



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

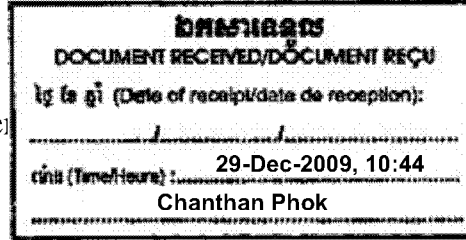
Kingdom of Cambodia

Nation-Religion-King

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgie



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

កំណត់ហេតុនៃការស្តាប់បង្ហើយសាក្សី

Written Record of Interview of Witness

Procès-verbal d'audition de témoin

On the 6th December, two thousand and nine, at 10:55 hours, at the Pha-av (ផ្កាវ) village, Pha-av (ផ្កាវ) commune, Trapeang Prasat (ត្រពាំងប្រាសាទ) 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 with an extension until 25 December 2009;

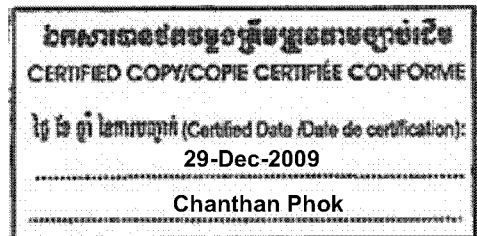
Noting the Law on the Establishment of the Extraordinary Chambers, dated 27 October 2004;

Noting Rules 24, 28 and 60 of the ECCC Internal Rules;

With Mr. Samorn NIL (សាម៉ន 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: 00414428-00414439



The undersigned, PECH Chim, has no alias, was born on 29 September 1941 in Trapeäng Prei (ត្រពាំងប្រីយ័) 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 ពៅជ័), 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 (ជ្រីក ពៅជ័ណេង), “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: What was the structure of the Rubber Plantation at the time you were the chairman of the Châmkar Ândaung (ចម្ការអណ្តូង) Rubber Plantation?

A-1: The Rubber Plantation was under the direct management of the Zone secretary, KÈ Pauk (កែ ពក). In my union there were four managers in the committee. I was the chairman; the deputy was a female (I do not recall her name and do not know whether she is dead or still alive, she was from Srè Âmbel (ស្រែអំបិល)); Yēp (យ៉ែប) was a

member (I do not know whether he is dead or still alive, he was from Kampot (កំពត)); and another member named Boeun (បៀន) (from Kampot). At the beginning, before that woman became my deputy, the deputy was a man (who was from Prèk Kâk (ព្រែកកក់) in the Central Zone). However, after he had worked with me for about one month, he was removed by KÈ Pauk who said that the man had been “implicated by [others] and had an affair with a woman in Prèk Kâk”. My female deputy was in charge of extracting the rubber milk; and I was in charge of politics and general management. Yêp and Boeun were in charge of guarding and maintaining orders and preventing forest fire.

Q: How many rubber factories were there in Châmkar Ândaung.

A-2: There was only one factory under my management. After the rubber had been collected, it was transported by trucks to Phnom Penh. The trucks usually transported supply from Phnom Penh to the Rubber Plantation before they transported the rubber back to Phnom Penh. As I knew it, they transported the rubber to Phnom Penh to be exported oversea. I did not know who was in charge of all the rubber, but it might be the Minister of Economics and Industry.

Q: How many workers working at your Rubber Plantation?

A-3: There were about 2,500 workers. They came from Kampong Cham, Kampong Thom (កំពង់ធំ) and Siem Reap (សៀមរាប).

Q: How did you supervise those 2,500 workers?

A-4: I organized them within the village, and each consisted of one union. In Châmkar Ândaung village there were 09 unions; Svay Meas (ស្វាយមាស) village had 06 unions; and Prèk Kâk (ព្រែកកក់) village had 20 unions. In total there might be fifty unions. The village chief was the chairperson of the union. At that time no commune level was organized, they organized them at the village [level] only.

Q: Did you ever go to attend any meeting in Phnom Penh?

