

~~លេខ/No: D86/27~~



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges

លេខស៊ើបអង្កេត/Investigation

លេខ/No: 001/18-07-2007-ECCC-OCIJ

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation-Religion-King

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កំណត់ហេតុនៃការសួរដេញដោល

**Written Record of Interview of
Charged Person**

On the fifth of May, two thousand and eight at nine forty a.m.,

We, You Bunleng (**ឃុំ ប៊ុនឡេង**) and Marcel Lemonde, Co-Investigating Judges of the
Extraordinary Chambers,

With Mr Ham Hel (**ហាម ហ៊ឺល**) and Mr Ly Chantola (**លី ច័ន្ទគុណា**) as Greffiers,

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

Noting Rule 58 of the Internal Rules of the Extraordinary Chambers,

With Ouch Channora (**អ៊ូច ចាន់ណុរ៉ា**) and Tanheang Davann (**តាន់ហ៊ាង ដាវ៉ាន់**) as sworn
interpreters of the Extraordinary Chambers,

Interviewed the Charged Person identified below:

Kaing Guek-Eav កាំង ហ្គេកអ៊ាវ alias **Duch ឌុច**, male, born on 17 November 1942,

Charged with Crimes Against Humanity and Grave Breaches of The Geneva
Conventions of 12 August 1949, offences defined and punishable under Article 17, paragraph 1, of the
ECCC Statute.

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| ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification): 17. 07. 2008 |
| មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: C.A. FRY |

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(New) and 39 (New) of the Law on the Establishment of the Extraordinary Chambers, dated 27 October 2004.

The original of this record is written in the Khmer language.

The Co-Prosecutors of the Extraordinary Chambers, Robert PETIT and CHEA Leang (ជា ណាង), have been informed of this interview.

- Mrs Chea Leang (ជា ណាង) was represented by Mr Pich Sambath (ព្រះជីវិតសម្បត្តិ), Senior Assistant Co-Prosecutor,
- Mr Robert Petit was represented by Mr Alex Bates, Senior Assistant Co-Prosecutor.

Statement by the Charged Person: Although my co-lawyers were not summoned within the time limits stipulated in Rule 58 of the Internal Rules, after having discussed the issue with them, I have decided to waive my right to claim any procedural defect resulting from this irregularity, and I agree to be interviewed today.

The Co-Lawyers for the Charged Person: We would like to confirm our agreement to regularize these proceedings.

Interview

Questions and answers:

Question by the Co-Investigating Judges: In general, were all the people implicated in confessions automatically sent to S-21 ស៊ី២១? Do you recognise that the inclusion of someone's name in a confession was a decisive factor in his or her arrest?

Answer by the Charged Person: Many people were implicated in the confessions. I note that the important people were always sent to S-21 ស៊ី២១. It also happened that a few ordinary people who were implicated in the confessions were not arrested. It was up to the head of the implicated persons' unit to decide whether to detain them, in which case the superior accepted the decision. I am only talking here about people in the ranks. For the masses, it was the zone or sector secretary who would decide. S-21 ស៊ី២១ was not informed and, in principle, such persons were not sent to S-21 ស៊ី២១.

Normally, implication in one confession was not sufficient for a person to be arrested. It had to occur several times. Furthermore, a number of suspects were under close

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surveillance, and we waited for such implication in a confession, as was the case for Chäkrei (ច័ក្រី) and Pâng (ប៉ង់).

Question by the Co-Investigating Judges: You have stated that the S-21 ស៊ី២១ staff received training on the nature and goals of their work at S-21 ស៊ី២១. What documents or other means did you use for such training? In particular, did you use radio broadcasts or official Party magazines such as *Revolutionary Flag*?

Answer by the Charged Person: Concerning the general policy line of the Party, I used *Revolutionary Flag*, which was written by Pol Pot ប៉ុលពត alone, according to Pâng ប៉ង់. The radio broadcasts were all drawn from *Revolutionary Flag*. I also used *Revolutionary Youth* magazine. Concerning the specific work at S-21 ស៊ី២១, I followed the instructions from the superiors. There are two examples in the notebook of Mâm Nai (ម៉មណៃ): first, in relation to the training session on 21 May 1978 (Chapter 3, *Santebal សង្ក័យាល work* ERN 00077917) and second, in the general conclusion on the work of S-21 ស៊ី២១, dated 25 July 1978 (ERN 00077951).

Question by the Co-Investigating Judges: The investigation shows that Democratic Kampuchea did not publicly declare the mounting conflict with Vietnam before January 1976. But you have said (Duch ឌុច interview, 28 March 2008, page 2) that Son Sen សុនសែន and Nuon Chea នួនជា had told you that there was land and sea conflict from the early stages of the regime. How and when did you receive this information? What was the aim of the regime in avoiding publicly declaring this conflict?

