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កម្មវិធី/No: D91/10



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation Religion King

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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

ការស៊ើបអង្កេត Investigation

No:002/19-09-2007-ECCC-OCIJ

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី

Written Record of Interview of Witness

The year two thousand seven, the month of December, the 5th day, at 10:00 hours in the morning in Banteay Mean Chey បន្ទាយមានជ័យ Province.

We, SIM Sorya សីម សុរិយ៉ា (SS) and Fabienne LUCO (FL), Investigators of the Extraordinary Chambers, having been assigned by the Rogatory Letter of the Co-Investigating Judges, dated 27 November 2007,

Having seen the Law on the Establishment of the Extraordinary Chambers, dated 27 October 2004

Having seen Rules 24, 28, and 60 of the Internal Rules of the Extraordinary Chambers

• With the presence of Mr. Heng Ham Kheng ហេង ហាំខេង, sworn interpreter of the Extraordinary Chambers

Have recorded the statements of PHY Phoun ភី ភួន (PP), a witness, who provided the following information regarding his personal identity:

Last name: PHY ភី

First name: Phoun ភួន

Revolutionary name and alias: Vycheam វីជាម

ឯកសារច្បាប់តម្កល់ត្រឹមត្រូវតាមច្បាប់ដើម
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
10 / Sept / 2008

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: UCH A.P.W.N

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អង្គជំនុំជម្រះ/No: D91/10

Born on 18 August 1947 at Kèt កែត Village, Ta Lav តាឡាវ Subdistrict, Andaung Pech

អណ្តូងពេជ្រ now called Anduang Meas អណ្តូងមាស District, Ratanakiri រតនៈគីរី Province

Nationality: Cambodian

Ethnicity: Charay ចារាយ

Occupation: Farmer

Father's name: PATOUT Kvek ប៉ាទូតក្បែក (alive)

Mother's name: ROS Chambêch រស់ចាំប៉ែច (deceased)

Present residence at House 77, Group 7, Daung ដូង Village, Malai ម៉ាឡៃ Subdistrict,

Malai ម៉ាឡៃ District, Banteay Mean Chey បន្ទាយមានជ័យ Province.

Wife's name: Srēng Kimly ស្រែង គីមលី (alive)

Children: 4

Previous crimes: None

- This person declared that he/she could read, write, and understand the Khmer and Charay ចារាយ languages.
- This person declared that he/she could not read and write any other languages. Therefore, the original of this Written Record is written in the Khmer language.
- We advised this person that the taking of this statement is being audio or video recorded.
- This person told us that he/she had no relationship with the Charged Persons and Civil Parties.
- This person took an oath in accordance with the provisions of Rule 24 of the Internal Rules of the Extraordinary Chambers.
- We notified this person of the right against self-incrimination, in accordance with the provisions of Rule 28 of the Internal Rules of the Extraordinary Chambers.

Question-Answer:

SS: When you first joined the revolution, what village were you in, and what year was it?

PP: On 24 August 1963 at Chay ចាយ Village, Ta Lay តាឡាយ Subdistrict, Andaung Pech District, Ratanakiri Province.

FL: Why did you want to join the revolution?

PP: Because they told me to join the Indochina Federation was to demand independence.

FL: Through whom [did you join]?

PP: Through Patout Laen ប៉ាទូតឡើន, my brother in law.

FL: When did you reach Office 100?