A-5: I used to attend the meeting there once when the Chinese experts visited Phnom Penh. They said that our rubber was good. I did not recall the name of the person who presided over that meeting, but he was the Minister of Industry.

Q: Whom did you report to and receive the work plan from?

A-6: I received the work plan from the Zone directly. I went to study and attend the meeting at the Zone directly. The meeting was held once a month, and [I] was called by the letter to attend it. Sometimes KÈ Pauk came down to see my place personally.

Q: Did any Khmer Rouge senior leaders ever come to visit your Rubber Plantation?

A-7: Yes, POL Pot visited it once about in 1978. He came through the Zone, but there was no meeting held. He said “[we] must save even a single drop of the rubber milk, and

work carefully. Do not let the rubber milk drop on the ground. We have 2,500 workers, if each of us let one drop falls, 2,500 drops will be lost'. POL Pot asked about the living condition of the worker [during our meeting] in which there were only me, KÈ Pauk, and POL Pot. In the meeting I asked him for more rice. He later sent me more rice after his return. Previously, we ate just watery porridge, but after that we ate thicker porridge. Mr. IENG Sary (អៀង សារី) used to visit there once in 1977. He accompanied a foreign guest (chief of state) who was making a visit to the place. At that time his wife and KÈ Pauk wife were also with the guest. At that time I took them to see only the good rubber plants. We did not show them the bad plants. IENG Sary did not hold a meeting then. Other than these [cadres], KHIEU Samphan (ខៀវ សំផន) and NUON Chea (ឃ្លី ជ័រ) never visited the Rubber Plantation. When I made the report, I did it directly to the Zone without going through the district.

Q: When you became the chairman of the unions was there any enemy purging there?

A-8: There was not. There was only one person who was removed. At that time I developed the force of the Base Youth which consisted of 500 persons, who were the Party loyalists. After they became the Base Youth, they were ready to become the Youth League. That was the Party's work plan to build manpower.

Q: In what year did you go to work at the Châmkar Ândaung Rubber Plantation? And what happened after you arrived there?

A-9: I became the chairman of the Châmkar Ândaung Rubber Plantation in 1977. When I came to lead there, the leaders of the committees of the union had all disappeared, and only the village leaders remained. When I arrived in Kampong Cham, I asked KÈ Pauk about the disappearance of those leaders, and found out that they had fled into the jungles. After I arrived, I put 40 persons, whom I had brought with me from the Southwest Zone, to lead the work at the Rubber Plantation.

Q: Were any union workers dead? And what were the working hours?

A-10: No one was dead. The work started at 07[am] to 11[am], and from 2pm to 5pm in the afternoon. But it also depended on the practical situation.

Q: How was food ration?

A-11: [The workers] ate watery porridge.

Q: Were there any persons died from any diseases?

A-12: There was not, but people were sick.

Q: Why did they assign you to be the chairman of the Rubber Plantation union?

A-13: I did not know. After I arrived there, I called all the chairpersons of the unions to a meeting so that I could learn from them the problems of the Rubber Plantation, and learn about its work and its terminologies that were used at the Plantation. One time as I went to attend a meeting, the attendees shouted 'Long Live, the Communist Party of Kampuchea!'. At that time I was thrilled and thinking that people might consider that the previous leadership was not good.

Q: How did you do when the workers had done wrong?

A-14: When people did wrong, I compromised. I had them eat enough.

Q: If there were workers stealing the rubber, how did you do?

A-15: They never stole the rubber.

Q: You said that you once went to attend a meeting in Phnom Penh during a visit by a Chinese delegation. Can you tell us further about that meeting in Phnom Penh? Who organized the meeting? Who made the introduction in the meeting? Where the meeting was held?

A-16: I did not recall his name, but I knew that he was the Minister of Industry. He replaced CHÈNG Ân (ចេង អ៊ិន), and he was the person who made the introduction [in the meeting]. The place where the meeting was held was east of Wat Phnom (វត្តភ្នំ).

Q: What Ministry did the meeting place belong to?

A-17: It belonged to the Ministry of Industry. At that time they merged two or three Ministries into one, [for example], the Ministries of Economics and Industry was just one Ministry.

