

ឯកសារព្រមព្រៀងត្រឹមត្រូវតាមច្បាប់ខ្មែរ
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ថ្ងៃ ខែ ឆ្នាំ ត្រឹមត្រូវបញ្ជាក់ (Certified Date/Date de certification):
 23 / 01 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 du dossier: K. K. Ratanak

~~សំណុំរឿង: ០២៥/១៧~~



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation-Religion-King

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

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DOCUMENT RECEIVED/DOCUMENT REÇU

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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

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី
Written Record of Interview of Witness

លេខស៊ើបអង្កេត/Investigation/Instruction
លេខ/No: 002/19-09-2007-ECCC-OCLJ

On the twenty ninth of October, two thousand and eight, at 17:00 hours afternoon, at village 9, (Raingsei រង្សើ), Srè Sângkum ស្រែសង្កម subdistrict, Koh Nhêk កោះញែក district, Mondulkiri មណ្ឌលគិរី province,

We, SIM Soriya ស៊ីម សុរិយ៉ា, Investigator of the Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 26 May, 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.as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of SÂN Lăn សន ឡាន, a witness, who provided the following information regarding his personal identity:

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The undersigned, SÂN Lăn, 70 years old, was born in Koh Mayeul កោះម៉ាយើល village, Peam Chimiet ពាមដីមៀត subdistrict, Koh Nhêk district, Mondulkiri province.

He is of Cambodian nationality from the Phnornng ផ្អង and Laotian ethnicities. His current occupation is a rice farmer,

His father, Săn សន, is “deceased”, and his mother, Băm ប៉ាំ, is “deceased”.

His present address is in Srè Chrey ស្រែច្រៃ village, Nâng Khilik ណងឃីលិក subdistrict, Koh Nhêk district, Mondulkiri province.

He is married to Phâng ផង, “alive”, and is the father of 3 children.

The witness has no criminal record.

- The witness declared that he can read, write and understand the Khmer and Laotian languages.
- The witness declared that he can not read and 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.

Questions (Q)-answers (A):

Q: Can you describe your backgrounds before 1975?

A: Before 1970 I was a rice farmer in Koh Mayeul village. In 1970 the Vietnamese army attacked and occupied Sèn Monorom សែនមនោរម្យ, Koh Nhêk កោះញែក, and Rattanakiri រតនគិរី. In 1970 I joined the militia in Koh Nhêk district. In 1972 I became a company commander, stationing in Kadauy កាដូយ village, Royâ រយ័ subdistrict, Koh Nhêk district, and was in charge of about one hundred soldiers. In 1974 I was promoted to be the commander of Battalion 1, stationing in Sector 105, and I was in charge of more than 200 soldiers. Ta Laing តាឡាំង was the person to promote me. I was the commander of Battalion 1 until the Vietnamese arrived in 1979. My battalion deputy was Paing ប៉ាំង, (died on the battle field after 1979). PHY Nit ភី និត (arrested in 1977-78) was (one) of

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my battalion members. The commander of Battalion 2 was Lēng ឡេង (a native of Rattanakiri, disappeared). His deputy was Vieng វៀង alias Khăm ខាំ (died after 1979). His battalion member was Maing ម៉ាំង (nowadays is living in Keo Seima កែវសីមា. He is Sarun's សារុន younger brother). The base of Battalion 1 was in the western part on the top of Phnom Kraol ភ្នំក្រាវ (Mountain). The base of Battalion 2 was at the Phnom Kaol dam, which was about one kilometer away from Battalion 1. The Battalion 2 was in charge of security. Within their compound there was prisoners detention building, which was built on the ground with thatch roof and without walls. The works of Battalion 1 included working the rice fields and building dam; and most of the time stationing along the border at Mayeul, Au Lvē អូរល្វេ and Mareuch ម៉ារើច. Lēng (who disappeared because he, as it was heard, violated the moral code) was the one who permanently stationed at the Office of Battalion 2 which located at the Phnom Kraol dam. Lēng also went to station at the border occasionally. Vieng alias Khăm's and Maing's role was to station at the border. My daily works included stationing at the border, building dam, and working the rice fields. There was no prisoner detained in the compound of my battalion base. [We] didn't take in and didn't arrest any prisoner. Once a month I went to attend a meeting at Office Kâ-11 (ក ១១) of Ta Sophea តាសុផេា. People up to the rank of company attended that meeting. Occasionally, Ta Laing came to attend that meeting. I never saw any [cadres] from the Center coming to hold any meeting in Koh Nhêk. Ta Sophea, who was the chief of military for the entire Sector, was in charge of Kâ-11 and hundreds of armed soldiers. When I went to attend a meeting there, I never saw any prisoner detention building. Each time I was there I didn't dare walk through the compound of Office Kâ-11. In each meeting both Ta Sophea and Ta Laing talked about food production and country defense. They also talked about how to strengthen spirit, not to be incited by the Vietnamese, and the traitorous network hiding in Angkar. Ta Sophea also said "whoever pierces a whole through the dam or makes loss of many cattle is the enemy". Besides that, military work was to defend the borders.

Q: Can you describe the events related to the prisoners which you saw at the Phnom Kaol dam?