Answer by the Charged Person: As I have explained, I do not remember the details. So I cannot clearly indicate the date when the conflict broke out. In fact, there had been political differences with Vietnam for a long time, i.e. since before 1975 (I was told about them when I participated in political education sessions). I would like to confirm what I have said about the visit by the top Vietnamese leaders (I saw Le Duan's car with my own eyes). That visit occurred before the establishment of S-21 ស៊ី២១. As for the date when Son Sen សុនសែន told me of the border dispute in Mondulkiri មណ្ឌលគីរី, I cannot remember whether it was when I was chosen to work at S-21 ស៊ី២១ (i.e. in August 1975) or when I was appointed as Chairman of S-21 ស៊ី២១ in March 1976. As for Nuon Chea នួនជា, he told me about the "Brevié Line" at the end of 1977. I cannot elaborate more.

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Question by the Co-Investigating Judges: You have stated that the only purpose in interrogating the Vietnamese was to extract confessions for the broadcast of propaganda over the radio. Yet the "Notebook of Mâm Nai ម៉មណែ alias Chan ចាន់", which you have already admitted to be true, clearly identifies the role of the interrogator as seeking strategic information in relation to the Vietnamese forces; and the confessions do, in fact, contain such information. Can you tell us about this?

Answer by the Charged Person: I still maintain that the confessions contain no important information related to the offensive schemes of Vietnam or the number of soldiers, etc. In fact, the prisoners were ordinary soldiers and they did not have any important information. For example, the commander set the date for the offensive in theory by noting down the letter N, and the troops were only informed at the last minute by noting down the letters N-2 or N+3... This is the sort of details those prisoners could explain to us.

Question by the Co-Investigating Judges: Do you confirm what you explained concerning the major tasks of S-21 ស៊ី២១ during the training session on 25 July 1978 (ERN 00077951-00077952): "searching for traitors, finding poison, arms and Vietnamese agents"?

Answer by the Charged Person: Yes, I do. The upper echelon had stated that the Vietnamese had sent agents into Cambodia, and this was the reason S-21 ស៊ី២១ was appointed to search for those agents through the confessions.

Question by the Co-Investigating Judges: Among the documents placed in the case file pursuant to the request by the Co-Prosecutors dated 27 March 2008, there is one document, the "minutes of a meeting" held on 9 September 1976, between the Charged Person, Son Sen សុនសែន and Pâng ប៉ង from Office 870 (ERN 00008502-00008503). This meeting was apparently held in relation to the search for those responsible for throwing leaflets criticizing Angkar អង្គការ. Do you confirm having participated in this meeting? Why did you personally participate in such a meeting? Did you believe, at that time, that Angkar អង្គការ could or should be criticised? You have stated that Democratic Kampuchea was a criminal regime. From what period of time did you first hold such a view?

Answer by the Charged Person: I would like to confirm that I participated in that meeting. I was summoned by Son Sen សុនសែន after the distribution of the leaflets, which I did not see personally. It is clear, in my opinion, that no one could criticise the upper echelon, especially Pol Pot ប៉ុលពត. I can give an example. just talking about "A Khiev

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ខៀវ" or "A Sar ស" [contemptible blue or contemptible white], was punishable by death, because *Khiev ខៀវ* referred to Son Sen សុខសែន and *Sar ស* referred to Saloth Sar សាឡុតស. One soldier from Division 703 or 605, from Region 25, called To Nim តូនីម, was arrested and executed because he used these terms. Regarding my becoming aware of the criminal nature of the regime, that happened little by little. I began to have suspicions when I saw people being evacuated and stripped of their private property, and then the series of mass executions. I was particularly affected after seeing the mass arrest of cadre from the Northern Zone on 31 January 1977, because I felt a lot of sympathy for them. I was terrified and, after the arrest of Ngèt You ង៉ែតយូ alias Hong ហុង, on 13 March 1978, and Vorn Vet វ៉ែតវ៉ែត on 2 November 1978, I began to fear for my life. I can say that I began to think that the regime was criminal from 1983 on. What I mean is that in 1983 I participated in a political education session held in Samlaut សំឡូត by Nuon Chea ឡួនជា (after the official dissolution of the CPK). During the session, Nuon Chea ឡួនជា declared that "*socialism, communism is not our goal. It is just a means for patriotism.*" I then realised that everyone could say anything they wished. Indeed, I believe that patriotism was not their goal either. From that day on, I began to see that they were ready to sacrifice people's lives to gain personal power and create a new dynasty.

Question by the Co-Investigating Judges: Since you knew what was happening at S-21 ស២១ between 1975 and 1979, it is surprising that it took you until 1983 to see the criminal nature of the regime.

