



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the
Courts of Cambodia

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation Religion King

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-ECCC-OCIJ

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Interview of Witness

Procès verbal d'audition de témoin

On the sixth day of the month of May, in the year two thousand and eight, at 8:05 hours, at Village 3 ភូមិ ៣, La Ban Siek ឃុំបានសៀក Subdistrict, Banlung បានលុង District, Ratanakiri Province,

We, **CHAY Chandaravann** ចាយ ច័ន្ទតារាវណ្ណ and **Mike DIXON**, Investigators of the Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 9 April 2008,

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

Noting Rules 24, 28, and 60 of the Internal Rules of the Extraordinary Chambers,

☒ In the presence of **Mr. CHEUNG Bunleng** ជីង ប៊ុនឡេង, sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of **MÃO Phat** ម៉ៅ ផាត (MP), a witness, who provided the following information regarding his personal identity:

Last name: **MÃO** ម៉ៅ

First name: **Phat** ផាត

Translated from the original Khmer: 00189235-00189244_KH

Alias: Phau ផ្លា

Date of birth: 13 January 1957

Place of birth: Khnor ខ្នុរ Village, Kampong Soeng កំពង់ស្ពឺង Subdistrict, Ba Phnom បាភ្នំ District, Prey Vêng ព្រៃវែង Province

Nationality: Cambodian

Current occupation: Farmer (Former Deputy Provincial Police Commissioner, retired)

Father's name: MǎO Sǎn ម៉ៅ សាន់ (deceased)

Mother's name: Nuon Phăt ឆួន ផាត់ (deceased)

Current address: Village 3 ភូមិ ៣, La Ban Siek ឡាបានសៀក Subdistrict, Banlung បានលុង District, Ratanakiri Province

Wife's name: Moul Sopha មួល សុផា (living)

Children: Six

Previous crimes: None

☒ 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 had no relationship with the Charged Persons or Civil Parties.

☒ The Witness took an oath in accordance with the provisions of Rule 24 of the Internal Rules of the Extraordinary Chambers.

☒ We notified the Witness of the right against self-incrimination, in accordance with the provisions of Rule 28 of the Internal Rules of the Extraordinary Chambers.

Questions-Answers

Daravann and MIKE: Where were you before 17 April 1975? What were you doing?

MP: I came from Prey Vêng to live and find work here in Ratanakiri Province in 1966. I was a worker at the State Rubber Plantation called the Sihanouk Plantation until the 1970 coup against Norodom Sihanouk. Then I worked in the rice fields until 1975, when I went to be a farmer in Cooperative 501 in Trapeang Chrēs ត្រពាំងច្រើស Subdistrict, Kaun Mom District (District 32), Ratanakiri Province, which was in Sector 5. The Cooperative Chairman at the time was Ta Huot តាហួត (deceased), and the member Kheu Hun ឃី ហ៊ុន was the supervisor who looked after Cooperative 501 (the former Provincial Agricultural Chairman, now working at the Tai Sēng តៃសេង Rubber Plantation Company). I worked the rice fields until April 1977. Then they moved me to work as a rubber tree tapper at Banlung until July 1977. The Worker Union
Translated from the original Khmer: 00189235-00189244_KH

Chairman Sâmrit សំរិត, is now living at Village 1, Trapeang Chrēs Subdistrict, Kaun Mom District, Ratanakiri Province. He called me to a meeting to tell me, “Angkar has called [you] to study at S-8, the Headquarters of the Rubber Plantation Workers Union” located at Phnom Svay ភ្នំស្វាយ (opposite the present-day Provincial Prison in Village 3, La Ban Siek Subdistrict, Banlung District, Ratanakiri Province) and had me get on a truck. But to the contrary, the truck did not bring me to S-8, but drove on past there to a location in the forest which they called Au Kânsèng អូរកង្សែង. That place was a prison, not a study site, and was about one kilometer in from the vehicle road. I knew the place was a prison because when I arrived, they put me in a cell and they dragged up a chain to shackle my ankles.