Q: Do you recall on what date you attended that meeting?

A-18: I do not recall it. At that time, the Chinese guest was visiting, so, as I went to work with the [Rubber] unit there, I also received the Chinese guest. After they had visited Phnom Penh, I took them to see Châmkar Ândaung and Prèk Kâk. They visited the Rubber Plantations in Prèk Kâk and Châmkar Ândaung, and stayed overnight there before they left for Kampong Thom in the following day.

Q: When you attended the meeting in Phnom Penh and met with the Chinese delegation, were there any representatives from the other Zones or Sectors also attending?

A-19: There was not. There was only me. And they talked about the quality of the rubber and [urged us] to work harder in order to produce more rubber for exporting.

Q: How many rubber plantations in the Central Zone?

A-20: In the Central Zone there were 4 rubber plantations included the Châmkar Ândaung rubber plantation, Svay Meas rubber plantation, Prèk Kâk and Ândaung Svay (អណ្តូងស្វាយ).

Q: Were those 4 rubber plantations under the control of the Central Zone?

A-21: Yes, they were under the Central Zone control.

Q: You said there were 2,500 workers working at the rubber plantations, were those 2,500 workers working for all 4 plantations?

A-22: Yes, they worked for all four plantations. But those 2,500 workers were the forces for extracting the rubber milk only. Besides them, there were also children and elderly people. At that time, children went to school and elderly people grew corn.

Q: The workers working there were the people from Kampong Cham, Kampong Thom and Siem Reap. Who organized and sent those forces to work at the rubber plantations?

A-23: When I arrived, there were already forces working there. The Sectors or provinces at that time sent workers to work at the rubber plantations followed the request of the Centre or the Zone.

Q: You said that they had transported things from Phnom Penh to the rubber plantations, and took back the rubber to Phnom Penh. Who managed and organized those transportations?

A-24: At my work place Dân (ដង), who was my assistant, was in charge of coordinating the transportation.

Q: Were there any papers accompanying those transportations?

A-25: The persons from Phnom Penh brought with them the list of items they transported to [us]. When they returned, the same list was produced for them to take with. The persons who came to take the rubber had their own unit chief.

Q: Now we change the subject from the rubber production to the salt production. Can you explain to us about the salt production in Srè Âmbel (ស្រែអំបិល)?

A-26: I can tell you about it based on what I understood, but I never did that work before. The salt farms located near the seaside in the places like Kep (កែប), Kampot (កំពត) and Kampong Som (កំពង់សោម). Through the sea arms we flew the salt water into the farm where it was kept for one week until it became salt. After that the workers collected it to be kept [in the warehouse]. We had to harden the ground before we turned it into the salt farm.

Q: Was the work of the salt farm under the Centre or the Zone?

A-27: As [I] saw it, that might be a cooperative work, half and half like that of the rubber plantation; it was one half with the Center and another half with the Zone.

Q: Who was in charge of the salt farm?

A-28: The persons in charge of the salt farm named Punlork (ព្រួក) (male, still alive, but do not know his whereabouts). And another person named Chim (ជឹម) (female, from

Kampong Speu (កំពង់ស្ពឺ)). I knew that they were in charge of the salt farm, but I was not sure whether they were in charge of it countrywide. I knew they were in charge of the salt farm when we met during our education meeting.

Q: Was the salt farm the place of the Centre or the Zone?

A-29: As I saw it, it might belong to the Zone. Like I told you, the Zone and the Centre could not be separated; the Zone [was in charge] of collection, and the Centre [was in charge] of transportation, recruiting forces and distribution.

Q: At the salt farm, who was in charge of salt production and stocking?

A-30: I was not sure.

Q: In Kampot province there were four to five big salt warehouses. Did those warehouses belong to the Centre or the Zone?

A-31: I was not sure.

Q: Now let's change the subject to Kraing Ta Chăn (ក្រាំងតាចាន់). Can you, (based on your estimation), tell us the number of the prisoners there before 1975 and after 1975?