Answer by the Charged Person: Through my involvement in communism, I wanted to find independence for my country and social justice for my people. After the evacuation of people from the cities, the abolishment of private ownership (one could not even own a hoe), everyone became so terrified. No matter whether they were teachers or professors, everyone was sent to work in the rice fields to be turned into peasants. This was a secret policy. Everyone knew only their own duties and work, and I myself did not know other people's work. From that point of view, one could not draw the conclusion that the regime was criminal, but simply that crimes were committed at S-21 ស២១.

The interview was adjourned at 12:10 p.m.

The Interview resumed at 2:30 p.m. on the same day.

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Answer by the Charged Person: I would like to give the judges my handwritten remarks on David Chandler's book, entitled *Voices from S-21 សៀវភៅ : Terror and History in Pol Pot's ប៉ុលពត Secret Prison* (1999).

Declaration by the Co-Investigating Judges: The 13 page document, handwritten in French will be annexed to the case file further to this Written Record.

Question by the Co-Investigating Judges: You had told us you would make remarks on the interview audio-recorded by the Human Rights Office representative, Christophe Peschoux, in May 1999, but we have not yet received any remarks.

Answer by the Charged Person: They never told me that my declaration would be used against me by the prosecutor. Nor did they notify me of the right to remain silent. So I do not want to elaborate on this declaration. I also note that the original audio record of this declaration was not placed in the case file. Moreover, up until this point in the investigation, I have tried, in the presence of my lawyer[s], to answer all of the judges' questions. So I consider that the declaration I made to the UNHCHR is outdated and no longer useful.

Question by the Defence: The document entitled *Decision of the Central Committee Regarding a Number of Matters*, dated 30 March 1976 (ERN 00003136-00003142); states in paragraph one which levels of authority had the right to decide to "smash, inside and outside the ranks". What comments do you have on this document?

Answer by the Charged Person: This is a historical document. It shows a turning point, because it reveals the beginning of internal purges. Before that, mainly officials of the old regime were smashed. From that point, the executions were conducted would take place mainly within the Party. The first series of arrests commenced with Yim Sambath យឹម សម្បត្តិ on 4 April 1976. Then, after a number of other arrests, Chan Chäkrei ចាន់ចក្រី was arrested, which I already mentioned in my remarks on David Chandler's book. The second series of arrests started with Kuoy Thuon (កុយ ធ្លួន), on 25 January 1977. The mass arrests began on 31 January. I was terrified. In April 1978, the Western Zone Secretary, Chou Chet (ជូ ជេត) *alias* Si (ស៊ី), then Ros Nhim (រស់ញឹម) and Kung Sophal (គង់ សុផល), *alias* Keu (កើ), respectively Secretary and Deputy Secretary of the Northwest Zone, were all arrested. Then there was a new series of mass arrests followed by armed rebellion of the population and of a number of military units (including that of Mr. Hun Sen ហ៊ុនសែន) in late 1978.

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Question by the Defence: The document broadcast on the radio entitled "*Phnom Penh Rally Marks 17 April Anniversary*", dated 16 April 1978 (D60 No. 00240 ERN S00010558-00010569), contains:

- Extracts from Khieu Samphan's ខៀវសំផុន speech at the assembly, dated 15 April 1978 (particularly ERN S00010563): "*Our tasks are: (1) Successfully defend the country, the revolution, State power, people, revolutionary army, Party and Cambodian race. Only by implementing the Party's lines can we defend our country against both internal and external enemies. All units throughout the country must continue constantly to raise high the sense of revolutionary vigilance.*"
- Extracts from a decision adopted at the assembly, in particular ERN S00010563: "*(5) To exterminate resolutely all agents of the expansionist, annexationist Vietnamese aggressors from our units and from Cambodian territory forever; (6) To exterminate resolutely all CIA agents from our units and Cambodian territory forever; (...) (9) (...) In the struggle to exterminate the enemies of all stripes (...) (11) To desist from thinking or doing anything detrimental to the nation, people, revolution and Party; (12) To subordinate resolutely all personal and family interests to the collective interests of the nation, class, people and revolution (...)*" Also ERN S00010565: "*(9) To emulate all kinds of sacrifices made by the poor people of all ages in fighting against enemies of all stripes to defend the Cambodian territory and preserve the Cambodian race.*" And ERN S00010566: "*(5) To screen and exterminate all enemy elements planted within our ranks disguised as cadres of various echelons and in various corps; (8) To reject bad cadres who refuse to improve (...)*" What are your comments on these documents?