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PP: In 1967. I met Ieng Sary at Kântuy Neak កន្ទុយនោក [Dragon's Tail] in Ratanakiri. Ieng Sary had a letter for me to take to a Vietnamese who was a representative of the Vietnamese Center [Office] to Liberate South Vietnam [COSVN]. Later in December 1967, I met Pol Pot. At the time he was sick, and I carried him to stay at a Vietnamese hospital. I was close to Ieng Sary. Ieng Sary was at Office 102, his office. As for Pol Pot, he was at Office 100; the two offices were about three kilometers apart from one another in the forest. During 1968-1969, I was there the entire time. In later 1969, Pol Pot went to Vietnam and Beijing. That same year I remained with Ieng Sary. In May 1970, Pol Pot returned from Beijing through Vietnam; I was the person who received him. In late 1970, I walked from Kântuy Neak to Steung Trâng ស្ទឹងត្រង់, a journey of seven months. During this journey, the senior people were Tiv Ol ទីវ អុល, Pol Pot and his family, and approximately 80 soldiers. I was a bodyguard, and Pâng ប៉ង was the chairman leading the journey. Pâng was the aide of Pol Pot and Ieng Sary and was chairman of Office 100. After reaching Steung Trâng, [I stayed] at Office S71 in the forest, which was a residence, a site where study sessions were convened, as well as a command headquarters of all kinds. The leaders, like Nuon Chea, Khieu Samphan, Hou Nim ហ៊ុំ នីម, Hou Yun ហ៊ុំ យុន, [and] Pach ប៉ាច alias Doepok Komar ដឹកកុមារ were there. I was there up until 17 April 1975 when Phnom Penh was liberated.

FL: Who introduced you [into the revolution]?

PP: Pol Pot and Nuon Chea. As for the subject matter [of the studies]: The first subject matter was the view on the general situation both inside and outside the country; 100 persons from the zone, sector, and district levels came for this study session. The second document was a document about building the Party and consolidating the Party in order to lead the Party at the zone, sector, and district levels. The third subject was undergoing revolutionary life view, meaning self-criticism, what points were correct, what points were incorrect, and people helping to pointing them out, and we resolved to work well. The fourth [subject] was planning.

FL: What were the important lines at that time?

PP: Gathering up forces from every class strata inside the country and [gathering up] support forces from foreign countries.

FL: Are you saying gathering forces from all strata without class distinction?

PP: There was no class distinction made at all. Next [they] gathered up the FUNK forces; the overt forces were Samdech, and inside the country Khieu Samphan. Khieu Samphan, Hou Yun, Hou Nim, and Pach inside the country, [had] the work of the Front. The names of all three of them were famous all the way to the forests. Pach died in 1974 of a stroke. Outside the country there were Samdech Sihanouk, Pèn Nuth ប៉ែន នុត, Chăn Yourăn ចាន់យូរ៉ាន់, Long Norin ឡុង នរិន, Suong Sykoeun ស្ទុង ស៊ីគៀន, Sarin Chhak សារិន គាក, Duong Sam-ol ដួង សំអុល, Thiounn Moumm ជួន ម៉ុំ, Thiounn Praseth ជួន ប្រសិទ្ធិ, Keat Chhun គាត ឈុន, Hor Nam Hong ហៀរ ណាំ ហុង.

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SS: Where was Ieng Sary then?

PP: It was 71 when Ieng Sary went to Beijing through Vietnam. He went as the special emissary of the resistance movement inside the country. Son Sen and his wife went to Ratanakiri in 1968. After going to Beijing, Ieng Sary stayed with Samdech Sihanouk all along. When he arrived in Beijing, Ieng Sary was an important personage who had the love, respect, and brotherhood of all the intellectuals. From 71 until 75, in external political affairs he was stronger than Samdech. He did a lot of work, because he knew the work both inside and outside the country, since the work outside the country had to be flexible according to the situation according to country. The important thing was not to go over the head of [impinge upon រំលង] Sihanouk.

SS: Before Ieng Sary returned to the country after the victory, in Beijing, what arrangements were made?

PP: I don't know, but Ieng Sary, in April (the 20th 1975, that is one week after 17 April, he returned to the country.

FL: Did Ieng Sary ever return to the country during 71 to 75?

PP: He came to the liberated zone in 73 accompanying Samdech, and in 74 he came for meetings of the Center and a visit to Kèp កែប City in Kampot Province with a Chinese delegation to make a film called *The Heroic Kampuchean People in the Liberated Zone* វីរៈប្រជាជនកម្ពុជានៅតំបន់រំដោះ, filmed from Kântuy Neak to Kèp.