Daravann and MIKE: Can you describe the conditions of the prison in which you were held?

MP: The prison where I was held was called Au Kânsèng during the Khmer Rouge era, because it was near Au Kânsèng stream; sometimes they called it the Division Prison. It was behind what is now the Provincial Hospital. In each cell there were two beds on both sides placed foot-to-foot, and there was a space in the middle to walk. All the prisoners in the cells were chained, with about ten prisoners in each approximately four by five meter cell.

There were three buildings in the prison, one for new arrivals, one for holding the prisoners already there (who had been held three to four months), and one more for holding the prisoners who were allowed to work inside the prison compound (light offenders), those who reformed [reeducated] themselves well whom they had help do labor and help monitor the new prisoners. In each building there were five to six cells, and there were guards who locked the cells from the outside and stood guard.

The entire prison compound was about one and one-half kilometers [long] and one kilometer wide, and there was an interrogation building in the forest almost half a kilometer from the prison. This prison was not for holding the ordinary people; it was for holding the soldiers of the division (unrecalled numerical designation). There was no prison to hold the workers, so they sent the workers to this prison. I was imprisoned for three months in a cell locked from the outside where I was chained day and night. After three months, they released me to do work outside the prison like growing potatoes, but at night they put me back in a cell.

Later on, they had me saw wood in the forest behind Thuoy ធ្នូ Village, five kilometers from the prison. After that (near liberation in 1979), they had me work the rice fields at Veal Krabei Băk Cheung វាលក្របីបាក់ជើង, always under guard, but unshackled. When we had to relieve ourselves, we asked the guard for permission, and the guards unlocked [the cell] and walked us out to relieve ourselves outside the cell. When it was time to bathe, they let us bathe together under guard in the stream.

Daravann and MIKE: Do you know if there was a Zone prison?

MP: The Zone Prison was located at Kilometer 2 at Steung Treng; the Chairman was Kham Vieng ខាំ វៀង, an ethnic minority member. That prison was for holding people who had betrayed Angkar, and it was up to Angkar to decide about them. If they were serious offenders, they would telephone for Kham Vieng’s vehicle to take them away. The vehicle had a red flag, meaning the people being transported never lived (hearsay).

Daravann and MIKE: Can you describe the living and working conditions while you were held in prison?

MP: They had me work from 5 until 11 a.m. Then I ate, and continued working from 2 until 5 p.m. Then I ate the evening meal. Then they locked me in a cell, and put me in leg shackles. We worked seven days a week, without rest. The prisoners could talk with one another to exchange greetings and could smoke, but we did not dare talk about Angkar. Husbands and wives lived apart. The prisoners in the Division Prison always ate rice, never gruel; they only got one small plate of rice per meal. The prisoners did not get enough to eat. Some prisoners secretly picked green potato leaves (shoots) to boil and eat in the cells, lying to the guards that they were boiling water. The guards came to ask about this once in a while. While they worked, some prisoners captured various animals, like crickets and small lizards, and hid them in the waists of their trousers. When they get back to their cells, they would roast those animals and eat them. If they had been caught, they surely would have died.

As for the soup for eating with the rice, there were boiled potatoes mixed with banana stalks and *Laurus cinnamomum* [ឆ្កែ] leaves; it had no flavor; there was no meat, and there was no fruit to eat. As for the work, it was done by hand; no sickles or other tools were used when weeding the potatoes, for instance.

When sick, there was no medicine, and many prisoners died from diseases like dysentery, because there was no medicine to treat them. One prisoner, Soeng Ngocun សឹង ង៉ែន, a Khmer Kraom [Khmer Krom] lost blood due to dysentery. Another prisoner's legs became numb, and they had me go to pick *Buchanania* [ស្រាប់] tree leaves to boil with rice bran for that prisoner to eat.

Daravann and MIKE: Did you ever see them take prisoners away to be killed or to be tortured while you were in prison?

