

០៣៦១/៩



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the
Courts of Cambodia

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត

Office of the Co-Investigating Judges

Criminal Case File/Dossier penal

No: 002/14-08-2006

នេខស៊ើបសួរ/Investigation/Instruction

លេខ/No: 002/19-09-2007-ECCC-OCIJ

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation-Religion-King

DOCUMENT RECEIVED/DOCUMENT REÇU

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

11 / 05 / 2010

ម៉ោង (Time/Heure): 14:30

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

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Witness Interview

On the second of March two thousand and ten, at 13.45 at Srah Chhouk (ស្រះឈូក)

Village, Trapeang Preci (ត្រពាំងប្រិយ៍) Commune, Anlong Veng (អង្គរវង់) District, Oudor

Meanchey (ឧត្តរមានជ័យ) province,

We, Chandaravan Chay and Thomas Kuehnel, Investigators of the Office of the Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia (the "ECCC"), being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 25 February 2010,

Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004,

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

☒ With Samorn Nil, as sworn Interpreter of Extraordinary Chambers,

Original KH: 00483937-00483950

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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

ឯកសារប្រាកដតាមប្រព័ន្ធគ្រប់គ្រងឯកសារ

CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):

18 / 05 / 2010

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

Recorded the statements of PHĂN Chhên (ផាន់ ឆេន), a witness, who provided the following information regarding his personal identity:

The undersigned PHĂN Chhên, born in 1932 in Porng Toek Bbaung (ពងទឹកត្បូង) village, Kus (គុស) commune, Tram Kak (ត្រាំកក់) district, Takeo (តាកែវ) province. He is of Cambodian nationality. He is a clergyman of Thormraram (ធម្មរាម) pagoda . His father, LAK Phan (ឡាក់ ផាន់), is deceased, and his mother, TIM Chuon (ទីម ជួន), is deceased. . His present address: Srah Chhouk village, Trapaing Prei commune, Anlong Veng district, Oudor Meanchey province. He is married to ROATH Sên (រ៉ាត សេន), alive and is father of 1 child.

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

Questions and answers:

Q. Since you were interviewed last time, have you been interviewed by any other people?

A1. No.

Q. We would like you to confirm that the previous interview you provided to us was not under coercion or instruction and you were voluntary to provide statements. Was that true?

A2. Yes.

Original KH: 00483937-00483950

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១
ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩៤១ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

0369/5

Q. So in today's interview, we would like you to confirm some statements you made in the previous interview. When we compared your statements with those of certain witnesses, we have had some issues to be confirmed by you. That is why we come to meet you again today. We, therefore, are focusing on events which happened in Krang Ta Chan from the time you moved in till the time you left. Based on your memory, can you recall if there were people from upper echelon visiting Krang Ta Chan regularly or occasionally?

A3. As I told you in the previous interview, the person who regularly visited Krang Ta Chan was Phy (គី). He was the member of Tram Kak district committee.

Q. Do you remember if there were other people from the authority above the district level such as from Sector or Zone, visiting Krang Ta Chan Office?

A4. There was no one from the Sector or Zone. The district was only visited by district people with low profile.

Q. Were there any people from the upper echelon who visited the district or Kus commune, except Krang Ta Chan Office?

A5. Kus commune was not visited by the sector people as it was near Angk Tasaom (អង្គពាលោម) which was the battle field. As a result, people from other places did not dare to conduct meetings or gatherings there.

Q. From your memory, before the Phnom Penh fell, was it possible that the military commanders or upper echelon leaders of Democratic Kampuchea came to your commune to give advice on how to capture Phnom Penh?

A6. Never. The meetings were held near the mountains and they were attended by people from the sector. They did not dare to conduct the meetings in Kus or Samraong (សំរោង) commune.

Q. Why were the meetings not conducted in Kus or Samraong?

A7. Because the area was the battlefield. In the fighting, tanks were sometimes used and as you were informed a helicopter was used in an attempt to arrest me. I wanted to tell you that helicopter was used to arrest people in here twice. The situation in area, therefore, was tight.

Q. When did the fighting take place?

A8. In 1972.

