person declared that he/she could not read and write any other languages. 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:

Q: May I ask your name again?

A: My name is IEP Duch.

Q: Where were you when Phnom Penh fell?

A: I was here both before it fell and after it fell. They called it District 105, Sector 13, Southwest Zone.

Q: You were in this district all along?

A: I never moved.

Q: When did you start working at Kraing Ta Chăn?

A: Speaking about my position at Kraing Ta Chăn, I had none, but I did go to look.

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Q: You were an inspector, or what?

A: My position was Youth Chairman, I was a colleague of the District Party Committee [Secretary] and in the chain [of command] I was District Youth Chairman.

Q: The District. And the Sector?

A: As I understood, the sector level had a Sector Youth Chairman. I had one position, the district, but there was someone above me at sector level.

[Margin note: The sector youth chairman died at S-21.]

Q: Who was in the District Committee?

A: There were many changes in the composition. My boss was Saom Choeun សោម ជឿន.

Q: Who was there?

A: Ta Keav គាវ was the District Secretary, and female Comrade Khom ខ្ញុំ, the daughter of Ta Mok. Later Khom became the wife of Ta Muth មុត (Meas Muth មាស មុត).

Q: After Keav and Khom, who held the position?

A: After 75, Khom followed her husband to Kampong Saom, and Ta Chim ជឹម rose to replace her for a short time. Later Ta Kit គិត rose to replace him.

Q: In the district?

A: Right here at Tram Kâk. And later Ta San សាន the younger brother in law of Ta Mok came to govern all the way until it fell.

Q: Do you know what year Ta San came?

A: Approximately 1977, but I'm not clear.

Q: Who else worked with Ta San?

A: [In the] governing structure of the Khmer Rouge, at the upper level was the Center, and they were divided into three echelons, the Standing Committee, the Full Rights Members, and the Reserve [Members]. In the Central Committee there could have been more than 100 who were members. In the Zone there was Ta Mok as Secretary and Kâng Chap កង ចាប as Deputy Secretary.

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Q: Who was above Ta Mok?

A: At the Center level, I don't understand [things].

Q: How did you know that Ta Mok was Secretary?

A: During meetings, study sessions, etc, introduced him, so that's why I know.

Q: Other than Ta Mok, who else was there?

A: There was a startling thing, that is, in 1972, Hou Yun ហ៊ុយ យ៉ុង was present here. He got up on the stage.

Q: Who controlled the Sector? Sector 13?

A: Ta Saom សោម was Secretary of Sector 13. He held the position from 1970 until 1976. He came down with a disease, so there was a change. Then Ta Præk ប្រាក់ came from Sector 25 to replace him.

Q: And Ta Præk held it until 79?

A: Later on Ta Præk was arrested too, and after that, I don't know.

Q: Did the District Committee [Secretary] request you to go inspect Kraing Ta Chăn prison?

A: My work was not security, I was only a colleague. There was a disturbance at the time. Security at Kraing Ta Chăn had raped the wife of Nop Nèm ណុប ណែម, and they had me go to listen to the situation there, to see whether or not this had actually occurred. That was about 1976. The movie star was named Kim Nauva គីម ណូវ៉ា.

Q: Who did you ask?

A: I went to look and to understand, and did not let anyone know what I was doing.

Q: So what did you do to learn the truth?

A: I entered the site. We had some discussions from which I could reach a conclusion. It was difficult, because the victim was dead, but there were sources. When I went there the people who leaked the information understood, and they secretly made some insinuations to us.

Q: How did you know that Kim Nauva had been killed?

A: The time period [between] the killing and the leaking of the truth was about two or three months.

Q: Did you see documents saying they had killed her?

A: Someone told me.

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Q: What activities did you see then?

A: Upper level called me to get instructions to go check and see whether something had happened or not.

QL: Who was upper level?

A: I am not clear [whether it was] sector level or zone. Look at the records of Mr. Ea Mēngtry អ៊ា ម៉េងទ្រី to be clear, number 78.

Q: Did she/they die because upper level had ordered them to kill?

A: The arrests and the killings were all ordered by upper level, but the village chairmen, city chairmen were the people who provided the information to upper level.

Q: When you went to Kraing Ta Chăn did you see prisoners?

A: I saw them. I did not count them. I asked permission from the chairman Ta ឃ័ន to enter and look at the prison. When I entered, when the door was opened, I smelled the odor and I saw all the people. I had them close [the door]. I did not want to look any more. So I did not count them. The Kraing Ta Chăn unit had done wrong in two cases. The first was the rape of Kim Nauva. The second was producing liquor.

Q: When they opened the prison for you to look at, approximately how many prisoners were there?

A: From what I could see there were about 30 to 40. The detention site had two buildings.

Q: Where did those prisoners come from? Why were they detained there?

