

ឯកសារទទួលបាន
DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de reception):
11 / 11 / 2009

ម៉ោង (Time/Heure): 11:00 ព្រះរាជាណាចក្រកម្ពុជា

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Ratanak ជាតិ កែវសា ព្រះបរមរាជវាំង

Kingdom of Cambodia
Nation-Religion-King

៣២/៧-០២៣២/៧៩

អង្គជំនុំជម្រះវិសេសវិសេសសាលាដំបូងក្រុងភ្នំពេញ

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

លេខស៊ើបអង្កេត/Investigation/Instruction

លេខ/No: 002/19-09-2007

កំណត់ហេតុនៃការស្តាប់បម្រើយសាក្សី

Written Record of Interview of Witness

Procès-verbal d'audition de témoin

On the 26th August, two thousand and nine, at 11:56 hours, at the Pha-av (ផ្កាវ) village, Pha-av (ផ្កាវ) commune, Trapeang Prasat (ត្រពាំងព្រាសាត) 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 (សំរំនីល), 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: 00373385-00373392

ឯកសារបានច្នៃចម្លងតាមច្បាប់
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃ ខែ ឆ្នាំ ច្នៃចម្លង (Certified Date/Date de certification):
11 / 11 / 2009

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

The undersigned, PECH Chim, has no alias, was born on 29 September 1941 in Trapeäng Prei (ត្រពាំងប្រឹប្រី) village, Trapeäng Thom (ត្រពាំងធំ) commune, Trăm Kâk (ត្រាំកក់) district, Takeo (តាកែវ) province.

He is of Khmer nationality and is a peasant.

His father, PREAP Pich (ព្រាប ពេជ្រ), is “deceased”, and his mother, UN Ân (អ៊ុន អន), is “deceased”.

His present address is in Pha-av village, Pha-av commune, Trapeäng Prasat district, Odor Mean Chey province.

He is married to CHREK Pich Nēng (ច្រីក ពេជ្រណេង), “alive”, who is the second deputy of the Pha-av commune, and is the father of 4 children.

The witness has no criminal record.

The witness declared that he can read, write and understand the Khmer language.

The witness declared that he cannot read or write any other languages. Therefore, the original of this Written Record is written in the Khmer language.

We advised the witness that an audio or video recording was being made of this Interview.

The witness told us that he is not related to either the Charged Persons or to any of the Civil Parties.

The witness took an oath, in accordance with Rule 24 of the ECCC Internal Rules.

We notified the witness of his right against self-incrimination, in accordance with Rule 28 of the ECCC Internal Rules.

Question-Answer:

Q: Can you describe the structure of Sector 13, how it was organized?

A: Soam (សោម) was the secretary of Sector 13. The deputy secretary of Sector 13 was Phèn (ផែន); but I did not know who replaced Phèn later on. The member of Sector 13 was still MEAS Mut (មាស មុត).

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Q: You told us yesterday that San (សាន) was the committee of District 105, what did he do afterward?

A: San had left his post as the committee of District 105 to become the secretary of District 108 in Koh Ândèt (កោះអណ្តែត) in about 1975.

Q: Can you describe the structure of the Southwest Zone committee, how it was organized?

A: The structure of the Southwest Zone committee included Ta Mok (តាម៉ុក) who was the Zone secretary; KÂNG Chab (កង ចាប) alias Sè (សែ) was the Zone deputy secretary; CHOU Chèt (ជូ ជេត) alias Sy (ស៊ី) was a member; and the secretaries of all the Sectors were also the members. This was the law which required that the secretaries of the Sectors had to serve as the members of the Southwest Zone. [But] the district secretaries did not serve as the members of the Sector [committee] except in a special case when the Sector assembly announced their assignment to a specific person to do it. For example, in a case of Sieng (សៀង), the secretary of Koh Ândèt district, who was assigned and announced by the assembly to serve as a member of Sector 13. The committee of Sector 13 composed of Ta Soam who was the secretary, Phèn was the deputy secretary, and Ta Mut was the member.

Q: What was MEAS Mut function after 17 April 1975?

A: 2-3 months after the liberation day on 17 April 1975, MEAS Mut and his wife were transferred to take charge of the Kampong Som Port (កំពង់សោម) within the navy unit.

Q: Can you specify to us whether or not your Sector 13 had a security center or a reeducation center? And when was that center created?

A: I did not know that my Sector 13 had a security center. Since 1970 I heard that there was already a security center in Sector 13, but I did not know the name of that center. I did not see that security center.

Q: After 17 April 1975 where did the security center of Sector 13 locate?

A: After 17 April 1975 I did not know if Sector 13 had a security center or not because I had already left. I suspected that there was a security center, but I did not know where it was. I also did not know the name of the chief or the deputy chief of that security center of Sector 13.

Q: Did District 105 have a security center?

A: There was no security center in District 105.