FL: Where were you during April 75 before liberation?

PP: At Dok Taol ដុកតោល Village, Ponhea Leu District, Kandal Province, with Pol Pot. Son Sen was at Smäch ស្មាច់, a little inside.

FL: Do you know if there was a plan to evacuate the people from Phnom Penh after liberation?

PP: I knew. I was a messenger who ran from the Central Committee to the battlefield Northwest of Phnom Penh. I knew that they would evacuate all the people in order to ensure security throughout the country and would keep only revolutionary forces in Phnom Penh. I knew this because in approximately early April 1975, there had been a meeting of the Battlefield Committees from throughout the country, with Koy Thuon, Kè Pôk, Sao Phim, Von Vet, Ta Mok, Chên Ân ចិន អ៊ិន, Son Sen, Nuon Chea, Khieu Samphan, and it was Pol Pot who personally led the meeting. I did not attend, but I was on guard and I overheard. The meeting was at the Office of Pol Pot, Office B5 ប៊ី៥, at Taing Pôn តាំងពន Village, Kampong Tralach កំពង់ត្រឡាច Subdistrict and District, Kampong Chhnang Province.

FL: On what day did you enter Phnom Penh?

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PP: I entered Phnom Penh on 20 April 1975 with Son Sen to look at the situation, as assigned by Pol Pot. I saw that the people were leaving in every direction and all the targets had not yet left.

FL: Were there orders to seek out the enemy?

PP: No. To the contrary, at the time they told us that they feared or to be careful of forces hiding in the houses even though the large forces had already been eliminated.

FL: Were there orders to seek out Lon Nol soldiers?

PP: No, because they had raised white flags already. There were clear instructions not to touch [impact ប៉ះពាល់] them. During war, on the battlefield, that was different. Now they had surrendered to us, and we need not touch them, just welcome them and greet them, and respond to the questions which they asked us. He said that [they were] "Cambodians, like us"; Don't touch them at all. Those were the words of Pol Pot.

This interview paused at 12 noon on the same date.

This interview resumed at 12:23 in the afternoon on the same date.

FL: Immediately after the liberation of Phnom Penh where were you, and who were you with?

PP: I was with Pol Pot, Nuon Chea, Khieu Samphan, Son Sen, the Joint Leadership Committee គណៈដឹកនាំរួម, at the train station. [This was] less than one week after liberation, and [they] were there for nearly one week.

FL: What meetings did they hold?

PP: There was one meeting, but I did not know the meaning or the content. I was not on guard there. They worked together every day; military leaders were there, zone commanders, who came to meet individually with them. Then they went to the former Ministry of Finance for more than two more weeks, longer than they had been at the train station. Next they went to the Preah Kev Temple Sanctuary ព្រះវិហារព្រះកែវ during May 1975, where there were large meetings for a period of nearly ten days, attended by zone commanders like Sao Phim, Koy Thuon, Ta Mok, Von Vet, Ros Nhim, Ya យ៉ា, Laing ឡាំង, Lăo ឡៅ, Yi យី, Kev [sic] Pôk, Doeun ឌឿន, Pâng, Koe កី, Ta Kândol តាកណ្តាល alias Hêng Teav ហេង ទាវ, Ta Sy ស៊ី, Ta Tum តូម, and Phuong ផ្លាង. The subject matter was the same as before. They talked about the situation inside and outside the country, the post-liberation situation, and setting a new direction. Before liberation there had been the National Democratic Revolution, and after revolution there would be what they called Socialist Revolution. The only person who gave presentations on the documents was Pol Pot. The leader of the discussion group was Nuon Chea who examined and led the joint discussions by the zones, but Pol Pot did not join in the discussions.

FL: What important decisions were made during those meetings?

