

~~002/19-09-2007~~ 0125/207



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

អង្គជំនុំជម្រះវិសេសវិសេសសាលាដំបូង
Extraordinary Chambers in the
Courts of Cambodia

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ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges

សំណុំរឿងព្រហ្មទណ្ឌ
Criminal Case File

លេខ/No: 002/14-08-2006

ស៊ើបអង្កេត/Investigation

លេខ/No: 002/19-09-2007-ECCC-OCLJ

របាយការណ៍អនុវត្តន៍កាតាតូរូស៊ើបអង្កេត
Report of the Execution of Rogatory Letter

Date: 07 November 2008

Re: Rogatory Letter, dated 26 May 2008

Investigators: NGUON Im ងួន អ៊ឹម and Christian BAUDESSON

We, NGUON Im and Christian BAUDESSON, Investigators of the Extraordinary Chambers in the Courts of Cambodia, with permission from the Co-Investigating judges, and in reference to the Rogatory Letter dated 26 May 2008, being assigned to carry out a mission in Siem Reap សៀមរាប and Kampong Thom កំពង់ធំ provinces in order to record the statements of witnesses;

Would like to submit the report on the execution of the Rogatory Letter as follows:

A-Interviewing of Witnesses

1-Witness: CHHAOM Sarin ឆោម សារិន

Male, 45 years old, ordinary person, is living in Dau Dantrey ដូដូត្រី village (next to Phnum Trung Bat ភ្នំទ្រង់បាត, the killing site).

Translated from the Khmer original: 00242051-00242056_KH

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du dossier: Ratanaek	

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Interviewed on 09 October 2008.

The witness stated: "In 1975 my family and other people in Dau Dantrey village, Kampong Thkov កំពង់ថ្មវ subdistrict, Krâlănh ក្រឡាញ់ district were evacuated to Ta An តាអាន village and other villages. In 1979 my family returned back to live in my birth village. When we arrived at the village, we saw clothes scattered everywhere along the road leading up to the Trung Bat Mountain. On the top of the mountain there was a big pit in which rice husk was still burning. There were also many skeletons in that pit. There were clubs, which were used by the Khmer Rouge to beat up and kill people, as well as some clothes remaining on the edge around that pit. As in the compound of my land plot, when I first dug up the ground near the Krâlănh ក្រឡាញ់ tree, I found 9 skeletons. Later in 1982, there were rumors that gold was buried [along with the dead bodies after they were killed], my team, [with an attempt to seek for gold] dug and removed soil from my well, which was filled from the bottom up to about a half meter below the ground. When we dug that well, we found just skeletons, amulets, military uniforms and civilian clothes which were still stinky. Based on my estimation on the skeletons, there were about 20 people who had been killed and put in that well. In 2007 I had some one dig the ground again in order to take out soil for selling. At that time we found 07 more skeletons. There could be more but I decided to fill back the ground".

2-Witness: CHHAOM Sarân ឆោម សារ៉ាន

Male, 48 years old, is the owner of the wooden house which was used as a security office by the Khmer Rouge.

Interviewed on 09 October 2008.

The witness stated: "In January 1979 when I returned back to my home, I saw many shackles piled up in one place inside the house. There were about over one hundreds (100) [shackles] , and more than 10 metal rods, each was 6 meters long (these shackles have been all gone now). In Dau Dantrey village, the Khmer Rouge used 3 wooden houses as the security office of Krâlănh district; my house was used as the detention facility, the house opposite mine was used as the working office, and the house next to mine was used as the economics office. There were no pits on my premise, but on the premise of my neighbor, there were pits of those who were killed by the Khmer Rouge from 1975 to 1976. But later, in 1977, they took people to be killed on the top of Phnum Trung Bat where bodies were burned up in a kiln (which used rice husk for burning)".

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3-Witness: UM Sun អ៊ុំ ស៊ីង

Male, 50 years old, [is currently] a member of the Boeng Mealea បឹងមាលា Commune Council, Svay Leu ស្វាយលើ district.
Interviewed on 10 October 2008.

The witness stated: “It was about in 1978 [one day] at 7:30 at night, while I was working in the village mobile unit I heard the voice of people’s screaming. Then Sung ស៊ីង and I went to sneak a look. There, south of Watt Khsäch វត្តខ្ពស់ on the east corner outside the pagoda fence, we saw the Khmer Rouge beating up and killing people. At that time I was about 30 meters away from the killing site, I saw the Khmer Rouge taking people out of the pagoda library in Watt Khsäch to kill. [I heard them said to those people] “all of you are Yuon”. Some of the people were tied up, but some were not. They used a 1 meter long bamboo stick to club people to death. Some corpses were dropped into the pit, but some were left on the edge of the pit. As for the children, they crashed their heads to death against the coconut tree. I saw that clearly because they lighted up the place with a kerosene lamp hanging nearby. During the time of about one hour of watching, I saw them killed about 25 people, including men, women, children and adults. Next morning I went there to look and I saw the Khmer Rouge dried up a bunch of human gall bladders by hanging them up the [house’s] wall made from coconut leaves. Near the pit, 2 or 3 corpses were not buried and left on the ground. Inside the pit, hands and legs of the dead were poking out because the corpses were shallowly buried. The bamboo and the Lngieng ឈ្លើង sticks were left on the ground there. There were more than 100 Vietnamese who had been killed by the Khmer Rouge in Watt Khsäch. Those Vietnamese had been transported by trucks into that pagoda before they were killed. Three Vietnamese from my village were also brought in and killed in Watt Khsäch”.