Answer by the Charged Person: This is a transcript of a radio broadcast. The speech was read out by Khieu Samphan ខៀវសំផុន, but Pol Pot ប៉ុល ពត wrote it, because only Pol Pot ប៉ុល ពត could disseminate the Party line. Concerning the resolutions adopted during the assembly, they were all slogans used at the victorious 17 April anniversary in 1978. They were prepared by Pol Pot ប៉ុល ពត for the participants to repeat in chorus. Banners were also prepared for all such celebrations. There was prior agreement on what words to use on the banner; and we displayed them around S-21 ស២២១.

Question by the Defence: The radio broadcast entitled "Kampuchea's defence strategy against the country of Yuon យួន", dated 10 May 1978 (D60 No. 00260 ERN 00003959-00003962), quotes radio broadcasts on the national defence situation from April 1977 to April 1978, in particular ERN 00003960: "*The Party has instructed that we must try to destroy as many of the enemy as possible, and try to preserve our forces to the maximum (...) This is our slogan.*"; and ERN 00003962: "*We must purify our armed forces, our Party and the masses of people in order to continue fighting the enemies in defence of*

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Cambodian territory and the Cambodian race, for if we do not do so, our race will disappear.” What are your comments on these documents?

Answer by the Charged Person: The conflict between Cambodia and Vietnam had been talked about for a long time, i.e. since the Vietnamese agreed to negotiate with the United States. This document, therefore, contains nothing new.

Question by the Defence: The July 1978 edition of the Journal of Communist Studies contains a “*Declaration of the Kampuchean Communist Party to the Danish Communist Labour Party by Nuon Chea ឃុនឆា*” which reads (ERN 00001171): “*Now we struggle openly and in secret with secret struggle as the basis of our struggle.*” ERN 00001177: “*The cadres are evaluated on the basis of their concrete activities. Their spirit has to be clean, uncorrupted and without entangling contacts with the enemy.*” (...) “*By adopting these organizational principles, we have unity in the Party and we can cleanse our party of bad elements. We have not been 100 per cent successful. The enemy is still attempting to undermine the Party. Consequently, we are striving to strengthen political and ideological education and to clean the Party.*” ERN 00001178: “*In this period, after liberation, it is secret work that is fundamental. We no longer use the terms “legal” and “illegal”: we use terms “secret” and “open”. Secret work is fundamental in all that we do. For example (...) On the one hand, this is a matter of general principle, and on the other, it is a way to defend ourselves against the danger of enemy infiltration.*” (...) “*We base everything on secrecy. This is in the interests of the working classes.*”; ERN 00001180: “*From our experience, secrecy is only one aspect of building up the organization. Of greater importance is the ideological level of the designated leading cadres. They must display great discipline.*” What are your comments on that?

Answer by the Charged Person: It is a declaration by Nuon Chea ឃុនឆា during the visit of the Danish Communist Party delegation. Nuon Chea ឃុនឆា confirmed the working principles of the CPK as “secret”. This is also what he said within the Party.

Question by the Defence: In the document entitled “*Minutes of the meeting of Secretaries and Deputy Secretary of Divisions and Independent Regiments*” dated 30 August 1976 (ERN 00052380-00052383), “*Brother 89*” (Son Sen សុំនីសែន) states that: “*[We] must continue to purify the bad elements*”. What is your comment?

Answer by the Charged Person: These are the minutes of a working session during which Son Sen សុំនីសែន disseminated his directives by saying, for example, “continue the internal purification”. No representative from S-21 ស៊ី២១ was at that meeting. But the contents of this directive were sent to me directly by Son Sen សុំនីសែន, with whom I was in permanent contact.

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Question by the Defence: In the document “*Minutes of the meeting of Secretaries and Deputy Secretary of Divisions and Independent Regiments*”, dated 9 October 1976 (ERN 00052402-00052416), “Brother 89” (Son Sen ស៊ុនសែន) indicated that it is necessary at all cost to maintain secrecy. He also declared that it was necessary to continue purifying bad elements. What comment do you have on this?

Answer by the Charged Person: The same observations as for the previous document.

Question by the Defence: A number of people who knew Duch ឌុច when he was a student at Kampong Thom កំពង់ធំ Junior High School (1957-1961), and later as a mathematics teacher at Skun ស្កុន High School (1965-1967) have said that:

- ❖ At Kampong Thom កំពង់ធំ Junior High School (1957-1961): “*He was the brightest in the group [...] always very helpful and understanding. He liked to read a lot, so he understood a great deal. We always explained the lessons to one another and he was generous with what he knew.*” (Statement by Sou Sath ស៊ីសាត, former student at Kampong Thom កំពង់ធំ Junior High School and member of the student club with Kaing Guek Eav កាំងហ្គេកអ៊ាវ, in *The Lost Executioner* by Nic Dunlop, page 46)
- ❖ In Skun ស្កុន High School (1965-1967): According to Nic Dunlop, Duch ឌុច “*was a good teacher. [He was] well liked, particularly among the poorer pupils.*” (See *The Lost Executioner*, by Nic Dunlop, page 59). One former student, “[Meak ម៉ាក] Meurn មៀន remembered Duch ឌុច as ‘*a very patient and very gentle professor’ who worked extremely hard and never punished his pupils. He fed the poorer ones and offered lodgings. [...] ‘He tried to teach other students to help the poor and less fortunate in the countryside. He was the only one like this.’*” (See *The Lost Executioner*, by Nic Dunlop, pages 59-60).