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PP: During the meetings there was a decision that we had finished the National Democratic Revolution in 1975, and that we had to continue working on the Socialist Revolution line to move toward Communism.

FL: Was there talk about class division?

PP: The worker-peasant class was designated as the core to build the proletarian class.

FL: When did you go to work at B-1?

PP: I entered B-1 in August.

FL: When was B-1 created as the Foreign Ministry?

PP: Before its official creation, Ieng Sary made the arrangements. The meeting which made the official decision was in late 1975, in December.

FL: When you first began, what was your job?

PP: Chairman of the Office B-1, that is, setting up the visitor reception houses, at Watt Phnom, House Number 1, [and] House Number 2 was the Le Royal Hotel. Office B-1, officially called the Foreign Ministry, supervised all the personnel, that is those at Office B-1, and I was in charge of the houses, the dining hall, the visitor reception rooms, and all the personnel at Phteah Kaong ផ្ទះកោង which was the house at the corner adjacent to the Ministry of Health.

FL: Who selected the personnel?

PP: I selected them. [They] said to take as many as I wanted; at Borei Keila បុរីកីឡា there were people from every zone. The Ministry of Foreign Affairs had the right to choose its people directly. Other ministries also went to Borei Keila to select. Office 870 had selected them from the zones. And at the Foreign Ministry, Ieng Sary was the person who designated the selection: First, by the class, second, by the qualifications, and third, persons from old revolutionary bases like those from Preah Vihear and Kampong Cham. I arranged administrative and personnel affairs including those serving inside and outside the country; that is, when selecting personnel I had to look at the political, ideological and organizational work.

FL: Were you in charge of the messenger section of B-1?

PP: The word messenger was not used inside B-1. The courier work in the Foreign Ministry, whatever needed to be delivered to Pol Pot and the other ministries, I was the person in charge of taking it to senior ministry leaders including Pol Pot and Son Sen. Sometimes I waited for written or oral replies to take back. When Pol Pot wanted to know the situation at B-1, he called me and asked me. He trusted me; whatever he instructed I could do, especially work related to the reception of visitors and setting up the houses. He praised me for making good arrangements.

FL: What office or ministry did you take letters to the most?

PP: Office 870.

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FL: Who was chairman of Office 870?

PP: The person in charge of Office 870 was Pâng, the chairman. When Pâng was gone, Doeun came to replace him for a period, and still later on there was Khieu Samphan. Pâng was in charge of 870 administration, and Doeun was in charge of policy. Like at B-1 where Hong ហុង had the policy, and I had the administration.

FL: When did Khieu Samphan replace Doeun ឌីន at Office 870?

PP: Approximately late 1977 or early 1978.

FL: Do you remember taking messages from Ieng Sary to Khieu Samphan?

PP: There were many, like when preparing for visitors, before travel down to the zones.

FL: Did you personally hand letters to Khieu Samphan?

PP: Yes. I took them to Khieu Samphan, telephoning him in advance. Mostly I met him personally, and when I did not meet him, I placed them on his desk. Office 870 was located in the current Russian Embassy.

FL: Can you speak about the organization of B-1?

PP: Ieng Sary was in overall charge. Hong was in charge of policy inside and outside the country. I had the administration. Ieng Sary received visitors almost every day. Hong was on the policy side, he did work like preparing speeches for Ieng Sary, and he also went outside the country with Ieng Sary.

FL: When Ieng Sary was not there, who replaced him?

PP: When Ieng Sary was away, Hong replaced him. But Hong could not make decisions. When outside the country, Ieng Sary contacted 870, and 870 then contacted B-1. When the zones made contact on something, they contacted K-7 កី, and then Office 870. K-7 was under Office 870. Ky គី, the chairman of K-7 is dead.

FL: As you know it, when Ieng Sary was outside the country, did he know what was happening at B-1?

PP: When Ieng Sary was overseas, he always knew everything that happened at B-1. All the information passed through Office 870.

SS: Could Hong make direct contact with Ieng Sary?

