

ឯកសារទទួល
DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de réception):
.....13...../.....01...../.....2010.....

ម៉ោង (Time/Heure):.....11:30.....

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

~~002/19-09-2007-86~~

E3/5857



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

Investigation

លេខ/No: 002/19-09-2007-ECCC-OCIJ

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី

Written Record of Witness Interview

On the fifteenth of December two thousand and nine, at 1308 hours at Ta Phem (តាហ៊ែម)

Village, Ta Phem (តាហ៊ែម) Commune, Tram Kak (ត្រាំកក់) District, Takeo (តាកែវ)

Province,

I, **Philip CAINE**, Investigator of the Extraordinary Chambers, having been 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 Internal Rules of the Extraordinary Chambers,

☒ With Mr. HAM Samnang, as sworn interpreter of the Extraordinary Chambers,

Recorded the statements of **BIN Hēng** (ប៊ិន ហ៊ែង), a witness, who provided the following information regarding his identity:

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្ទះជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 1

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

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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, Choam Chao, Dangkoa, Phnom Penh

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Original KH: 00418432-00418437

បញ្ជាក់ថា ច្បាប់តាមការបញ្ជាក់
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date /Date de certification):
.....13...../.....01...../.....2010.....

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

The undersigned **BIN Hēng** (ប៊ិន ហេង), (no) alias/revolutionary name, was born on 6 January 1948 at Ta Phem (តាភេម) Village, Ta Phem (តាភេម) Commune, Tram Kak (ត្រាំកក់) District, Takeo (តាកែវ) Province.

He is of Cambodian nationality and is a retired government official of the Ministry of Interior. His father BUOR Bin (ប៊ួរ ប៊ិន) is “deceased”, and his mother SĒNG Sieng (សេង សៀង) is “deceased”. His current residence is at Ta Phem (តាភេម) Village, Ta Phem (តាភេម) Commune, Tram Kak (ត្រាំកក់) District, Takeo (តាកែវ) Province. His wife SĒNG Yăt (សេង យ៉ាត់) alias Yom (យ៉ូម) is “alive”. He has seven 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 and write the foreign language.
- 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.

Questions and answers:

- Q: Have you lived in Ta Phem Village for your entire life?
- A1: Before the Khmer Rouge’s control, I studied and lived in Phnom Penh. When the Khmer Rouge took control of Phnom Penh, I stayed in Kampong Speu (កំពង់ស្ពឺ) Province and the Khmer Rouge people told me to go to the place where I used to live. I and my belongings were transported by a truck. I left Kampong Speu Province on 17 April and three days later I arrived in Ta Phem Village. Upon arrival in the village, the Khmer Rouge had my biography made. Village chief HONG Hēng (ហ៊ុង ហេង) came to write down my biography. He told me to speak the truth whether I was a soldier or a government official. I told [him] about my biography and the Khmer Rouge took notes. I told [them] that I was an instructor of the soldiers’ children. In fact, I was a military instructor on demining and

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construction, bridge, and road techniques. All the evacuees had their biographies taken. Later on, those biographies were sent to the commune office. The Khmer Rouge did not believe that I had taught the children of the soldiers, so they watched me.

Q: After your biography had been taken, what happened to you?

A2: The Khmer Rouge separated the 17 April people from the base people. I was considered as a 17 April person whom the Khmer Rouge called “parasitic people”. I was assigned to work in a mobile unit, digging canals and working the rice fields. Later on, I was assigned to work in the workshop where I worked at the charcoal kilns, sawed woods, made cement bricks, and constructed bridges. I did not live in the cooperative as I worked at the commune workshop. During that period of time, the Khmer Rouge still watched me.

Q: How long did you work at the commune workshop?

A3: I worked there for one year; later on, I was sent to work at the district workshop near district committee *Ta San* (តាសាន) in Leay Bour (លាប ប៊ួរ) Commune. I made bricks which would be taken by the Khmer Rouge to build model dining halls in the cooperatives. Three months later, I was sent to Ta Phem Commune and then to Kaoh Srâkè (កោះស្រែក), Angkor Borei (អង្គរបុរី) District where I made waterwheels and wheeled water into the rice fields. Later on, they made me go to work the rice fields in Prey Mreah (ព្រៃម្រេះ); when my wife gave birth they had me go to see her. They had me go for only one night and return the next morning. I still wheeled water into the rice fields, but the work became harder. Three people in my unit were called to go to carry machines by unit chief Kong (គង់) (deceased). They were called to go one by one at a separate time. Those people were never seen coming back. I cannot remember the names of these three people but I knew that they were soldiers of the previous regime.

Q: How long were you at Prey Mreah?