A: Probably the majority were the brothers and sisters who had been evacuated from the cities, those called the 17 April group. It was mixed, there were some former soldiers and base people.

Q: Who ordered the imprisonment of the 17 April people? Who sent them there?

A: From what I know in general, the killings had begun ever since 17 April. It was the army who were the earliest killers, before entering Phnom Penh.

Q: Were the 17 April group arrested by the militia and sent to Kraing Ta Chăn?

A: I don't know what level decided the plan. When they arrived there, they had them make biographies, and anyone whose biography said they had been a soldier would disappear.

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Q: Where were those biographies taken?

A: Those biographies were just kept at the base level, but they (upper level) decided what level had to be removed. The upper level that I'm talking about sounded like and seemed to be nationwide, meaning Center level.

Q: Did you see letters from upper echelon sent down to the subdistrict and district level that ordered the making of biographies and the arrests of former soldiers, or what?

A: That there were none to be seen is really something to wonder about. In that era, paper really could not be found, so orders were given through meetings.

Q: Did you ever participate in leadership level meetings?

A: It was the habit of the former Khmer Rouge that the work was done according to position. In the subdistrict, the senior person was the Subdistrict Party Secretary, the same at district level. In the meetings they just called in the Party Secretaries.

Q: At that time, did the Tram Kâk District Secretary meet with lower level and report?

A: I did not participate in any clear meetings on that principle, I just saw the implementation. I just participated in study sessions.

Q: Who did you work with during that time?

A: With Ta Chim.

Q: Did you have meetings with Ta Chim?

A: I had the duty to agitate the youth to go into the army, I don't know about meetings, but I might understand and know [things].

Q: How would you know?

A: Even the people who came out of the cities knew.

Q: Know from who?

A: The disappearance of high-level people cannot be hidden.

Q: Ta Mok, when he came, did he ever speak about those activities?

A: No. He only gave instructions and adjust the political direction.

Q: Did you ever participate in a meeting with Ta Mok?

A: Yes. Participated in special meetings, the Party Anniversaries.

Q: What did he say?

A: It was aimed at consolidating the revolution, self reliance; but low level did not participate.

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Q: Where?

A: In the war era, in a secret office. In the post war era, they were held at the Sector 13 Office. The 23rd Anniversary was held at Phnom Trèl ភ្នំត្រែល near Ta Ny តានី.

Q: Aside from consolidating the revolution, did he order any other activities?

A: They never talked about anything else other than the revolution, politics.

Q: Did he talk about enemies?

A: Yes. We had to inspect and monitor for enemy activity, unusual activities.

Q: During implementation, what did lower level do?

A: From what I knew the assembly was to consolidate the stance of spiritual indoctrination, they educated us to recognize just what the so-called KGB and CIA enemy was and how they conducted activities.

Q: When Ta Mok spoke like that, did you understand that you were to find those enemies and send them to security? What did you understand?

A: As for me, after I saw the line of the Khmer Rouge, what was my impression? The word CIA meant a secret intelligence officer, KGB was the same. I thought that there were not many of those people. But what I did not understand was that [even] small matters were considered CIA as well. If there were tens and hundreds of thousands of these people, where did the Americans get the money to pay their salaries? Ordinarily lower level has to follow the instructions of upper level. [Margin note: See later page for continuation of this response.]

Q: How many years did you work at the District Committee?

A: I worked there until the end, from 1970 until 1979.

Q: Also with San, Keav?

A: Yes, but I was not close with San. [I was] only close with Keav, Khom.

Q: Did everyone know about Kraing Ta Chăn?

A: Even I did not know. I only learned of it when they ordered me to go inspect the case of Kim Nauva.

Q: What year did you first hear of the Kraing Ta Chăn Office?

A: It was my former office, a youth study session school. After prisoners had escaped from Ta Son's តា សុន Office aircraft bombed nearby, it was then that they began to use Kraing Ta Chăn, in approximately 74.

Q: Who supervised the Kraing Ta Chăn Office?

A: It belonged directly to the district, but where it reported to I don't know.

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Q: When else did you go to Kraing Ta Chăn?

A: After that I went in and out for about three or four months, later [I] took on other assignments.

Q: You went every day?

A: Sometimes I stayed with them. Every four to ten days I stayed there.

Q: Did you stay for long?

A: It varied.

Q: While you were there did you see them interrogate?

A: I even participated in the interrogations, I listened to the interrogations.

Q: Who were the interrogators?

A: The unit chairman, deputy chairman, and a recorder.

Q: Who was the recorder?

A: Yes, like that, (Duch ឌុច) he wrote them, and later they typed them. I don't know.

Q: What did they ask?

A: They questioned according to the reports from the subdistricts.

Q: Did you see those reports?

A: I never read them or saw them, but I heard them interrogate; I did not hear the prisoners confess, and when they did not confess, they tortured them.