PP: When B-1 wanted to contact Ieng Sary overseas, it had to make contact through Office 870. Those were Ieng Sary's instructions.

SS: When making minutes of meetings, [and] sending or receiving Ieng Sary's telegrams, who did that?

PP: Hong was responsible.

FL: When there were orders from upper echelon, how did Ieng Sary disseminate them?

PP: He called meetings; I was there from the office, Hong from policy, and all the intellectuals, because each of them had one country or one region. These orders mostly

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came from Pol Pot or Nuon Chea, that is, they came from Office 870 which sent all that information and those orders from the members of the Center's Standing Committee based and working in Phnom Penh, like Pol Pot, Nuon Chea, Vorn Vet, Ieng Sary, and Son Sen; Khieu Samphan was close to that Committee as well, but Khieu Samphan was not a member of the Standing Committee.

FL: Who was in charge of B-1 internal affairs?

PP: Ieng Sary.

FL: When there were any problems with personnel?

PP: Internally at B-1, [I] saw no problem of personnel disappearances. There were just petty problems which were resolved through regular criticism meetings.

FL: Was there anyone from outside the Ministry who came to take B-1 people away to study?

PP: Related to calling people away to study, Office 870 made the arrangements. Some returned; some disappeared. When someone did not return, I never heard anyone say anything. At B-1, Chhân ឆ័ន and Phat ផាត់ disappeared in 1978. Ieng Sary did not know this; Hong did not know. That is, 870 entered B-1; they had the right.

SS: Later on, did Ieng Sary hold meetings to explain the reasons to the personnel?

PP: Ieng Sary never had any meetings at all to speak to staff about the reasons for disappearances.

SS: When someone outside disappeared, were there meetings to explain?

PP: As for those outside B-1 who disappeared, whether they were connected with B-1 or not, Ieng Sary never gave instructions about anyone having been mistaken about something to strengthen the morale of the staff.

SS: How about Koy Thuon's arrest?

PP: There was just the matter of Koy Thuon's [sexual] immorality; Ieng Sary did mention that in a meeting, but he did not explain any reasons aside from the immorality.

FL: And the matters of Văn Piny វ៉ាន់ពិនី and Leang Sirivuth លាង សិរីវុធ?

PP: Never. Perhaps he met with the policy side, like Hong, I don't know.

FL: Did you know about S21?

PP: I did not know about S21 before; I learned about it later.

SS: Regarding the disappearances of personnel, you were in administrative charge, the personnel roster; you should have known about or noted those disappearances. Can you explain that?

PP: I did not know. The policy side was in charge. That is, Hong told me that those persons had left but he did not tell me the reasons.

SS: Did Ieng Sary ever hold meetings to talk about his impressions on the disappearances of B-1 personnel, and himself propose to upper echelon to resolve this or to re-appoint the personnel?

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PP: No.

FL: Who was in command of Office 870?

PP: Pol Pot and Nuon Chea, or one of those two.

SS: Did you know about Meak Touch ម៉ាកតូច alias Kèm កែម, the ambassador in Laos who had been arrested in approximately late 1977?

PP: I knew. Ieng Sary just told me that Kèm had been transferred out, but that 870 had made the arrangements.

SS: In the Standing Committee, did Ieng Sary participate in decision making?

PP: I don't know.

FL: Where did Ieng Sary send foreign delegations to visit inside the country?

PP: Ieng Sary sent diplomatic delegations, both Cambodian and foreign, to look at the bases, but not very often.

FL: Ieng Sary, during the three year period, did he mostly work inside or outside the country?

PP: More outside the country, like going to the meetings of the United Nations, meetings in Colombo and in Africa, etc.

FL: When escorting Ieng Sary, what did you see?

PP: I saw that the people had difficulties, and Ieng Sary saw that too, but he did not dare say anything because our work was the Foreign Ministry. If we talked about zone affairs, those were their [affairs], and that would impact solidarity. Each zone had a leader, like a warlord.