MP: Many prisoners were taken and killed after being accused of treason, because I saw people transported outside, and those prisoners never returned. As for having actually seen them kill people, I never saw that. I saw guards take one prisoner to be killed. That prisoner was a member of an ethnic minority; his hands were tied, and he was blindfolded with a shirt. A moment later, the person who had taken that prisoner away returned alone. I assumed that they had in fact killed that prisoner, because his hands had been tied and he had been blindfolded and taken away, [and] because the prisoners they took outside for interrogation were never tied up or blindfolded.

Later on, a prisoner named Mè A-Kiri ម៉ែ អាគីរី [Mother of Kiri], whose husband Sorn ស័ន now works in Steung Treng Provincial Communications, was taken away and killed for immorality with a guard. That female prisoner had been sexually immoral with men since when she had been in the cooperative. I heard prisoners say that they took that woman, tied her hands and feet, had her sit down, and then took a hatchet and hacked her back [open] to get her bile bladder.

There was no torture in this prison. If prisoners violated the discipline and could not be reeducated, they were taken away and killed. In the past, I had seen a military prisoner from the division who had stolen rice and who had been caught by the guards taken outside the prison. The guards returned; they probably had killed him.

Daravann and MIKE: Can you describe the types of prisoners in the prison?

MP: There were approximately 100 prisoners in total, division soldiers and union workers. I saw a constant reduction (disappearances), and saw new prisoners being brought in one after another, the majority being soldiers from the division. They did not segregate prisoners by categories because that site was for holding soldiers from the division.

They sent about 30 union workers there, but there were no prisoners who had been ordinary people, because they were held at different location, the Sector Prison at Au Chēng អូរចេង, Sek ស៊ីក Village, Ta Âng តាអង Subdistrict, Kaun Mom District, Ratanakiri Province. The sector prison had hand cuffs and leg shackles too, because I went to look after liberation, and hand cuffs and leg shackles made from wood were left behind there. I never saw a prisoner released. The prisoners remained there until liberation, when they went free.

Daravann and MIKE: Why did they arrest and imprison you?

MP: I was imprisoned from 1977 until 1979; I got out after liberation. There were two reasons which led to my arrest and imprisonment. The first reason was that one day the Union Chairman for Women named Vuth វុត្ត came to call the workers to a meeting. Vuth said, “The old ones want to bring back the regime” because the old ones caught large red ants and ate them with boiled potatoes to get plenty of sour flavor.

After Vuth said this, the Union Chairman asked those in attendance if they wanted to express their opinions. I was so aggravated that I raised my hand to express my opinion, and said that since the time of my grandparents I had never seen little people bring down a society; it had been just the royal heirs close to the King who could make coups to bring down the King. The Union Chairman reported this to Angkar at S-8 ស-៨, which was the Worker Union Headquarters. The

next afternoon, Ta Tum តាតូ, Union Chairman for Men, brought three trucks of youth (model Red Youth), and Ta Tum came up to me and said, “What are you afraid of, the Party’s cart keeps going forward; the dogs keep on barking.” I knew then that I had a problem.

The next morning, Sâmrit សំរិត, the Chairman of Union 7 (Village 7) called me to a meeting and told me he was having me to go to study. The second reason was because I had cursed the revolution, saying “Why make a mother-fucking revolution, if we can’t eat our fill? They make socialist revolution so the society will have enough to eat, and those that do a lot of work eat a lot, while those who do little eat little. But in this Khmer Rouge revolutionary organization it’s hard to find anything to eat.” The reason I cursed like that was because I was so hungry because I had given my food rations to my children to eat. Chat ចាត, an ethnic Jarai (deceased), the Worker Union Deputy Chairman, heard this and reported it to upper-level Angkar, and they arrested me. Aside from those two reasons, I had never done anything wrong.

Daravann and MIKE: Were you interrogated when they arrested you?

