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អង្គជំនុំជម្រះសាលាដំបូងឧត្តមក្រុមប្រឹក្សានៃសាលាដំបូង
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ឯកសារច្បាប់ត្រឹមត្រូវតាមច្បាប់ដើម
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA

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

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី
Written Record of Interview of Witness
Procès-verbal d'audition de témoin

On the thirteenth of January, two thousand and nine, at 08:35 hours, at Trâs ត្រាស់ village, Balaing បាល្លាំង sub-district, Baray បារាយណ៍ district, Kampong Thom កំពង់ធំ province,

We, EM Hoy ឯម ហ៊ីយ and Philip Caine, Investigators of the Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 05 November 2008,

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 Heng Ham Kheng ហេង ហាំខេង, as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of KÈ Un កែ ឃីន, a witness, who provided the following information regarding his personal identity:

The undersigned, KÈ Un alias Aok ឱក, male, 76 years old, in Krasaing Chuor ក្រសាំងជួរ village, Baray បារាយណ៍ sub-district, Baray បារាយណ៍ district, Kampong Thom កំពង់ធំ province. He is of Khmer nationality and is an elderly.

His father, Keo Chap កែវ ចាប, is “deceased”, and his mother, Sou Um ស៊ូ អ៊ុំ, is “deceased”.

His present address is in Trâs ត្រស់ village, Balaing បល្ល័ង្ក sub-district, Baray បារាយណ៍ district, Kampong Thom កំពង់ធំ province.

He is married to Ao Yae ឱ យ៉ៃ, alive, and is the father of 06 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: Prior to 17 April 1975 where did you live? And what did you do?

A: I lived in Kampong Cham កំពង់ចាម province (in Kampong Cham town), I lived with Kè Pauk កែ ពក, who is now dead. I was Kè Pauk’s driver who drove him to many places.

Q: When did you know Kè Pauk?

A: I have known Kè Pauk since I was young. He was my uncle because he was my father’s younger brother.

Q: When did you begin to live with Kè Pauk?

A: I began to live with Kè Pauk since 1972.

Q: So, before Phnom Penh was liberated by the Khmer Rouge where was Kè Pauk?

A: At that time I was in Baray. Kè Pauk didn't take me yet to work as his driver. It was perhaps before 1975 when Kè Pauk came to take me to work as his driver.

Q: As Kè Pauk's driver did you know what did Kè Pauk do during that time?

A: Mostly I drove him to Staung ត្បូង to oversee the construction of a dam in Staung.

Q: Before the Khmer Rouge won the war in 1975 did you know what did Kè Pauk do?

A: He was a military leader. I don't remember his unit. He was the chief of Kampong Cham Zone; and his senior was POL Pot ប៉ុល ពត.

Q: When was Kampong Cham liberated?

A: I don't remember.

Q: From 17 April 1975 on where did you live and what did you do?

A: I lived in Kampong Cham province, and I was Kè Pauk's driver.

Q: At that time how many drivers did Kè Pauk have?

A: It was his only one driver. I lived with him every day.

Q: During the time you were living with him, could you know what he was?

A: I didn't know what he was at that time.

Q: Did you ever drive him to attend the important meetings and where?

A: I don't remember because when there was an important meeting, he drove the car by himself to attend it.

Q: After 1975 what was Kè Pauk's role in Kampong Cham?

A: He was the chairman of the Zone military. I don't remember the name of that zone, and I don't know what his role was. I also don't know who was above Kè Pauk.

Q: Where was Kè Pauk's office?

A: Kè Pauk's office was at the Bungalow in Kampong Cham province.

Q: Is the Bungalow still there now?

A: That place is still there but [I] don't know now what they use it for.

Q: Did you know who worked with Kè Pauk at that Bungalow?

A: I don't know.

Q: Did you live in Kampong during the whole Khmer Rouge period?

A: Yes, I lived for the whole time.

Q: When did you get married?

A: I got married since before the coup d'etat in 1970. My oldest child is now about 20 to 30 years old.

Q: At the time of the liberation in 1975 did you live with your family?

A: I lived with my family. When I went to work for Kè Pauk as his driver, my family went along with me. We lived together all the time.

Q: Why did you join the revolution?