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Q: Did you know the Kraing Ta Chăn (ក្រាំងតាចាន់) Security Center?

A: I heard about the existence of the Kraing Ta Chăn Security Center after the Vietnamese arrived in 1979.

Q: What caused the death of your elder brother PREAB Kith (ប្រោប គីត)?

A: I personally did not see my elder brother dying. When I arrived in Preh Vihear (ព្រះវិហារ), I met an acquaintance who told me about the death of my elder brother.

Q: Did you know a person named Prak (ប្រាក់)?

A: Prak was the secretary of Sector 25. When Ta Soam was sick, he went to get the treatment in Phnom Penh. Then in late 1976 Prak came to replace Ta Soam as the secretary of Sector 13 in Takeo province.

Q: Did you know Ta Ăn (តាអាន់)?

A: I did not know Ta Ăn.

Q: Did you know who the chief of the security center of District 105 was?

A: I did not know because I had been already transferred to the Central Zone.

Q: Did you know the persons named Yăn (យ៉ន) or Sèn (សែន)?

A: I did not know these two persons because there were too many people then working together.

Q: Did you know Mēng (ម៉េង)?

A: I did not know Mēng. I only knew some people who used to work together with me.

Q: Can you tell us who Ta Kith deputy was?

A: I guessed Ta Kith deputy was Boeun (បៀន) (female). She was the committee of Cheang Torng (ធាងទង) commune. Grandma Boeun previously lived in Ănlung Veng, but in about 1998 she moved to live in Malai (ម៉ាឡៃ). I did not know who the member was because I had already gone to the Central Zone.

Q: What was the date they transfer you to the Central Zone?

A: I was transferred to the Central Zone in February 1977.

Q: Are you sure that you were transferred to the Central Zone in February 1977?

A: Yes, I am sure.

Q: Before you were transferred to the Central Zone in February 1977 (at which time you were still the committee of District 105), how many communes were there in your District 105? Who were the commune secretaries?

A: District 105 composed of the following communes: Trâpeang Thom North (ត្រពាំងធំជើង) commune, but I did not recall the name of its committee/[Chief]; Trâpeang Thom South (ត្រពាំងធំត្បូង) commune whose committee was Kith and deputy was Thim (ធីម); Cheang Torng commune whose committee was Ms. Boeun (now living in Malai). Her husband, named Chorn (ជន) (dead), was the chairman of the Propaganda section of Takeo province. The committee of Popēl (ពពេល) commune was Khoeun (ខៀន) (dead); the committee of Ta Phēm (តាភឹម) commune was Khav (ខាវ) (dead). Khav was the elder brother of Khoeun and his deputy Khit(ឃឹត). The committee of Âng Ta Soam (អង្គតាសោម) commune was Chhoam (ឆោម); presently I do not know whether he is dead or still alive. The committee of Sâmroang (សំរោង) commune was Ching (ធីង); the committee of this commune was replaced many times, so I could not recall all their names. The committee of Kous (គុស) commune was Oeun (ខៀន). The committee of Nhèng Nhâng (ញ៉ែងញ៉ង) commune was Sy (ស៊ី) (presently he has a nervous system problem and lives in Aur Svay (អូរស្វាយ) commune in Trapeang Prasat (ត្រពាំងប្រាសាទ) district. The committee of Srè Ronorng (ស្រែរនោង) commune was Khun (ហុន).

This interview paused at 11:55 hours on the same date.

This interview resumed at 15:02 hours on the same date.

Q: Please read this document with ERN 00079087 to 00079088. Was this name, Chim, in this document yours? What do you understand about the substance in this document which I gave you to read?

A: The name in this document was Thim. It was not my name.

Q: There is a misunderstanding between the names in this document with ERN 00079087 to 00079088. So, I would like to read this letter to you and see whether you will agree with the text in it. In this document there is a sentence reads "Request the opinion of the District Angkar, comrade Chim". Did this refer to a request for your opinion?

A: I can agree that it could be my name because at that time I was still the committee of the District. At that time I remembered that there was a couple, husband and wife, had fled to Pursat (ពោធិ៍សាត់) province and was arrested by the Pursat [cadres], and then was sent back [to us]. [One day] as I went to do the field work in Cheang Torng and Popēl

communes, I met with Ta Chorn at the commune office. At that time Ta Chorn asked me what we should do with the family who was arrested and sent back to us. I told Ta Chorn verbally that “please, Chorn, keep this family at Grandma Boeun’s house in Ta Sau-Pothivoan (តាស្នូ-ពោធិ៍វ័ន្ត) [village]”. That family was not arrested and tied up by us, but what happened to them later on I did not know. I still wonder why this letter was dated on this date because at that time, on this date, I was already transferred to the Central Zone.

Q: Based on this document, it specified that in May 1977 you were still the committee of the District, what do you think?