What comment do you have on that?

Answer by the Charged Person: I agree with it.

Question by the Defence: Mr. Kaing Guek Eav កាំងហ្គេកអ៊ាវ, you said that after 1979 and until you split from the Khmer Rouge in 1992, you were like “a prisoner” of the Khmer Rouge regime. (Written Record of Interview dated 21 January 2008, page 5). Were you being closely watched during this period of time? If so, by whom?

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Answer by the Charged Person: First, I would like to go back to the period when I was in charge of S-21 ស២១. At that time, I contacted Son Sen សុនសែន every evening by phone. One day he called me at 5 a.m. I did not know whether he wanted to test me or not, but I was terrified. From April 1977, I went to Hospital 98 very often (my wife gave birth to a child and later worked in the hospital). When I went there, I informed Son Sen's សុនសែន telephone operator. When Nuon Chea នួនជា replaced Son Sen សុនសែន, Pâng ប៉ង and Lin លីន could come to my house at any time. I am pointing all of this out to show that I was not able to escape.

Later I went to live in Samlaut សំឡូត with Sou Met ស៊ូម៉េត. First, I was appointed head of the transport section. I refused this post, however, and had to transport the ammunition myself. Then I received an order to teach children. In all of these circumstances, the upper echelon would know immediately if I was absent. I could have gone to China, but the Chinese were very close to Pol Pot ប៉ុលពត. It was only when I was appointed to carry out an economic mission in Phkoam (ផ្កាំ), that I could withdraw and cut my relations with the regime, when there was an UNTAC attack.

We informed the Co-Prosecutors, the Charged Person and his Co-Lawyers that the next interview will be held on 6 May at 9 a.m.

The original of the audio-visual recording was sealed before the Charged Person and his Lawyers and was signed by us, the Greffiers, the Charged Person, and his Lawyers.

One copy of the original audio-visual recording was provided to the Charged Person.

At 5.35 p.m. we asked the the Greffiers to read out this Written Record of Interview of Charged Person as recorded.

After the Written Record was read out to the Charged Person, the Charged Person stated that he had no objections and agreed to sign it.

After the Written Record was read out to the Charged Person, the Charged Person refused to sign it.

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|----------------------------|--------------|
| Charged Person | /signature/ |
| Lawyers for Charged Person | /signatures/ |
| Co-Prosecutors | /signatures/ |
| Interpreters | /signatures/ |
| Greffiers | /signatures/ |
| Co-Investigating Judges | /signatures/ |

~~1618/No. D86/27~~

Concerning

Voices from S-21: Terror and History in Pol Pot's Secret Prison
(David Chandler)

Voices from S-21: Terror and History in Pol Pot's Secret Prison, by David Chandler, is a systematic and thorough analysis of all relevant documents, with references to other books and exchanges of opinion with other scholars.

To the best of my limited knowledge, I would like to define the type of terror that existed in Cambodia, as well as my role.

I A total institution

It is clear that "the Communist Party of Kampuchea (CPK) was itself a total institution *par excellence*."

I lived in this institution from 1966 on, and we proudly named ourselves "the children of communist society" among our people. We were prepared to sacrifice everything for the sake of the people, but, in 1975, everything suddenly turned upside down – from white to black.

By forcibly evacuating the inhabitants of Phnom Penh and forcibly appropriating their means of production, from sewing machines to factories, the CPK succeeded in turning the population of the whole country into peasants.

A short time later, the CPK collected former factory workers and transported them back to their factories. Everyone worked very hard under strict supervision; to be honest, it was inhumane, and they only received an insufficient ration twice a day.

POL Pot was satisfied with his achievements of:

- abolishing feudal, capitalist and bourgeois classes by committing criminal acts,
- abolishing the privatization of the means of production by committing criminal acts;
- criminally implementing a theory of "from each, according to his ability; to each, according to his need".

He called the above achievements "Super Great Mass Movement" and "Super Great Leap Forward". And Cambodia became "a sealed environment", stretching across the country as a whole, including uncountable "re-education centres". And everyone knew that there was constant, strict re-education, and there were constant arrests, causing POL Pot's "sealed environment" from 1975 to differ essentially from his own 1960s children of communist society.

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The CPK, on which I pinned my deepest hopes, destroyed my people; it started to turn into a criminal organization.