4-Witness: UONG Thea អ៊ុង ពា

Female, 55 years old, was a former garment worker in Kampong Som កំពង់សោម town.
Interviewed on 28 October 2008.

The witness stated: “In July 1975 I was transferred from the female army unit to work at the garment section in Kampong Som. That unit was under the management of the Commerce Unit whose chairman was PRUM Nhèm ព្រ៉ាំ ញ៉ែម. In early 1976 KOY Thuon កុយ ធ្មួន visited Kampong Som 3 times but he didn’t organize any meeting, he only instructed us to work hard. In June 1976 PRUM Nhèm, chairman of Commerce Unit in Kampong Som, was removed and Ta Krin តាក្រិន came to take his place. Later Ta Krin organized a meeting of the entire Kampong Som unit. [In that meeting] they announced

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that KOY Thuon and PRUM Nhèm were arrested because they were in CIA network. They played the cassette for us to listen, but I could not hear it clearly because I was far away [from the loud speakers]. From that time on, the chairman and deputy chairman of the regiment, the chairman and deputy chairman of the battalion, workers of Kampong Som Port, and the company chairman and deputy chairman of the workers were arrested continuously. They were invited to a meeting, but were arrested at gun point [when they arrived]. On 07 July 1977 they told workers to board a train to go to study in Phnom Penh for only three days. There were about 50 workers, men and women, including me and my husband, were on that trip. Other workers were sent on subsequent trips. When we arrived in Phnom Penh, they had us stay temporarily at the Medical School awaiting, they said, Angkar coming to teach. Three days later Pâng ប៉ង, the chairman of the Office 870 who represented Angkar, came to tell us “you all are enemy, but Angkar will not punish you. Angkar brings you here, comrades, to be tampered since you are the 3rd category enemy. Angkar doesn't have any thing to give you except hoes and baskets, and [these will prove] that who is gold and who is silver”. After that we were dispersed to different work places. Women with children were sent to Chraing Châmreh ច្រាំងចំរេះ called the Office Kâ 10 (K 10) មន្ទីរ ក ១០. As for men, they were sent to Svay Meas Pagoda វត្តស្វាយមាស in Boeng Thom បឹងធំ subdistrict. At the Office K 10 people were arrested continuously. At that place, they transplanted rice and cut grass, and food ration was steamed rice. In early 1978 they sent me to live with my husband in Svay Meas Pagoda. Food ration in Svay Meas Pagoda was steamed rice which was cut in cube shape and weighed before distribution. Each worker received 300 grams of rice and soup with no salt in it. In the morning at 4am small children were taken to elder women's place. We worked from 5am to 11am. In the afternoon, we worked from 1pm to 5pm. At night time, except women with little children, we had to work more such as digging pond”.

5-Witness: THEUNG Leap (TEUNG Leap)

Male, 56 years old, was a former worker of Kampong Som commerce unit.

Interviewed on 28 October 2008.

The witness said: “Before 1975 I joined the Khmer Rouge army in battalion 305 in the North Zone. After 17 April 1975 they had some soldiers go to work as workers in Kampong Som កំពង់សោម town. At that time my battalion 305 was also transferred to Kampong Som. At that place they had us work at the upper-warehouse which was under the State Commerce Unit. PRUM Nhèm ប្រុំ ឃ្លើម was in charge of the State Commerce in Kampong Som. Ta Krin តាក្រិន was the chairman of the port. The living condition of the workers was very hard. They had us carry rice [sacks] and raw rubber to the warehouse. When a ship arrived, [we] carried rice [sacks] and raw rubber from the warehouse to the truck and then from the truck onto the ship. One sack of rice at that time weighed 100 kg.

ឈ្មោះ ០/២៥/២០៧

KOY Thuon កុយ គួន used to visit workers in Kampong Som. About two or three weeks after the arrest of KOY Thuon, in Kampong Som, they arrested other leaders like PRUM Nhem ព្រ៉ាំ ញ៉ែម, and his deputy Doeun ឌឿន, and the committee member named Muoy មួយ. Later more people continued to disappear, sometimes 10 persons disappeared in just one night. They arrested the people from the upper level down to the platoon chief and group chief. Some youths (ordinary workers) were also arrested if they were from the North Zone. They replaced them with people from the Southwest Zone. At that time Ta Krin was over all in charge of the Kampong Som town. In order to arrest people, they called them to a meeting in the night. They were called to two places [to be arrested], one place was at Ta Krin's house, and another place was at a meeting place which was Sarin's សារិន ហ៊ុន house, who was Ta Krin deputy. They held a meeting to tell the workers that they "only arrest the enemy, so don't feel bad". As I estimated, about 70 to 80 persons were arrested in Kampong Som. Later they sent me, my wife and my children to Phnom Penh, but they had us live separately. When I lived in Svay Meas Pagoda វត្តស្វាយមាស, a covered vehicle with the license plate Office 870 came to arrest people occasionally. Each time they arrested one or two persons. As I found out after 1979 some of those workers, who were transported out of Kampong Som, were killed; and [among them] some were the native of Stông ឆ្នាំង district.