A-32: I can not estimate it; in short, I did not know. That prison located in the territory of the district, but it was under the Sector control. We did not dare to go near it. Its chairman was Chhên (ឆែន), and later on it was Ǻn (អាន់).

Q: How could you know that these two persons would know about the number of the prisoners in Kraing Ta Chăn?

A-33: Because they were in charge of keeping the list there. I was not the person who recruited them to work there. Ǻn and Chhên were recruited by Khom (ខុម). The Sector requested Khom to recruit [people to work there], so Khom did it. At that time I did not yet join the district committee. I was still the low rank cadre, carrying a rifle traveling around to do economics works.

Q: Did you ever see Ǻn's handwriting?

A-34: I used to see it, but I cannot remember it clearly. Ǻn's handwriting was clearer than Chhên's handwriting. Chhên's handwriting was rough. These two men were monks, but Ǻn's handwriting was clearer than Chhên's.

Q: Please take a look at this document (the investigator shows the document with ERN 00068014-00068016 to the witness), who was the writer of [this writing]?

A-35: These letters were not Ǻn writing. They used their secretary to write them because their hand writings were not as nice as these.

Q: The investigator reads to the witness the document with ERN 00068014-00068016. What party does this word "party" refer to?

A-36: This refers to their respective leader. Whoever their leader was, they reported to him.

Q: Did they ever send this report document with this ERN 00068014-00068016 to you?

A-37: I never received these documents because these two persons did not report to me.

Q: Please look at another document (the investigator shows the witness the document with ERN 00068017-00068017). Do you know what document was this? And who was the writer?

A-38: This handwriting is similar to Ǻn handwriting. The substance in this document [talked] about the suspect[s] who had been arrested at the frontline and sent to the district for a decision. The sender of this document was the commune [chief], and Kit (គិត) in here was the district secretary. The substance in this document talked about the security.

Q: Here is a document with ERN 00068046-00068082 that I would like you to read. We want you to read page number 04 which has ERN 00068049-00068049. (*The witness is reading the document*).

A-39: The substance of this writing said “The Re-education Center 105. Up to date we have smashed the enemy of 15,000 persons. Please, the Party, be informed. The Re-education Center 105. Signed, Ǻn”. This writing was really the writing of Ǻn who was the chairman of the Kraing Ta Chǻn Re-education Center. These writings seemed belong to two writers. The two lines at the bottom were Ǻn writing, starting from “please the Party be informed” down to the signature which was signed by Ǻn. But I do not know whose writing were the four lines above.

Q: After you clearly read this document, how many persons had been smashed?

A-40: If we include the “0” next to the word “person”, there were 15,000 persons.

Q: How can you remember Ǻn writing? And how often did you see it?

A-41: I did not see it often, but I saw Chhēn writing more often. But I used to see Ǻn handwriting when he sent to me the report he wrote such as that about the transferring of the prisoners from the Sector to the Kraing Ta Chǻn Center; and also when he wrote to ask me for some rice and cassava when I was the secretary of the Trǻm Kǻk (ត្រាំកក់) district. That is why I still can remember some handwritings of Ǻn.

Q: Earlier you said that Ǻn could know better than Chhēn about the number of the prisoners [in Kraing Ta Chǻn], is it true?

A-42: Yes, Ǻn knew better.

Q: Please take a look at the signature on the document with ERN 00068049-00068049, does it have a date?

A-43: No, there was not.

Q: Based on your knowledge, was Ǻn tasked to report about the number of the prisoners in and out and to be smashed?

A-44: Yes, that was his task to make the monthly report.

Q: During the time Ǻn was the chairman of the Center and you were the district secretary, did you think that Ǻn’s reports were right?

A-45: He did it right because he [followed] his section and unit [guideline].

Q: When you were the district secretary, did Ǻn become the chairman of the Kraing Ta Chǎn Re-education Center yet?

A-46: He already became the chairman of the Center. His reports to me were about the shortages, economics matters, requesting rice and cassava, and living condition of [the people].

Q: Did Ǻn report about prisoner matters to you also?

A-47: He did not report to me, but he reported it to the Sector.