II Terms and sayings

1. The anteroom to death

It is true that “the facility (S-21) served primarily as an anteroom to death.”

At that time, every unit was educated to clearly define the dividing line between enemies and ourselves. Therefore, a criminal order was introduced: “any victim who has been arrested has to be smashed;” and secondary criminal consciousness was stimulated automatically among implementing units, especially S-21, through the abuse of power.

Comrade Seng (សេង) sat on the victim CHUM Mei’s head, and Comrade Tuy (តូយ) forced Professor KE Kim Huot (កែ គីមហួត) to eat excrement. These are two examples of the innumerable criminal acts at S-21.

There was a case in which, even though it was serious and shocked me deeply, I was not brave enough to arrest the perpetrator – leaving it to SON Sen (សុន សេន) to take action, but he did not do so.

I did not worry about those acts at that time, but now I realize that they were criminal acts that must be prosecuted rigorously.

I am totally responsible for all the crimes at S-21.

2. Paranoia

VORN Vet (វ៉ន វេត) demonstrated the paranoid political attitude of POL Pot, comparing him to a lapwing (Tradévech), in the Khmer perception. I have the same perception as Chandler concerning the political attitudes of POL Pot, who was too paranoid, as lapwings are, and who had too much imagination.

3. Two sayings

“Better arrest ten people by mistake than free one wrongly.” It was a legitimate accusation of my people, who suffered considerably from constant brutal arrests. SON Sen, and perhaps other Khmer Rouge leaders as well, used a phrase, “No gain in keeping, no loss in weeding out”.

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III POL Pot and ideological theories

- POL Pot read a lot, and he liked to be considered as somebody who knew everything.
- POL Pot had a close relationship with Khang Soeng (ខាង សឹង) (*Voices from S-21: Terror and History in Pol Pot's Secret Prison*, by David Chandler, pp. 126-127) and, after 17 April 1975, with CHHANG Chhun Chheav* (ជាង ឈុនឈាវ) (the second member of the Gang of Four).
- POL Pot had a well-organized calendar with a clear schedule of meetings with foreigners, meaning Chinese leaders (decision dated 30 March 1976).
- POL Pot never used the theories of anyone in the older generation which had not been revised. Also, he did not want anyone to read about the achievements of such people.

A. The evacuation of Phnom Penh

This evacuation was a criminal act, because it was done with force, but what was even more disgusting was the fact that POL Pot took this opportunity to kill people secretly, so that Cambodia embodied the description "one country, but two social classes".

With the forcible evacuation and with secret smashing, POL Pot brutally abolished privatization and forced all the technicians to do farming, so as to make them powerless and dependent on peasants.

Concerning infrastructure, POL Pot abolished religions and education, regarding the functioning educational system as capitalist in nature. "We will carry out our concept – four years of primary education, four years of secondary education and four years of higher education," POL Pot said.

What were the sources of POL Pot's theories?

Stalin (ស្តាលីន) might have been one of them: "Although the exploiting class was overthrown, it long remained stronger and than the class that overthrew it" (*Leninism*)

B. The concept of the people

It is important to look at the concept of the people.

- In a liberal society, people are everything.

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- In the socialist society of Mao, there were four classes of people: workers, farmers, intellectuals and national capitalists, symbolized by the four small stars on the flag of China; the big star symbolizes the Communist Party of China.
- In POL Pot's society – it was half socialist and half communist – there were two classes of people: workers and peasants.

What were the sources of POL Pot's theories?

- No one knew – only POL Pot himself. The only thing people knew was that a dictatorship was applied only against the enemies of the people.

C. About intellectuals

David Chandler wrote about “On the Correct Handling of Contradictions among the People”, which was in a speech by Mao Zedong given in 1957, i.e. eight years after China was totally liberated. But Mao Zedong still appealed to the Party to give time to intellectuals outside the Party to adapt themselves to Marxism.

But in Cambodia, Ta Mok mistreated intellectual cadres starting in 1968. After POL Pot had tried a couple of times to resolve this matter, he then intervened personally by downplaying the role of intellectual cadres, stating categorically in *Revolutionary Flag* in 1973 that: “the political line of any class means the cadre is of that class.” He then started to promote the role of peasant cadres, until, in late 1978, Ta Mok's men were deployed throughout the country, some of them in the Central Committee.

In 1973, Intellectual HOU Yon (ហ៊ូ យ៉ុង) made a speech in Kos Kong on the rights of indigenous minorities. TA Mok forbade the broadcast of this speech.

The intellectuals' dream “Let a hundred flowers bloom, let a hundred schools of thought contend,” (the new democracy of Mao) was over in Cambodia.

D. Internal purification

Neither POL Pot nor SON Sen ever mentioned the theories of their predecessor, from whom the idea of interior purges was taken.