A: I was transferred to the Central Zone in Kampong Cham (កំពង់ចាម) in February 1977. At that time it may be my elder brother Kith or Thim who took over [my post]. I was not sure, but may be at that time my elder brother took Thim to be his deputy or member because he and Thim were very close with each other. So, this letter was sent to Thim but not to me. During the time I was the committee of District 105, the letters were mistakenly sent to the wrong addresses because Thim name and my name, which were in handwriting on the envelop as the addresses, were often misread. But until we opened the envelop and saw the letter inside, then we realized that whom that letter was intended to. At the time I was leaving for the Central Zone in Kampong Cham, Ta Thim was still the commune committee of Trâpeäng Thom South, but my elder brother was already promoted to be the committee of District 105.

Q: Yesterday you told us that during the time between November 1976 and early 1977 you were the committee of District 105 for 6 months, can you clarify for us when exactly you were transferred to the Central Zone?

A: As I can recall it, I was transferred to the Central Zone on 12 February 1977.

Q: In this document with ERN 00079090, I ask my interpreter to read its content which was a report on the Kampuchea Kroam. Why was it necessary for the District committee to receive the report on this type of matter? And what was the meaning of the content in this report?

A: As for the story about the Khmer Kampuchea Kroam in this document, I did not know. But when I was the District committee, I knew about other Kampuchea Kroam matter. This happened a long time ago. When the Khmer Kampuchea Kroam had been persecuted by the Yuon, they fled into the Khmer territories in Phnom Den (ភ្នំដំរី) district. At that time Chorn was responsible for receiving those Khmer Kampuchea Kroam refugees. He later sent a letter to inform me about it, and I forwarded that letter to the Sector because that event took place at the border. The reason Chorn reported that matter to me was because he just wanted me to be informed about it. At that time we did not kill those Kampuchea Kroam people because we were the same Khmer. We even provided them foods and shelters.

Q: In this report on item number 2, it talked about 106 soldier families whose 393 members had been smashed. Why Angkar smashed those soldier families? Were these soldier families considered as the internal enemy? Or were there any other reasons?

A: I did not know about that smashing. I cannot answer the questions related to the story in this document because it took place after I left. When I was the District committee, I did not dare to make any decision. But in the meeting I often spoke out that how could we judge them if they had no guilt. But if they made mistakes, we could judge them accordingly. In general, that was what we did.

Q: Item number 3 in this document talked about 231 soldier families in which there were 892 family members. Was [the phrase] 'soldier families' here referred to the soldier of the Democratic Kampuchea or to that of the Lon Nol (លន់ នល់) regime?

A: I am not sure. If they said soldier families, they referred to the families of the soldiers of the Lon Nol regime; but if they said the military families, they referred to the families of the soldiers of the Democratic Kampuchea.

Q: Based on what you just said, if they used the phrase 'soldier families', they referred to the soldiers of Lon Nol, is it right?

A: Yes, that is right.

Q: On the top of this document, it said these soldier families had been smashed by Angkar, what did the word 'smash' mean?

A: This word 'smash' was a reference to killing.

Q: Usually did the commune level, district level, or sector level who made a decision on the killing of so many people like that?

A: As I knew it, there was no killing of so many people like that. I would like to tell that after 17 April 1975, during the evacuation, the military of the Democratic Kampuchea [stationing] along the roads took out the Lon Nol soldiers [from the crowd] one by one, but they allowed the wives of those soldiers to continue their journey. And when they arrived at my place, I sent them to the villages and communes where they were organized as the cooperatives. I knew the story about the Lon Nol soldiers, who had been took out during their journey, through their wives who told me [when they arrived at my place]. When I asked them where your husbands were, they answered that they had been taken out by the military.

Q: You said that you had sent the soldier wives to the cooperatives, how many families did you send to those cooperatives and villages?

A: I did not remember clearly how many families had been sent to the cooperatives.

Q: You were a teacher, I believe that you are able to make an estimate. So, can you estimate how many families were organized at that time?

A: The wives of the soldiers who were organized by me at that time were about 3500 to 4000 families. Each family had an average of 3 to 5 members. I organized those families to live in the villages and communes since then. But after I left, I did not know what happened to them.

~~5/11/16~~ 02/02/16

Q: What was your function at the time you organized those soldier families to live in the cooperatives?

A: At that time I was the member of the District. Khom was the chairperson, and Keav was Khom deputy. As the member of the District committee, I was assigned to be in charge of economics and food.

Q: From which level did you receive the instruction to organize the evacuees from Phnom Penh?

A: At that time the Sector instructed the district level to organize those evacuees from Phnom Penh. Before the evacuees arrived in our place, the Sector held a meeting to prepare plans for receiving them. There were so many people who were evacuated from Phnom Penh. They traveled on the road and stopped in any villages and communes they found along the road. So we had to gather them, organize and send them to different villages and communes.

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 16:28 minutes on the same date.

Witness

Interpreter

Investigators

[Signature/Thumbprint]

[Signature]

[Signatures]

PECH Chim