Q. At that time, the fighting was undertaken by the southwest zone. Did you ever see Ta Mok commanding or giving advice to soldiers?

Original KH: 00483937-00483950

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

0369/5

A9. Yes, I did.

Q. Where did you see him? Did you see in Kus commune or where did you see him?

A10. Ta Mok was not afraid while he was the military commander. I did not see him in the meetings though. He had two legs at that time. He was not handicapped as he is today.

Q. Where did you see Ta Mok? Was he in Kus commune or Krang Ta Chan?

A11. Krang Ta Chan was never visited by Ta Mok.

Q. When you saw Ta Mok, he was not in Krang Ta Chan. Where did you see him?

A12. I saw him in Kus Khang Lech (គុសខាងលីថ) and Samroang Khang Lech (សំរោងខាងលីថ), the headquarter. In the fighting fields, the headquarter was not openly accessible. It was protected from being attacked by air and land.

Q. Can you describe how you met Ta Mok? Did you just see him in the headquarter or did you report to him about the issues in the commune or Krang Ta Chan or what else did you do to him?

A13. I saw him in his headquarter. I was not directly commanded or advised by him. If he needed to give advice to the lower cadres, he would do through the district.

Q. Why were you in the headquarter?

A14. As I received an order from the district to evacuate people from the villages, communes before the fighting took place.

Q. When did you know that NUON Chea was one of the top leaders in Democratic Kampuchea?

A15. I had heard his name for a long time but I just met him and KHIEU Samphan when I came to Dang Rek mountain (ភ្នំដងរែក) after 1979 (escaping from Yuon).

Q. When did you hear NUON Chea?

A16. From 1970 or 1971 to 1979, when he came to Dang Rek mountain.

Q. How did you hear the names of NUON Chea and KHIEU Samphan? Who told you these names?

A17. I listened to radio and via the cadres who conducted trainings in my area.

Q. Who were the cadres who came to teach you?

A18. Cadres from the district. The cadres who used to be trained from the upper echelon and then came to further teach people in the lower echelon.

Original KH: 00483937-00483950

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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

០៣៦៩/៥

Q. What were the names of those cadre teachers?

A19. They were Nhev (ញ៉េវ), Kit (គីត).

Q. What did Nhev and Kit do?

A20. Nhev was the district chief while Kit who was promoted after Nhev.

Q. Were you referring to Kit who was the brother of Ta Chim (តា ជឹម)?

A21. Yes.

Q. During the trainings, you were introduced to NUON Chea and KHIEU Samphan. Were you told about the jobs of NUON Chea and KHIEU Samphan?

A22. We were told about the Council of Ministers. I was told that they were the ministers but I did not know what they were in charge of.

Q. We advised the witness to make statements from what he could remember, not the statements based on the advice from other people or what he was told. As the time passed for a long time, we asked the witness to tell us what he could recall, not the statements which were based on his assumptions. He was further advised that he could only answer questions based on his memory, not information he heard from radio and event he was told by other people. When KHIEU Samphan and NUON Chea were introduced to you in the training sessions, were you shown their photos?

A23. I used to see the picture of KHIEU Samphan but never saw NUON Chea's.

Q. Why were you introduced to the picture of KHIEU Samphan?

A24. As his picture was published for the public for propaganda.

Q. When you said, "Published for propaganda", how did it work? Or were Revolutionary Flag magazines used or what?

A25. There was a mug shot. Anyone who dared to accept the photo would be given one. Taking the photo would mean by the people that they were part of the revolution movement.

Q. Can you recall when you met NUON Chea and KHIEU Samphan? Which one did you meet first?

A26. I met NUON Chea first. That was in about 1981 or 1982 in the Dang Rek mountain area.

Q. How did you realize that the man you met was NUON Chea?

Original KH: 00483937-00483950

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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

A27. In Ta Chak (តាចក់) mountain or Mount 808 (I assumed it was the military code), there was a party in which I joined. He was called Ta NUON Chea and then I knew him but at that time I did not shake hand with him or directly talk to him.