A4: I stayed at Prey Mreah until 1978. At that time, the airplanes came to drop bombs at the border and we were withdrawn back to Ta Phem Village. The Khmer Rouge prevented people from talking about that bombardment. Anyone who dared to speak about that bombardment situation would be taken to be killed. In Ta Phem Village, the Khmer Rouge established new cooperatives where people cooked food and ate in groups. When 7 January 1979 neared, the Khmer Rouge gathered people and had them climb up the mountains and I escaped and later on joined Division F330 in which there were Khmer and Vietnamese soldiers.

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Q: Would you tell me if you have received the Khmer Rouge documents?

A5: On 10 March 1979, I was selected as a member of the commune committee which was called member of the People's Revolutionary Commune Committee (Ta Phem Commune). On 15 May 1979, I was appointed as chief of the People's Revolutionary Commune Committee. We launched propaganda to persuade the misled people to come to report themselves [to the authorities] and to join their lives with the people. Khmer Rouge cadre NGÊT Nguon (ង៉ែត ងួន) (deceased) went to help find the Khmer Rouge documents. I made a plan for the commune militiamen that included Phan (ផាន), BIN Horn (ប៊ិន ហ៊ុន), YÊM Pich (យ៉ែម ពេជ្រ) (these people are alive) to go to find the documents with NGÊT Nguon. NGÊT Nguon led a group of militia to Châmkar Prey Krâlanh (ចង្ការព្រៃក្រឡាញ់) located in Trapeang Thum Khang Tbound (ត្រពាំងធំខាងត្បូង) Commune, Tram Kak District. The militiamen brought me a book. That book was an ordinary writing book which had 100 pages and whose size was 20 by 30 centimetres. In the book, there were columns in which they contained Number, Age, Sex, Occupation, and Others. In the "Others" column, there were annotations which marked, "Being watched to be smashed". I opened and looked in the book and saw many names that included MÂM Soma (ម៉ម សូម៉ា) (my cousin) who was killed, BIN Nhâ (ប៊ិន ញ៉ា), my elder brother, who was sent to the hot battlefield. BIN Nhâ is alive. MÂM Suong (ម៉ម ស្វង់), MÂM Soma's father, was sent to and killed at Krang Tachan (ក្រាំងតាចាន់) Prison. My name also contained in that book with an annotation that "Being watched to be smashed". Those militiamen brought to me a Khmer Rouge flag and banners too. NGÊT Nguon told me that when the Vietnamese came in, the Khmer Rouge hid those documents in Prey Krâlanh.

Q: What happened to that book?

A6: I brought that book to Leay Bour Commune where the trial of the Khmer Rouge leaders was organized. I do not remember to whom I gave that book but the persons who presided over that trial were TIT Pao (ទិត ប៉ៅ), LONG Yăn (ឡុង យ៉ាន់), SREI Yon (ស្រី យ៉ុន), KOL Sin (កុល ស៊ីន). Provincial leaders, HIM Nhanh (ហ៊ឹម ញ៉ាញ់), POL Saroeun (ប៉ុល សារ៉ឺន), also attended that trial ceremony. In this trial ceremony of the Khmer Rouge leaders, no actual Khmer Rouge leaders participated. At that time, we tried to collect as many Khmer Rouge documents as possible. As for me, I did not see other Khmer Rouge documents.

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Q: Do you remember you gathered the Khmer Rouge documents from Krang Tachan Prison?

A7: I did not do that.

Q: Do you remember that you gave the Khmer Rouge documents to Oxfam organization or any foreigner?

A8: I did not give.

Note: The investigator showed documents with Numbers ERN 00068024-00068037.

A9: These documents are similar to the Khmer Rouge list book I received. I recognized many names in these showed documents. I recognize MÂM Ma who was my cousin MÂM Soma, KOL Bau (កុល ប៊ូ), KOL Boeun (កុល ហៀន), KHIEU Pum (ខៀវ ពុំ) alias Moeun (ម៉ែន) (ERN 00068036). As far as I know, these documents were compiled in Tram Kak District or District 105. All the people whose names contained in these documents were killed. Apart from that, the names contained in the list book the commune discovered were of the people who were killed and who were alive.

Q: Do you remember that you discovered one document with KHIEU Chandara (ខៀវ ចាន់ដារ៉ា) alias SOK Yav (សុខ យ៉ាវ)?

A10: I know Yav; the document I saw was that logbook.

☒ One copy of the written statement was provided to this witness.

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

☐ The Written Record was read out to the witness; the witness refused to sign it.

The interview ended at 1700 hours on the same day.

Witness

Interpreter

Investigator

[Thumbprint]

[Signature]

[Signature]

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