The words of YON Yan (យ៉ុង យ៉ាង), SON Sen's wife, gave me an idea. She said, “Brother POL has experienced both the success and failure of the universal revolution since the Paris Commune.”

David Chandler wrote that POL Pot drew on Mao's speech “On the Correct Handling of Contradictions among the People”. This is quite correct.

But Mao described it in more detail in his book *Conflict*, in the chapter on “contradictory unity” and “the positions of opposing parties in disputes.”

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Look today at the implementation in history! In China, those who were purged before 1949, such as VANG Ming (វ៉ាង មីញ) and CHANG Kuk Thav (ចាង គុកថាវ), were accused by Mao of being “opportunists”. During the Cultural Revolution, Mao accused LIV Sav Chhi (លីវ សាវឆី) of being a commander of the capitalist line in the Party (refer to the headline of Mao’s newspaper, titled “Burn Down the Headquarters of the Capitalist Class”). Whereas POL Pot was different: he tried to hide the names of those whose arrests he had ordered as much as possible.

The smashing of YON, which was probably the first top-level interior purge, only figured in the confession of KOY Thuon.

After 17 April 1975, POL Pot announced only four victims: KOY Thuon and Ya in a meeting on 17 April 1977, and VORN Vet and CHENG Orn in a political training course in 1978. POL Pot had to know about SAO Phoem, and he announced that he had committed suicide. He stated that KOY Thuon and Ya were CIA agents, in conformity with S-21 confessions. According to POL Pot, VORN Vet and CHENG Orn were troublemakers who spread false information. He used tricks to push SEUNG Ngok Menh (សេង ងុកម៉េញ) out of the Party ranks. This made me doubtful about the deaths of TAU Samut (តូ សាមុត) in 1962 and MA Mong (ម៉ា ម៉ង់) in 1968.

E. The effect of “On the Correct Handling of Contradictions among the People” on POL Pot.

POL Pot, in a statement given on the occasion of a memorial service for Mao, highly praised both Mao himself and his writings, including “On the Correct Handling of Contradictions among the People,” making it clear that he was a follower of this theory. In fact he used the theory as a curtain to hide Mao’s, and especially his own, crimes.

F. The spirit of “mastery and self-reliance”

POL Pot and NUON Chea, and especially SON Sen and POL Pot continuously preached about the spirit of “mastery and self-reliance” which means the mastery over oneself and the nation... This notion was embedded in the mindset of people inside the Party to a certain degree.

In 1978, at the Beijing National Institute of Foreign Languages, MINH Yong Chang, the Chinese professor, who specializes in Khmer language, honestly challenged my opinion as he evidentially saw CHHANG Chhun Chheav covertly stayed in Cambodia after 17 April 1975.

YON YAT (SON Sen’s wife) admitted the secret presence of Chang who was the Chairman of the Committee for Communication with Foreign Communist Party.

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IV The decision of 30 March 1976

It is an historical document which was, in its nature, aimed to separate the regimes. The wordings in the decision were those of POL Pot's.

1. Before 30 March 1976

POL Pot abolished the oppressor class, private ownership, and people of the former regime, religion and administration of education.

- There are some points about the administration of education which need a clarification.
- All former regime's education staff were finally kept to do farming so that they could become rice farmers. This was a measure to prevent revisionism.
- POL Pot focused on building the movement of the children of the Lower middle-class farmers who he believed would be grateful to him.

2. In light of the decision of 30 March 1976, he made another step forward:

1. Cambodia was the country that had the merely symbolic People's Representative Assembly. "All representatives continued to be with the people."
2. POL Pot's Cambodia completely eradicated the trade of the country. He said that "his main plea (implementing the pricing table) was attempted to have the pricing table exchanged between states. ... but not for the purpose of bringing up a private ownership."
3. The "Great Leap Forward" flag was merely a means to promote favorite cadres. HOU Nim, in his confession, clearly indicated that he admitted his mistake. He described rice farming in the Norwest Zone. He was convinced by the Party to return to the correct path by appraising the patriotism of the Kampong Tralach rice farmers (a district). POL Pot promoted VEAN Em alias Sarun, who was the Secretary of Zone 31 and the annual assistant to the Central Committee, to the full member of this committee without having to wait until the commencement of the next General Congress.
4. The demolishing of the Ongko church (Catholic Church) revealed POL Pot's non-frontier boast. It was at great expense for him to make war against an abstract object with the sole purpose of bragging among his combatants about his being the best person.

3. The primordial importance of this decision

This decision was not meant to encourage the economic growth of the country but to make the Party, military and people clean based on the *Tradevech* [ព្រះវរវិថ] perception (Paranoia).

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The first Section covered the core essence of the whole decision.