A: Because at that time the roads were cut off, I had no work to do. Then Kè Pauk came to take me to drive his car. Before I became Kè Pauk's driver, I was a driver called "Ong Pang" vehicle "bus". I didn't think about doing revolution. Even when I was Kè Pauk's driver, I was just a normal driver.

Q: What sectors did you use to drive Kè Pauk to?

A: I used to drive Kè Pauk to Chroy Ampil ជ្រោយអំពិល along the bank of the Mekong មេគង្គ River, but I don't know which sector it was in. At Chroy Ampil there were big houses, and it was a cooperative. Kè Pauk's wife also lived there. I only drove him to Chroy Ampil, then drove back to Office 71. Office 71 was Kè Pauk personal working place.

Q: Where was Office 71?

A: Office 71 was in Ta Prok តាប្រុក subdistrict, Châmkar Leu ចំការលើ district, Kampong Cham province, but I don't remember what village it was. Office 71 was that of the Zone where female workers were working. There were two or three persons only working there to prepare meals for Kè Pauk and his guests. Sometimes there were foreigners such as Japanese, European, Afghanistan, and Africans visiting that place.

Q: What sectors were under the control and supervision of Office 71?

A: I don't know what else were under the control of that Office.

Q: At the Off 71 did you know who else were under Kè Pauk?

A: I don't remember.

Q: Did you ever see Kè Pauk received any Cambodian guests who came to visit Office 71?

A: I never saw that.

Q: Did you ever drive Kè Pauk to Phnom Penh?

A: No, no one ever drove him to Phnom Penh. He communicated through telegram because he wanted to keep the information secret.

Q: Do you know any Kè Pauk's messengers?

A: There was one Kè Pauk's messengers named Chhoeun ឈឿន whose birth place was at Tunle ទន្លេ [river] district. I don't where he is now and whether he is dead or still alive.

Q: Are there any persons you used to work with whom you still get in touch with now?

A: There were Ta Chhăm តាឃាំ alias Chhe ឆី and Ta Phos តាផុស, who was a former soldier. Ta Chhăm was a messenger of Kè Pauk. Nowadays both Ta Chhăm and Ta Phos are living in Anlung Veng.

Q: Do you know anything about the construction of the 1 January Dam?

A: I knew about the construction of the 1 January Dam, but I don't remember what year when the construction took place. At that time I was still Kè Pauk's driver.

Q: Did you ever accompany Kè Pauk to the 1 January Dam?

A: I used to accompany Kè Pauk to the 1 January Dam. When I accompanied him to the 1 January Dam, people were working.

Q: Can you describe any events at the 1 January Dam at that time?

A: At that time were tens of thousands people working there. They were working hard in harsh conditions. Especially the women, when they were having a menstrual period, they didn't have any water to clean up them selves, so their buttocks were followed and surrounded by flies. At the work site there were too many flies which looked like bees. When I accompanied Kè Pauk to the Dam worksite, there were also other people in the group, included Oeun ឈឿន whose rank was next to Kè Pauk. At present, as I know, Oeun is still alive and living in Phnom Bauk ភ្នំបូក, Siem Reap ត្បូងឃ្មុំ province. I have heard that he is living there. He also participated in overseeing the construction of that Dam.

Q: What was Oeun's role at that time?

A: Previously Oeun was the district committee in Thnâl Bèk, Kampong Cham province. There were also people coming from Kampong Cham to build this Dam, and Oeun was the leader. At that time they called him district committee. I didn't know who else accompanied Ta Oeun at that time. I know he is presently living in Phnom Bauk because his wife told when I met her in Siem Reap two to three years ago. Now Oeun is about fifty years old only.

Q: Did Oeun ride in the same car with Kè Pauk when you drove him to see that Dam.

A: No, Oeun rode in another vehicle. Kè Pauk visited the Dam regularly and almost every day, and I saw the activities of the people working almost every day.

Q: When Kè Pauk arrived at the 1 January Dam, what did he do?

A: When he arrived, he left the car and went to see people building the Dam, but I didn't remember who else met with him. When we arrived Kè Pauk told me to stay near the car, not to go any where and then he walked away. I never spoke with nay one while I was on that Dam because people were so afraid of Kè Pauk's car; afraid of being taken away to be killed. Even if some one stole a potato, he/she would be taken away to be killed let alone chatting with me who worked closely with the big shot.