MP: When I had been in prison for half a month, they took me to interrogation. They asked me what activities I had carried out to oppose the Party. I answered that I had not opposed the Party, that I was not against the Party; I had just been against the individuals who had accused me. There were two interrogators, Deputy Chairman Chhang ឆាង and a recorder, and a guard. They did not beat or torture me, and they had the guard put me back in prison. I was just interrogated that one time. Later I learned that they had accused me of being a Yuon puppet.

There was no physical torture in the prison, but there was mental torture, since we ate little but worked a lot and had no freedom to move around and talk, and since they guarded us all the time, and shackled us in the cells. I don't know whether Prison Chairman Sè សែ and Deputy Chairman Chhang are dead or alive. Aside from them, I have forgotten the others. That group were Cambodians from the Southwest.

Daravann and MIKE: Did you ever see females, children, foreigners, or monks who were prisoners?

MP: There were female prisoners in the prison, and the children who belonged to them. There were about 250 Jarai prisoners who had been arrested and imprisoned in a prison near my cell. That night, two Jarai prisoners loosened their hand ties because they had not been very tightly tied, and escaped. The ropes that had been used to tie the prisoners were nylon. Since prisoners had escaped like that, they tied all those prisoners very tightly, cutting off their blood vessels, and those Jarai cried out loudly. Those Jarai included men, women, and children. I personally heard their screams.

At 7 p.m. that same night, I saw trucks come to take those Jarai away, where to I did not know. When I was working pulling grass, I saw three B[52] bomb craters less than one kilometer from the prison, and near those graves I saw shoes (Vietnamese style sandals) and Jarai clothing. I saw cracks in the grave pits full of flies, and there was a strong smell since the pits had covered with only a thin layer of dirt.

After seeing that, I concluded that those Jarai had been brought there and killed. Prisoners who were soldiers from the division told me that the Jarai group had been taken to those pits and killed. But I cannot find those pits now because the situation has all changed. No foreigners were held prisoner. As for monks being held prisoner, even if there were some, I would not have known, because no monks' robes were worn. That prison was the Division Prison.

Daravann and MIKE: Are any of the prisoners like you still alive?

MP: There are some prisoners still alive, like Khoem Peou ខឹម ពៅ, who was held with me in prison. Now he is in Kachanh កាចាញ់ Subdistrict, Banlung District, Ratanakiri Province.

Another one is Phn Thol ផ្អន ថុល, who is now a Ratanakiri Provincial Tax Branch official.

Daravann and MIKE: What did you do before they arrested and imprisoned you? Where?

MP: I was a worker along with Kheu Hun ខ្មៅ ហ្ន៎ in Village 501, which was a progressive workers' village working as a cooperative, with good unity. The work was not hard, just growing sugar cane, raising pigs, raising chickens, working the rice fields, and the food was sufficient; there was proper meat and soup.

Angkar accused this village of being an economics-minded village [ភូមិសេដ្ឋកិច្ចនិយម]. After that, they moved all the villagers of Village 501 to be rubber plantation workers and gave them only half a can of rice per meal, mixed with potatoes. The workers did not have enough to eat.

They had us tap rubber at 2 a.m. and collect the rubber sap at 5 a.m. until 11 a.m., when we ate; then we worked from 2 until 5 p.m. Then we ate and continued socialist work ([work] aside from the core work, like weaving reeds and other secondary work) until 9 p.m.

I was not a cadre and had no position, and I was not a Party Member. In 1970, I did not run to the forests to join the Front. I kept working in the rubber plantation until the Khmer Rouge gained control of Ratanakiri Province in May 1970. At that time, American aircraft bombed the rubber plantations. I fled to a secret camp in the forests where Angkar and the militia evacuated the people to flee from the bombing. That location was not a Liberation Army site, but a site where they assembled the people fleeing the bombing, where trenches were dug. The people grew vegetables there to live on.

After 1975, when the Khmer Rouge took control of the entire country, they began to kill the people. I was never in the militia before I was imprisoned.