Q. You said that you heard NUON Chea and KHIEU Samphan in 1970 or 1971 and you met them in about 1981 or 1982, were they still called NUON Chea and KHIEU Samphan or they were called other names?

A28. They were still called NUON Chea and KHIEU Samphan.

Q. Were they called Ta NUON Chea and Ta KHIEU Samphan?

A29. Yes.

Q. Did you ever hear the alias of NUON Chea such as Brother No. 2, Buor (ប៊ូរ) or Um Nuon (អ៊ូ នួន)?

A30. I used to hear he was called Ta NUON Chea and Um Nuon.

Q. I wish to tell you that we understood what you told us but now I wish to ask you further. From your memory, was it possible that NUON Chea used to visit Kus commune or Krang Ta Chan or to directly talk with you?

A31. No. Never

Q. Are you sure about this?

A32. Yes, I am.

Q. But a witness told us that he used to see you and NUON Chea talking in Kus commune/Krang Ta Chan.

A33. No. I am not afraid to tell you this. There is nothing for me to hide from you. If I used to meet him, I would have told you this. If people on this earth did not know this, God would do. I had never met him before and only met when I was in Dang Rek mountain area. I met him twice in the mountain area.

Q. Now, I am referring to the statement made by the witness. Please listen to it and tell us how you feel. The statement is in English with ERN 00411483. We do not tell you the name of the witness. It is quoted as saying, "I never talked with NUON Chea but at that time I saw Ta Chhen, chief of Krang Ta Chan Detention Office, talking with NUON Chea and then I heard him telling his deputy chief, Ta Ann (តា អាន់) that the man was Ta Chea or NUON Chea. Before I heard their conversation, I did not know that he was NUON Chea".

Original KH: 00483937-00483950

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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

0369/5

A34. I dared to tell you that I used to meet NUON Chea and KHIEU Samphan on the areas of Dang Rek Mountain. I, therefore, dared to tell you that I used to meet them in 1981 or 1982, would I be afraid to tell you that I used to meet him before? I, in fact, met a man, named Chea (ជ័រ) but he was the Samraong commune committee and he was from Hanoi. It should be considered that a man with high profile like NUON Chea would not visit the battlefields or a cadre at the lower echelon like me would easily meet NUON Chea.

Q. I want you to tell us the man, named Chea to whom you just referred to. How can you remember Chea, the chief of Samraong commune? Why did you meet him?

A35. I was introduced to him by the district. Chea was removed from the position as the commune committee. I said to Chea that he was removed from his position. I did not remember where I met him.

Q. When were you invited to the district and informed that Chea was removed from his position as the commune committee?

A36. In 1972. There was a meeting which was attended by commune committee people but not by Chea and the participants were supposed to further inform their group members. After the meeting, I went to Chea and told him his removal. Chea hung to commit suicide after being informed he was removed.

Q. Why was he removed from his position?

A37. Because anyone who was from Hanoi would be removed from the positions. These people were not allowed to hold any positions as they were accused of being Yuon.

Q. At that time, how many people from Hanoi were removed from the positions?

A38. I do not remember the number but I just remembered that those who were from Hanoi were not allowed to hold any positions. I have another younger brother, named Hen who worked with HUN Sen. He was a medical doctor but he is deceased.

Q. Are you sure the event happened in 1972?

A39. Yes, I am.

Q. But the witness said that you met NUON Chea in probably 1973 or a period between 1974 and 1975? The meeting time is different.

A40. No. Chea I mentioned died a long time ago. Later, I never met other people, named Chea.

Original KH: 00483937-00483950

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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

Q. I wish to tell another person, named Chea to trigger your memory and to avoid your confusing with this Chea. Can you recall a man, named SAOM Chea (សោមថា), alias Comrade Sdcung (មិត្ត ស៊ីង)? SAOM Chea or Comrade Sdcung was the Sector 25 secretary.

A41. No, I do not.

The interview was postponed at 15:10 p.m on the same day.
 The interview resumed at 15:45 p.m on the same day.

Q. When you talked with Chea, what was your position? Why did you meet Chea for the issue?

A42. I was the commune committee and there were commune branches. In the commune, if I was the only person who received any tasks, I would dispatch them to other people in the commune branches. As Chea was in the same branch, I needed to tell him.