A: I saw that when I rode by in the car, but I never went in. I saw about 50 to 60 prisoners. I didn't know about that clearly because I never went in, and I never asked the commander of Battalion 2 either. [If I asked] I was afraid that they would accuse me of being a traitor. So, I don't know what kinds of prisoners and who arrested them and brought them there.

Q: Can you describe the procedure of giving orders, the military assignment, and the arrest of the prisoners?

A: I noticed that there were many prisoners, and that prison was created since 1975-76 until 1979. So Ta Sophea was the person who gave the assignment and orders to the all soldiers including those of the Battalion 2, Office Kâ 11 soldiers, or the district soldiers;

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this means that Ta Sophea was really the person to give orders and know about [prison]. As for my battalion, we didn't do the security work. I am not sure whether the Center knew about that security work, but I knew that Ta Sophea and Ta Laing went to attend meetings in Phnom Penh. I never saw cadres at the Center level visiting Sector 105.

Q: Did you ever encounter the Vietnamese troops at the border?

A: The soldiers and I used to run into them, but both sides, the Cambodian and Vietnamese, just avoided each other.

Q: Did you ever see any corpses or pits of the victims?

A: I never saw and never heard about it.

Q: Can you describe the arrests that you knew about?

A: One day there was an important meeting, attended by the civilian cadres from the subdistrict and district levels, and the ranks of platoon and up from the military, and presided over by Ta Sophea and Ta Laing. I also attended that meeting. Ta Sophea and Ta Laing said that there was a trail of people's gathering, probably the Vietnamese, at the Sâng Takoey សង់តាកើយ near Au Chbar អូរច្បារ and Koh Nhêk district headquarter. At that time Ta Laing and Ta Sophea both ordered me to search for the Vietnamese. I spent about 3 days to search for them up to Lvê ល្វើ. When I returned from that search, I found out that Svay ស្វាយ, who was the district secretary of Koh Nhêk, had committed suicide by hanging himself. I also don't understand why my battalion was involved in that event because PHY Nit ភី និត, the [committee] member of my battalion, and Leuy លើយ, the company commander in my unit, along with my other 2 subordinates who were military cadres named Dăm ដាំ alias La ឡា and Bun Thâng ប៉ុន ថង were arrested and taken away. I didn't know the real motive, but I suspected that those who disappeared were accused of having connections with Vietnam. When Nhun ញុន, the chief of Ta Khăm Phoun's Office, took his subordinate cadres to escape to Vietnam, I was assigned to hunt them down, but I could not find them. Later I found out that some people in Nhun group were able to escape into Vietnam, but others lost their way and returned back to their old unit. My soldiers who went after me shot dead one escapee who was my relative (not remember his name). The person who had been shot to dead lost his way [during his escape]. I don't know about any other arrests.

Q: Do you remember in 2005 you provided information to the DCCam staff in Peam Chimiet village, Nâng Khilik subdistrict, Koh Nhêk district, Mondulkiri province ERN 0229173-0229268?

A: Yes, I remember.

Q: Can you describe again the arrest of Division 920 (pages 44-47 of the above interview) as well as what happened to Hâm and Khăm Phoun (pages 65-70 of the above interview)?

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A: One day in 1978 I was asked by Ta Sophea តា ស៊ូកា and Ta Sarun តា សារុន to board an airplane to go to Phnom Penh. Accompanied them were Ta Kim តា គីម, the deputy of Division 920, Ta Lork តា លក់ (Ta Laing’s elder brother and was the member of Sector 105 Committee) and Ta Vieng តា វៀង. When we arrived at Po Chen Tong ពោធិ៍ចិនតុង [airport] they detained Ta Kim. One night later I saw they called Ta Sophea to get in a car and drove away. He disappeared since. Other people, who had been in the airplane with me, took a motor boat back to Mondulkiri and then drove a car from Kratie ក្រចេះ. About one year before this event, Khăm Phoun’s son named Khăm was arrested and imprisoned because Nhun had escaped. A nephew of Khăm Phoun named Phut ភុតិ was also arrested. Ta Laing went to study in Phnom Penh for a half month, and later returned to ask Ta Khăm Phoun to go with him to study in Phnom Penh. I dissuaded Ta Laing not to take Ta Khăm Phoun with him, because his subordinates here would misunderstand that he was arrested by Ta Laing; then they would fight and kill each other. But Ta Laing didn’t listen to my idea, instead he said “when Khăm Phoun returns, [we] release his children, then there would not be any more problem”. I didn’t understand his rational why they didn’t release Khăm Phoun’s children before they took him to study. Later I heard through Phan Khôn ផាន ហ៊ុន alias Chuon ជួន that Hâm and Laing had killed each other in Phnom Penh. At that time Phan Khôn moved up to be the deputy secretary of Sector 105, Ta Lork became the member and Ta Sarun became the secretary.

One copy of the Written Record was provided to the witness.

This interview ended at 20:25 hours at night on the same date.

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.

Witness	Interpreter	Investigators
[Signature/Thumbprint]	[Signature]	[Signatures]

SÂN Lăn
សន ស្កាន់