6- Witness: SIM Hao សឹម ហៅ

Male, 56 years old, was a former worker of Kampong Som commerce unit.

Interviewed on 29 October 2008.

The witness stated that: "In 1972 I joined the Khmer Rouge Army in Company 2, Battalion 709 of the North Zone. About half month after 17 April 1975 my entire Battalion 709 was transferred to Kampong Som កំពង់សោម. In Kampong Som, they had my unit work as porters to carry rice [sacks] out of the Chinese ship. On that Chinese ship, there were 90 vehicles on the upper deck, and rice sacks and other materials such as hoes, shovels, and pesticide inside it. I remember that after I had worked in Kampong Som for about 1 month, American planes bombed a warehouse near the beach. After my unit worked in the ship for about 5 months, they transferred us to work in the warehouse on land, then they brought in the Southwest Zone people to take our places. PRUM Nhem ព្រ៉ាំ ញ៉ែម was in charge of Commerce in Kampong Som. After staying in Kampong Som for about 1 year, they transferred about 200 workers from my unit, including me, to work in Phnom Penh. We were transferred to Chraing Châmreh ច្រាំងចំរេះ to be under the management of the Ministry of Commerce. We worked at the Kilometer 6 Warehouse, carrying rice, rubber, cement, and salt from and to the warehouse, the truck and train

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etc... In Chraing Châmreh the arrests took place continuously. [When they made an arrest] they told leaders such as the chief and deputy chief of the battalion, the chief and deputy chief of the company, and the chief of the platoon to go to study. Among those who had gone to study, no one ever returned, all disappeared forever. Later there were only group chief and ordinary worker left. Then they called them to a meeting at the Ministry of Commerce near Watt Phnom វត្តភ្នំ. The person who presided over the meeting was Rith រិទ្ធី, who was the chairman of the Ministry of Commerce, and there were hundreds of participants. In that meeting he (Rith) told us that “KOY Thuon កុយ ធ្នូន alias Thuch ធ្នូច alias Khuon ហ្នួន, who was the secretary of the North Zone and later became the minister of commerce, was a CIA. He plotted to launch a coup d’etat to overthrow Brother number 1 and Brother number 2. A senior military commander named Oeun អឿន, who was the division commander of the North Zone, would lead the troops to carry out that coup d’etat; but all of them were subsequently arrested. Now it is time to reorganize by appointing new group chiefs, removing old group chiefs and replacing them with the new ones”. The new group and unit chiefs were from the Southwest Zone. It was around late 1977 or early 1978, some workers were transferred to carry soy bean and green bean. As for me, they had me work at an artisan workshop in Tuol Tumpoung ទួលទំពូង Pagoda to prepare Kapok cotton. There were about 200 workers in that unit, and it was under the management of the Ministry of Commerce. It was perhaps in 1978, I saw KHIEU Samphan, accompanied by Rith, chairman of the Commerce, came to check on the domestic products such as soy bean and green bean while workers were packing and weighing them for export. At that time I noticed that if there were strangers coming to meet with the Unit chairman, two or three days later, subsequent arrests would occur. I personally saw them arrested comrade Chea ជា, who was Ta Nhèm’s តា ញ៉ែម secretary. They pointed the guns at him and dragged him into a waiting covered- Jeep that had the license plate M6-870 មន្ទីរ 870.

B-Seeking the identity of witnesses

Based on the statements from his interview, a witness, PĒ Chuy Chip Sè ប៉េ ជុយ ជីបសែ, confirmed that there were 3 other persons [working] at the Chikrèng ជីក្រែង Security Office, including Sây សយ alias Săn សាន់, who is now living in Trâpěang Trav ត្រពាំងត្រាវ village, Kôk Thlork Kraom កែក ធ្លក ក្រាម subdistrict; Phôk ហែក, whose present name is Phan ផាន, is now living in Ta Por Leu តាព័រលើ village, Pungrô Kraom ពង្រក្រាម subdistrict, Chikrèng district; and Khăp ខាប៉ alias Khân ខន who is now living in the same village. The above 3 persons were the guards of that Security Office.

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1-Our investigator team already met with Sây alias Săn on 08 October 2008, but that witness was an alcoholic, so an official interview could not be conducted.

2-As for Phan, our investigator team went to look for him in Ta Por village, but could not find him because he has moved to live in another village long time ago (not clear).

3- [Our team] was not able to find Khăp alias Khân, and there is no information regarding to his whereabouts.

Respectfully submitted the above report to the co-investigating judges.

The investigators

Nguon IM

Christian BAUDESSON

[Signatures]