Q. When did Chea become the committee chief of Saraong commune?

A43. I did not remember but I was attending the district meetings, I always met him. I assumed that he worked as the commune committee in 1970.

Q. When did Chea hang?

A44. Chea hung to commit suicide in 1972 after he was told that he was removed from his position.

Q. What work did you do with Chea, Samraong commune committee?

A45. I only met him while I attended the district meetings which were conducted twice a month.

Q. What was the relationship between Samraong commune and Kus commune?

A46. The communications of the two communes were involved in rice production, water irrigations, and agricultural sector or in the disputes of the people from both communes.

Q. Did Chea come to Kus commune to meet you?

A48. No.

Q. Did Chea ever go to Krang Ta Chan Office?

A49. No, he never.

Q. At that time, how old was Chea?

Original KH: 00483937-00483950

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្ទះលេខ៤ 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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh
 Boite postale 71. Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

D969/5

A50. He was over 50 years old. He was as tall as I am and of dark complexity. If he lived up to now, he would be over 80 years old. His wife is still alive as she is younger than her husband.

Q. When did An work as your deputy?

A51. An worked as my deputy since Krang Ta Chan office was opened. It was about in 1972. He was sent to work with me by the district. As I worked in the commune, I could get in and out of the office.

Q. When we interviewed you last time, you said you used to interrogate the prisoners. Is it correct?

A52. Yes.

Q. Is it correct that Krang Ta Chan office was opened in 1972 and you were the chief of Kus commune since 1972?

A53. Yes.

Q. How long did you work as Kus commune committee?

A54. I worked as the chief of Kus commune till 1972 and I was assigned to work with the monks in charge of people evacuation till 1974. When I was in the people evacuation unit, the chief of Kus commune was another person, not me.

Q. Who replaced you when you left your position as the chief of Kus commune?

A55. There were Seum (ស៊ែម) being Kus commune chief and Oeun (អៀន).

Q. Who was the chief of Krang Ta Chan Office?

A56. They were Phy (ភី), An (អាន់), Duch (ឌុច), Cheng (ចេង) and Penh (ពេញ).

Q. Why was the new Kus commune chief not the chief of Krang Ta Chan?

A57. No. Krang Ta Chan was under the control of the district.

Q. Before 1972, can it be said that you were the chief of Krang Ta Chan office and the chief of Kus commune?

A58. Yes, you can say so as at that time I hold two positions but later on Krang Ta Chan office was transferred to be under control of the district. The reasons I was not allowed to control the office were that I released 4 people who were arrested with no concrete grounds and decided to release them without consultations with other people. I, therefore, was removed by the sector and Krang Ta Chan office was under the control of the district. I, then, did not hold any position for two years.

Original KH: 00483937-00483950

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

Q. Were you removed by the people from the sector?

A59. Yes, I was removed by Saom, the sector committee.

Q. Was An the chief of Krang Ta Chan office?

A60. An was the chief of Krang Ta Chan office when Phy was absent but Phy was the chief of Krang Ta Chan office.

Q. How long did Phy work as the district committee?

A61. Phy was the chief till the area was entered by Vietnam in 1979.

Q. What did Chim do?

A62. At that time, Chim was the district committee, Phy also sat in the district committee below Chim but he was responsible for security. Chim was not very well aware of Krang Ta Chan office and Chim left the area in 1976.

Q. After Chim left, who replaced him?

A63. Yes, he was replaced by Kith and Chim was sent to work in the rubber plantation. I was not allowed to hold any position for three years and in 1977, I was sent to work in the rubber plantation as I was known to them that I used to work in the former French Rubber Plantation Company.

Q. I want you to describe Chea, Samroang commune committee and NUON Chea you met later on Dang Rek Mountain. How were these people different?

A64. They were completely different as NUON Chea was of white complexion like a Chinese man and Chea I used to talk with was of dark complexion. Chea I met in Samraong commune was taller than NUON Chea and as was his face.

Q. After 1980 and 1981, did you often see NUON Chea?

A65. Yes, I did after he returned from Pailin (ប៉ៃលិន). KHIEU Samphan, NUON Chea and POL Pot all lived here.