From 1975 until 1977, I lived in Village 501, Trapeang Chrēs Subdistrict, District 32, Sector 5, Northeast Zone. Ya យ៉ា was Zone Chairman then (I cannot remember clearly.) The Sector 5

Chairman was Khăt ខាត់. I don't know anyone other than them. I cannot remember the District Secretary. As for Ta Tum, the Union Chairman for Men, he was arrested and killed because he had led a delegation to meet the Vietnamese at the border. (I learned this after liberation in 1979, through fellow workers who told me.)

Daravann and MIKE: Were there evacuations of the people? Was religion practiced? And how were marriages performed?

MP: The people in Ratanakiri Province were transferred from village to village according to the requirements of Angkar. The people were evacuated from Siem Pang, (the Khmer Khe ខ្មែរខី), from Steung Treng to be put in prison at Au Ka Choeung អូរកាជៀង (now called Chumrum Bei Srok ជំរុំបីស្រុក or Au Sieng Lē អូរសៀងឡេ).

There was no practice of religion. There were no pagodas. There was no spiritual worship. As for marriages, they were coerced, not voluntary on the part of both parties. Five to ten couples were married at a time at the S-8 Office, and they cooked two chickens to eat for a party. Sometimes I saw beautiful young girls marry old or handicapped men, and some of the older women married young men. Angkar selected the names, the subjects did not know, and the people did not attend. After liberation in 1979, I saw that some of those couples had divorced.

Daravann and MIKE: Did you ever see the Khmer Rouge leaders, like Nuon Chea ឆ្មា ជ៉ា, Ieng Sary ឥឡីង សារី, or Pol Pot ប៉ុល ពត visit your work location?

MP: I never saw or met them. It was only after liberation that I learned Pol Pot was the leader.

Daravann and MIKE: Do you know the name of the Chairman of that secret camp?

MP: I forget the name of the Chairman of the secret camp (he's probably dead). The Deputy Chairman Eng អៀង is alive and is probably living at Au Phlorng អូរព្រង Village, Trapeang Chrēs Subdistrict, Kaun Mom District, Ratanakiri Province.

Daravann and MIKE: Is your Union Chairman still alive?

MP: The Union Chairman for Men, Ta Tum, is dead. The Union Chairwoman for Women, an ethnic Lao, is alive, but I don't know where she is living now. After liberation, I saw her working as staff at the Provincial Hospital. While I was in the police during the 1980s, she changed her name to Chăn ចាន់. Her district is Voensai វ៉ែនសៃ.

Daravann and MIKE: During the Khmer Rouge era, was there private ownership, was money used, and where there markets?

MP: There were none.

Daravann and MIKE: While you were held in prison, were there political studies or any meetings? Who led the meetings?

MP: There were no political study meetings; there were no regular meetings, but there were meetings once in a while, especially during celebration times, like the New Year. Those meetings were to indoctrinate the spirit of the prisoners to strive to build [reeducate] themselves and to believe in the Party leadership. The Prison Chairman led those meetings. There were meetings to have us be grateful to the Party. There were never formations in rank to count the prisoners in the afternoons, because the guards already knew the total number of prisoners from the work locations, and they just walked the prisoners directly right to the cells.

Let me clarify that Bun Vāntha ប៊ុនវ៉ាន់ថា and his wife died before I retired in 2002. Both the husband and the wife were imprisoned along with me. The majority of the soldiers from the division who were prisoners had broken the rules by moving around freely, because this group had formerly been Khmer Rouge [agents] embedded with the Lon Nol soldiers in Phnom Penh, and were used to moving around freely, eating, and spending money.

☒ One copy of the Written Record was provided to the Witness.

This task was completed at 12:15 hours on the same day.

☒ After the Written Record was read aloud and heard, the Witness stated that she had no objections and agreed to sign.

Witness

MĀO Phat ម៉ៅ ផាត

[Signature and Thumbprint]

Interpreter

[Signature]

Investigators

[Signatures]