Q: Who did the torture? ឃុន?

A: ឃុន did not [torture] much. His deputy chairman Ta Chēng ចេង.

Q: What kind of torture?

A: Beatings.

Q: Both men and women?

A: I did not participate many times.

Q: When you participated in interrogations, how many times did you see it [torture]?

A: I don't remember. If there was an important case, I participated and listened, just one or two times. For example, a case involving armed activities.

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Q: Did he confess?

A: When they interrogated using normal speech, he denied it. After some torture, he screamed that he would answer and tell the truth, but he wanted a mouthful of rice. Later they arrested them all.

Q: After interrogation, what did they do with the prisoner?

A: I did not follow it further. But the case of a major, he was one they killed. That military officer, I assume they did not kill him immediately.

Q: Other than those two cases, did you participate in any others?

A: I very seldom participated.

Q: How do you know they killed, did you see them kill?

A: I just saw a pile of clothing, and asked them. They said they had killed them all.

Q: While at Kraing Ta Chăn did they ever tell you how many they had killed?

A: I asked children who were staying there about the enemies there: they said after 17 April the majority brought in were not imprisoned and kept [alive].

Q: You never saw them kill?

A: Never. I only participated in interrogations.

Q: They reported that there were more than ten thousand persons whom they had killed. So many people like this would mean they killed often, almost every day, but you never heard the sounds, never heard them killing people?

A: I agree that that the numbers reached tens of thousands, because I worked in the villages and every village reported disappearances.

Q: If you stayed at Kraing Ta Chăn, why did you not see it?

A: The witnesses who saw the killings, I seem not to believe them, aside from those who worked inside there. No one else would be able to see that.

Q: How did they discover the pits?

A: Just the survivors who were released.

Q: Where was the killing site, if there were killings as you agree there were?

A: Back then the prison had two levels of wall/fence. The inside was about 100 meters square. The outer was a barbed wire fence, 500 meters square.

Q: The pits were between the two compounds?

A: I went with DC-Cam and saw the pits. Outside the walls/fence it was not allowed to live near there. With the exception of prisoners and the security [staff], no one could enter and see [anything].

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Q: When they dug up the pits, there were more than ten thousand persons?

A: I don't know that for a fact, but there were many.

Q: How many were still alive?

A: I don't know because I had already left there.

Q: The more than ten thousand in the pits, were they not Kraing Ta Chăn prisoners?

A: I don't know where all they collected them from, from the various subdistricts subordinate to the district.

Q: Were the prisoners shackled, or were they allowed to work outside?

A: There was no production worksite; they were just right there inside the detention site. There were one or two persons whom they did not kill but who they had not yet let out. The others did not go out at all.

Q: Did many people work in the prison?

A: As I remember, there was about one platoon of soldiers, about 30 persons. They had them come to guard and do various work.

Q: Do you know any who are still alive?

A: Ta Sim. I don't know what village he is in, but in Tram Kâk District.

Q: Who else?

A: I can't remember all the names, perhaps Duch, his name is the same as mine.

Q: What duties did the soldiers have?

A: Outside guard, inside guard.

Q: Ta Mok, did he ever come to the prison?

A: I never saw it. Even the district level, I never saw them [come there] either.

Q: After your inspection, did they have you make a report?

A: After the inspection, it took months to reach a conclusion, and I went to meet the District Secretary Ta Chim and reported, telling him. After I reported, he called Ta An to make a [revolutionary] life view. Later they pardoned him due to his merit in making the revolution.

Q: Where was Ta An from?

A: He came from the border with Kampong Speu Province, Cheang Torng ជាងទង Subdistrict I imagine. He may have disappeared, I don't know clearly, or [he may] be alive.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

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

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~~២២២/No: D25/28~~

Q: Did you see documents kept in the prison?
A: There were not many documents, just lists of names.

Q: Did Ta An report to Ta Chim?
A: They only reported when there were confessions.

Q: Did you see them?
A: No. And I don't know where they were kept.

Q: In District 108 did they keep documents?
A: There were none, or there were some, I don't know. Written documents were very seldom seen.

Q: When the Yuon came in 79, where were you?
A: I fled like everyone else. In 80, during the Cambodian New Year, I returned home.

Q: Did you participate in the exhumation of the bodies?
A: No. Let me explain that in the Khmer Rouge era there were no police. They used the army as both a security force and a combat force.

(Q: When Ta Mok gave those orders, did you understand that he wanted you to find those enemies and smash them?
A: Yes, that's what I understood)

Q: Do you know if S-21 had any relationship [alternative translation: communications] with Kraing Ta Chăn?
A: I don't know. I only learned of S-21 during 2006.

- 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 13:08 hours on the same date.

Witness
[Thumbprint] IEP Duch

Investigator
[Signature] Monique SOKHAN