Q. Apart from Chea who worked as the Samraong commune committee, were there any other people named Chea in Kus commune and Krang Ta Chan office?

A66. No when I was there.

Q. When you moved to work in Krang Ta Chan office, how many prisoners were there?

A67. There were about 15 people as the office was just a small house at that time.

Q. How many men and women were there?

A68. There were not many women. There was only one.

Original KH: 00483937-00483950

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្ទះជាតិលេខ៤ 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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

Q. As you also involved in interrogating prisoners in Krang Ta Chan office, do you remember a prisoner, named Yav (យ៉ាវ)?

A69. It seemed there was no such name.

Q. Did you know other people named Yav?

A70. No, I did not. Only my younger sister was named Yav. No other people were named Yav.

Q. Concerning the fighting with Lon Nol, was the fight serious in this area in 1971 or 1972? Was it possible that NUON Chea was in your commune?

A71. Yes, it was but I never saw NUON Chea visiting this area. The situation was better in 1974.

Q. After listening to interview statement made by a witness, how do you feel about it?

A72. I felt that it was not correct. I feel that the statements were not correct. I have two reasons that upper echelon people did not go to the area: (i) it was the serious fighting area and (ii) the person holding high position like NUON Chea would not visit such the area. You can imagine that even Ta Chim, the district committee, never knew Kang Ta Chan very well. I wish to confirm you that the two people who were set free by me and could be the witnesses for this are SOY Sem (ស៊ី សែម) (whose father was the former commune chief). He is currently living in western part of Kus commune, possibly in Ta Lak (តា លាក់) village. Another person is Chhong (ឆុង) and the clergyman in Koh Ka'ek (កោះកែក) or Kanearam (កានារាម) pagoda.

Q. If the Khmer Rouge tribunal asks you to confront this witness in the future, can you go and do so?

A73. Yes, I will dare to do so.

Q. You said that NUON Chea was the top leader and in the beginning you said that he was in the committee of ministers but you did not know his position. How could he be the top leader in the Democratic Kampuchea?

A74. I was aware of this through information dissemination of the leaders.

Q. The position was communicated to you by the leaders in 1970 or 1971. Did you receive it directly from the announcement or you were just told?

A75. I heard it twice and moreover it was written in the documents used for training. The owners of concepts were stated in the documents. Based on the documents, I could know he was the top leader.

Original KH: 00483937-00483950

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

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

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh

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

០១៦៩/៥

Q. How often were the documents used by the leaders for training?

A76. Quite often. They were printed as manuals but they were not often sent to us. The documents were often used when the situations were good but when the situations were not good, they were not sent often.

Q. When you read the documents, what did you learn from them? What position did NUON Chea hold?

A77. When the war was over, the books were produced on how to build canals and water irrigation gates and agricultural sector was dominantly discussed. At that time, the leaders were numbered such as Brother 1, Brother 2, Brother 3 and Ta Mok was numbered as Ta 15. When he signed, he wrote his name as Ta 15. People, sometimes, like from the east did not know Ta 15.

Q. Based on your knowledge and understanding, can you recall the names of upper echelon people from numbers 1 to 5?

A78. I know only number 1 and number 2.

Q. Who are they?

A79. Number 1 is Pol Pot and Number 2 is Ta Mok. I knew this after 1979.

Q. From 1972 to 1975, can you recall?

A80. It was SAO Phim (ហ្នែង ភីម) and after that was Ta Mok in the second number.

Q. There would be confusion between our question and your answer. I want you to confirm the top leaders of Democratic Kampuchea by counting from numbers 1 to 5.

A81. I am not sure with that.

Q. Did you personally know the people you mentioned earlier?

A82. Yes.

Q. Thank you.

☒ 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.

End of the interview: 14.55 p.m. on the third of March two thousand and ten.

Original KH: 00483937-00483950

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១
ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Witness	Interpreter	Investigator
[Thumbprint]	[Signature]	[Signature]

Original KH: 00483937-00483950
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, Choam Chao, Dangkoa 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, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.