SS: So could visitors see this?

PP: Foreign visitors could see the same things I did. They could write their reports, but I don't know if upper echelon saw those reports or not.

SS: Do you know about the three journalists and professors who came in late 1978?

PP: I knew, but up until today, I have still not discovered the truth. The journalists were those who, at the end of the visit, I had escorted to see Tonle Bati ទន្លេបាទី. That night was the night of the going-away party, and in the middle of the night the event occurred. One of my personnel named Soeun ស៊ុន was serving those three, and there was a female cook as well, and Yô 8 ៥៨ soldier(s), I'm not clear if it was Yô 8 or which number it was, as guard(s). Soeun was shot and his leg was broken. I knew immediately. I rode a motorbike there. Hong and Praseth arrived there as well. It was nighttime, quiet, all the doors were closed. I broke down the door and entered at the rear, and went up to the second floor and saw the foreigner lying dead on his side near the bed. There was one soldier lying dead at the foot of the door of the room; he had a pistol. I called out to the woman; she did not dare answer. When she heard Praseth's voice, only then did she reply. That house was next to what is now the Caltex Bokor gas station. The estimation

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was that jealous combatants held argued over girls, one among them being a housekeeper named Lai ឡៃ.

SS: Did you know Ieng Sary's guards?

PP: There was Chăn ចាន់, who is now in America. There was Chhean ឈាន.

SS: Did Ieng Sary go overseas and instruct students about the victory and the situation and to come back to serve their country?

PP: When he went to the embassy in any country, he in fact did give [those] instructions.

SS: Later on did many students come?

PP: Yes, they came to live at Boeng Trabèk បឹងត្របែក which at first was under Office 870, and which in May 1978 came under B-1. Ieng Sary, Hong, and I went to Boeng Trabèk. Ieng Sary and Hong taught the general situation and politics.

SS: It seems as if there was a shortage of personnel at B-1. You made the selections. Why did you not select from Boeng Trabèk and go to select them from Borei Keila instead, where they were all base people? Or, was the reason as you said earlier, that the principle was to select from those who had come from the old revolutionary bases?

PP: That reason is correct, but as for me, in the beginning I had not known that there were intellectuals at Boeng Trabèk. When B-1 supervised Boeng Trabèk it was easier than it had been previously. As for the principle of using the base people, including tempering the intellectuals as well, those were the decisions of the Standing Committee. Whether Ieng Sary knew or not, I don't know.

FL: Where did B-1 have branch reeducation offices which were under the supervision of Ieng Sary?

PP: Chraing Châm rēs ប្រាំងចំរេះ, Takhmao, Prék Phneou ព្រែកព្នៅ, Prék Pra ព្រែកប្រា. They were called Animal Husbandry and Food Production Offices.

SS: And they were in operation all along?

PP: All along, and they were transferred to the supervision of B-1 after Boeng Trabèk. Before 1975, at Steung Trâng Khâ 30 [B30 ១៣០] there was a study office, but it belonged to Pol Pot as well. Khâ 31 [B31 ១៣១] was an office of Khieu Samphan, Hou Nim, Hou Yun. There was Sâ 71 [S71 ស៧១]. They were all mobile sites, for fear the enemy would smash them.

FL: Who was in charge of the Party Branch at B-1?

PP: At B-1, there was only one person in charge of the Party Branch, Ieng Sary. He met with the intellectuals almost every day. I did not know about disappearances of intellectuals from the Ministry, but if you were to have me name those who are still alive, I can name them.

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~~IR 8/No: D91/10~~

The interview was completed at 9:00 hours in the evening on the same date.

- After it was read aloud the witness had no objections and agreed to sign or emplace thumbprint.
- One copy, or one of several originals, of the written statement was provided to this witness.

Witness Interpreter
[Thumbprint]

Investigators

[Signature]
PHY Phuon HENG Ham Kheng

[Signatures]
SIM Soriya Fabienne LUCO