Q: At that time did you know that they killed people?

A: Yes, I knew. I knew about that since from the beginning when they had arrested the internal traitors and took them away to be killed.

Q: Did you know if they let people working at the Dam worksite take any rest?

A: No, they didn't let them take any rest.

Q: Did people building the Dam have any shelters to stay on site?

A: In the day time people ate their meals in group. There were no shelter, no hall. They stayed every where on the ground, and I don't know where they slept during the night. As for food ration, there was steamed rice mixed with banana. As for me I ate rice at the Office 71, and I had enough food to eat. As for Kè Pauk, he ate meals separately. His meals was served in a tray. At lunch time Kè Pauk returned to the Office 71 to eat his lunch.

Q: How long did you drive from the Office 71 to the 1 January Dam?

A: It was just a short moment. It was only about 6 to 7km.

Q: Did you ever see any sick persons at the worksite of the 1 January Dam?

A: yes, there were skinny persons. The dam workers included adults, children and youths. I never heard that they arrested people and clubbed them to dead.

Q: What time did they start working?

A: They started at 7am or 8am, but I don't remember what time they took break because I left [the site] before they did. I didn't know whether or not they worked during the night because Kè Pauk never went to the work site at night.

Q: How many years was the 1 January Dam built?

A: About one year.

Q: Did you ever see any one else coming to visit that Dam?

A: I don't remember, and I didn't even know when they held the ground breaking ceremony of that worksite.

Q: Did you remember any one else besides Oeun?

A: No, I don't remember.

Q: How did you know about the killing? When did they arrest people to kill? Did you know any persons who had been arrested and killed by Angkar?

A: There was a person living together with me at that time who was arrested and killed by Angkar, but I don't remember his/her name. That person, who was arrested and killed, worked at the Office 71. That killed person was a messenger and close to Kè Pauk.

Q: When you parked the car at the Dam, no one dared to come near your car because they knew about the savage killing, is it true?

A: Yes, they knew. I myself was also afraid of being arrested and killed.

Q: Did you ever witness the disappearance of any people?

A: Yes, I did. I knew about what happened to Kè Pauk's close messenger only. After they arrested people, I didn't know where they took them to next.

Q: After they arrested certain people, who then was the one to charge them as the traitors?

A: I don't know.

Q: You said that you yourself were also afraid of being arrested and killed, whom were you afraid of?

A: I didn't even know whom I was afraid of, but I just thought about it.

Q: Did you know if there were any security offices in this Zone?

A: I heard about it, but I didn't know what they did in that security office.

Q: Did you ever know any thing about Baray Choan Dèk បារាយណ៍ជាន់ដេក Pagoda?

A: Yes, I knew. It was a place for killing people. I never witnessed they arrested people and took them there. I also never heard that people were arrested and taken there. I knew that place was a killing site because I heard people talking about it. The name Baray Choan Dèk Pagoda has existed for a long time ago.

Q: Did you ever drive Kè Pauk to the Baray Choan Dèk Pagoda?

A: No, I didn't.

Q: Do you know who was in charge of the Baray Choan Dèk Pagoda?

A: I don't know.

Q: How many years did you work as Kè Pauk's driver?

A: I was his driver since 1972 until the arrival of UNTAC. After UNTAC arrived [in Cambodia], I returned to my village.

Q: Did Kè Pauk ever discuss or talk with you about the Democratic Kampuchea Regime or any other things?

A: Never talking.

Q: Did you ever talk about anything related to the 1 January Dam with Kè Pauk?

A: I used to ask him about that Dam, "What is that Dam built for?" He answered, "Building it for the people, for people to farm rice."

Q: How long was Kè Pauk the secretary of this Zone?

A: Until the end of the Khmer Rouge regime.

Q: Did you know that the Khmer Rouge had a plan to purge internal party?

A: I didn't know.

Q: Did you know about the tempering and the criticism meeting?

A: I didn't know.

Q: Did you know anything about the Cham people?

A: No I didn't.

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 12:50 hours on the same date.

Witness

Interpreter

Investigators

[Signature/Thumbprint]

[Signature]

[Signatures]