It is true as he stated at the end of Section 12 that "Government tasks were managed by the three Deputy Prime Ministers." However, VORN Veth was appointed to merely and closely follow up the tasks.

The first Section was the most important part as it focused on the right to smash. It is, therefore, necessary to clarify that the term "smash" means arrest, detention (for being interrogated) and execution at last.

4. After 30 March 1976

Internal purge was the key focus.

This was carried out successively from the North Zone, then to the West Zone, later on to the Northwest and followed by the East.

Ta Mok, the third-under secretary and the secretary of the Southwest Zone, was further appointed to the Secretary of the West Zone, the Northwest Zone and Zone 801. NUON Chea, the first under-secretary, was also promoted to the Secretary of the East and the Northeast Zone.

By the end of 1978 the final internal purge movement in the East Zone confronted with the absolute resistance of armed people and the military units. This happened coincidentally with the interference of the Vietnamese troops.

The death toll from 30 March 1976 at the S-21 in particular was considerably stunning let alone the nationwide death.

The world has strongly condemned the crimes committed by Khmer Rouge under its regime which is also known as the "terror regime" of Cambodia.

- What is the characteristic of this terror regime?
- The main cause of these heinous crimes was the measure to prevent revisionism.

After POL Pot's death, Henry KISSINGER, the former US Secretary of State, expressed his consent to this idea based on KHIEU Samphan's thesis.

Khmer Rouge's wording indicated the committed in its meaning. They normally like to say that "We have to be very determined to protect and preserve the victorious achievement of our revolution for the next generation."

Did Khmer Rouge truly prevent revisionism?

Or in other word: Did they consider Communism as their objective?

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In 1983 NUON Chea made a declaration in Samlot in a political session that "Neither socialism nor communism is the main objective for our resistance. It is merely a means to achieve our patriotic cause."

Were the leaders truly patriotic?
Combatants were truly patriotic.

Khmer Rouge internal conflict continued until Ta Mok was arrested (on 6 March 1979). It was said that after 7 January 1979 Ta Mok's men killed people, who were in the central Party, and who were not their associates by overtly accusing them of being traitors or cunningly implicating them.

SON Sen, his family and his associates were victims of the inclusive decision made by POL Pot himself or with the cunning helpful hand of Ta Mok (?).

Ta Mok and POL Pot used this patriotism as their means, too.

POL Pot used the at-will theory to create his dynasty atop of Ta Mok's forces.

On the contrary Ta Mok tried to create his dynasty atop of POL Pot's loyalists. It reflects in his mockery statement that "Atop of Ta Mok is a hat and on top of the hat is the sky."

5. Now, let's talk about S-21

I was appointed the chief of S-21 on March 1976. On 30 March POL Pot made an historical decision which alienated the regimes. The authority to smash, which would be used as the official guideline, was written.

Ever since that date that the internal purge operation was undertaken from small scale maneuver to momentarily the larger and more terrifying ones.

The internal purge of the first network started with the arrest of YIM Sambath (4 April 1976), the person carried the grenade attack to the West near the brick wall of the Royal Palace. After some arrests of some cadres of Division 170, POL Pot and SON Sen arrested CHAN Chakrey, a highly dangerous suspect, who was earlier removed from the unit and symbolically put to work as an assistant at the General Headquarter to closely keep good track of what happened there.

The internal purge of the second network started with the arrest of KOY Thuon on 25 January 1977. On 31 January, cadres of the Northern Zone were arrested *en masse*. These arrested were made in light of the first complete confession of KOY Thuon on 29 January.

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I was terrified since I had never seen such thing. The lives of the combatants who fought for their people and nation were ended finally and mournfully at S-21 as traitors. *Oh, the Northern combatants!*

These arrests went on and on uncontrollably. I was then very conscious of the risk of my life and well-being after the arrests of NGET You, alias Hong, who was arrested on 13 March 1978, then VORN Veth (2 November 1978) and CHHAY Kimhor, my trainer. NOUN Chea's order of 2 or 3 January 1979 to take all the S-21's prisoners to Cheung Ek completely made me so despairing that I could not concentrate on my work any longer.

I had very strong sentiment towards the victims; I had been sympathetic for them. Because of this and based on the role and core task of managing the confessions, I did not go to see the people who were detained and I did not interrogated any of them except KOY Thuon. I was not involved in the killing of people. Regarding a special victim, VORN Veth, I bowed my head down and sincerely expressed my apologies to his dead soul. However, I can never forget all the confessions at S-21 and other crimes including the illegal arrests, inhumane detention conditions, heinous tortures, illegal and inhumane killings of people without trials etc. These memories have mentally hurt me all the time.

I am totally liable for the crimes that were committed at S-21.

08 May 2008
KAING GUEK EAV, alias DUCH

Lawyer
08 May 2008
KAR SAVUTH