Q: When Chhēn became the chairman, did he report more often?

A-48: Yes, often, but not regular; sometimes once a month, but sometimes once in two months. Chhēn reported about the transferring of the prisoners from the Sector to be put in Kraing Ta Chǎn Center. He informed me about the number of the prisoners so that it would be easy for me to calculate and send him food supply. When Ǻn became the chairman, he made the same reports.

Q: Please take a look at the document with ERN 00068046-00068082. Whose writing was it?

A-49: This was the secretary handwriting. But I did not know who they used as their secretary. Ǻn and Chhēn could not write that long.

Q: Whose secretary was that?

A-50: The secretary of Kraing Ta Chǎn, but I did not know where they recruited him from.

This interview paused at 12:50 hours noon.

This interview resumed at 15:00 hours.

Q: *(The investigator excerpted a sentence in the book entitled 'Chain of Terror' on page 62 paragraph 2) which was written that 'In Kraing Ta Chǎn there were 21 graves, and there were about ten thousand corpses exhumed from those graves'. Did you know anything about those graves and the corpses that had been exhumed while you were in district 105? And did you know if there were any graves in Kraing Ta Chǎn in which the buried corpses were not the victims of the Kraing Ta Chǎn Center?*

A-51: I did not know those 21 graves.

Q: At that time were there any corpses of the dead soldiers sent from the battlefields to be buried there?

A-52: I did not know. At that time we knew only about our matter, other persons knew theirs. We could not know other persons matter.

Q: The investigator shows the witness the document with ERN 00270909-00270911 and asks him to read it. What do you think about this report?

A-53: This report was not complete. The analysis was not a clear cut.

Q: Did you know Mēng (អៀង)?

A-54: I did not know.

Q: Was Kit who signed here your elder brother?

A-55: Yes, he was my elder brother. This report was reported to the district, but I did not know who the reporter was.

Q: According to this report with ERN 00270909-00270911, it meant that Kit ordered Ǻn to monitor a child. Was it true?

A-56: Yes.

Q: According to the working procedure, did it mean that the district secretary during that time had the right to order or instruct Ǻn to conduct the interrogation or investigation on [the prisoners] at the security center?

A-57: [They] did not make a prompt arrest. They first sent Ǻn to investigate [the case on site]. The person mentioned in this report was not yet arrested. They were still looking for him.

Q: In general, did you know if there were any children arrested and detained in Kraing Ta Chǻn?

A-58: There was not.

Q: The investigator shows the witness the document with ERN 00068046-00068082 and asks him to read it on page 8.

A-59: This child was not a spy. He was hungry, so he stole something to eat.

Q: Based on your idea, was it fair or just that this child [was arrested] although he had done wrong?

A-60: It was unfair and not right. At that time if I was there, I would ask the Sector to take him to live with the people. In the past I liked to seek for justice; and I sought for justice everywhere.

Q: If this happened [in your presence] did you have the power to intervene and solve the problem?

A-61: I had the right and I dared to protest. I could ask the Sector for a solution.

Q: We have the information in our document regarding a movie actress who had been arrested, detained and killed in Kraing Ta Chǻn. Did you know about this story?

A-62: I did not know.

Q: Did you know the name KIM Nova (គីម ណូវ៉ា)?

A-63: I used to watch [her] movie in the previous regime, but I did not know [her] family. I did not know whether during the evacuation in 1975 Mr. NOB Nèm (ណុប ណែម) family or KIM Nova was evacuated there.

Q: If there is a witness who knew about this story, and who knew that this movie actress was at that time in the Kraing Ta Chăn Security Center where she was raped and killed. And after that event took place, the investigator reported the incident to you. Did such incident ever take place there?

A-64: No, it did not. If I was working there at that time, I would protest it. I would ask the Sector to punish that person [the perpetrator]. Ân and NOB Nêm knew each other because the villages they lived were next to each other in the same commune. I lived far away in a different commune.

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 17:00 hours on the same date.

Witness

Interpreter

Investigators

[Signature/Thumbprint]

[Signature]

[Signatures]

PECH Chim