

ឯកសារប្រាប់ថា ត្រឹមត្រូវតាមច្បាប់ដើម
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ថ្ងៃ ខែ ឆ្នាំ ថ្ងៃការបញ្ជាក់ (Certified Date/Date de certification):
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 du dossier: K. K. Ratanak

Handwritten signature and date: 21/01/09



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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

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ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de réception):
 ២០ / ០១ / ២០០៩

ម៉ោង (Time/Heure): 13:50

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
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ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges
សំណុំរឿងព្រហ្មទណ្ឌ
Criminal Case File

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី
Written Record of Witness Interview

No: 002/14-08-2006

លេខស៊ើបអង្កេត/Investigation

លេខ/No: 002/19-09-2007-ECCC-OCIJ

On the first of July, two thousand and eight, at twelve thirty p.m., in Chrak Sangkae village (ភូមិច្រកសង្កែ), Svay Chuk commune (ឃុំស្វាយជុក), Sameakki Mean Chey district (ស្រុកសាមគ្គីមានជ័យ), Kampong Chhnang province (ខេត្តកំពង់ឆ្នាំង)

I, **Thomas KUEHNEL**(TK), 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 **HENG Ham Kheng**, as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of **LÈV Lam** (LL) (ឡេវ ឡាំ), a witness, who provided the following information regarding his personal identity:

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ចោមចៅ ខណ្ឌដង្កោ ក្រុងភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩១៤
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The undersigned LÈV Lam, was born on 23 July 1955 in Chrak Sangkae village, Svay Chuk commune, Kampong Tralach Leu district, Kampong Chhnang province. He is of Khmer nationality, and is a rice-farmer.

His father, PRING Lev (ព្រីង ឡេវ), is alive, and his mother, NUON Sem (នួន សែម), is deceased.

His present address is in Chrak Sangkae village, Svay Chuk commune, Sameakki Mean Chey district, Kampong Chhnang province. He is married to NOU Rem and is a father of ten children.

- The witness has no criminal record.
 - 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 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 and answers:

TK: Please kindly describe your work as a militiaman of the Khmer Rouge.

LL: In 1972, I worked as a militiaman in Svay Chuk commune, Kampong Tralach Leu district alias District 12. I worked as a militiaman from 1972 to 1975. I demobilized in mid 1975 and returned to a mobile commune unit.

TK: Who enlisted you in the commune military unit?

LL: A man named Sron (ស្រីន) did. At that time, he was chief of District 12 and Nan (ណាន) (Srey (ស្រី)) was chief of Svay Chuk commune.

TK: Do you remember that you took us to Damrey Srot (ដំរីស្រួត) prison in late May?

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LL: Yes.

TK: Please describe Damrey Srot prison.

LL: I saw Damrey Srot prison from outside when I was walking along the pathway adjacent to its fence to visit my wife living in Tang Kromg village which was located in another side of the prison. I entered the prison compound after the arrival of Yuon [Vietnamese]. The prison was 300 meters wide and 400 meters long. There was no wall surrounding this large compound. However, inside the prison, there was a 100 meter square prisoner hall, a five-level roof house and two kitchens. Damrey Srot prison was established in early 1976 and existed until the arrival of Yuon. Within the detention hall, there was a 6 meters wide and 15 meters long cell. Prisoner beds were allocated to both sides of the aisle. When sleeping, prisoners positioned their head to the wall and their legs to the aisle.. There was a long wooden bar with iron shackles for about 20 prisoners. Only one leg of the prisoners was shackled (I made this assumption based on my observation during a visit to the prison after the arrival of Yuon. I noticed that shackles were placed too far a part for shackling both legs of the prisoner.

TK: How many prisoners did you see in Damrey Srot prison while it was in operation?

LL: I did not know the number of prisoners who were detained in Damrey Srot prison during its full operation. Once, while I was walking to my wife’s village, I saw, from outside the prison, about ten female prisoners and twenty male prisoners chopping tree leaves [ទ្រុឌ្រានខ្មៅ, eupatorium] to make fertilizer. This was not an exact number of all prisoners in the prison at that time. I know that prisoners of minor offences, for example: those who committed moral offences, were allowed to work in the main compound of Damrey Srot prison during day time, but for prisoners of serious offences, their legs were shackled the whole day (Prisoners of minor offences used to tell me about this).

TK: Did you know the number of prisoners in Damrey Srot prison?

LL: I was not sure about that. I just knew that there were prisoners brought to the prison and prisoners killed.

TK: Did you know about the killing of prisoners in Damrey Srot prison? If so, where were the bodies buried?

LL: I knew there was prisoner killing in Damrey Srot prison. In addition to a 100 meters square for prisoner detention, Damrey Srot prison had a big surrounding for bananas and coconuts plants. I twice saw some teenagers (with aged 15-16) pulled a cart of prisoner bodies from the detention place but I did not know

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whether the prisoners died of execution or other causes. I saw the prisoner bodies being cut into three parts and left in a banana/coconut pits for making fertilizer. I only witnessed two bodies in the pits with my eyes. However, I believed that about twenty to thirty bodies were cut into several parts for making fertilizer. I did not know the exact number of bodies buried there. I saw this event while I was walking to my wife's village along the pathway which was about 20 meters away from the main compound of Damrey Srot prison.

TK: Did you know the executioner in Damrey Srot prison?

LL: I did not know the executioner but I knew that Ol (អុល) was a chief of the prison and Em (អែម) was a deputy-chief of the prison and there were some other personnel whose names I did not remember.

TK: How did you know Ol and Em?

LL: Almost everyone living in that area knew that Ol and Em were were responsible for Damrey Srot prison. I, myself, saw these two persons almost everyday because I was in a mobile unit at that time; we often met them in different places such as in sub-district office.

TK: Did you know the place where the two men worked? And, had you ever seen them killing any people?

LL: They worked in the five-level roof houses I already mentioned but I had never seen them killing any people with my own eyes. At present, I do not know whether they are alive but they were alive when Vietnamese came.

TK: Did you know any other prison in District 12? Did you know Trapaing Ampil (ត្រពាំងអំពិល)?

LL: There was only Damrey Srot prison in District 12. Trapaing Ampil was a rice-field in which ordinary people worked. However, as I knew another place [prison camp] called Trapaing Pring which was also located in Svay Chuk commune. Trapaing Pring was a worksite for only cadre prisoners. Damrey Srot prison was a detention camp for both ordinary people and cadres. Originally, Trapaing Pring was a ditch worksite of a mobile unit where I worked. During the rainy farming season, people in the mobile unit were sent to fields and Khmer Rouge cadre prisoners were sent to take over ditch digging activities. At that time, District 12 had a plan to build several dykes and dig several ditches. Among others, Kdol

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(ក្តុល) was the biggest dyke plan, [followed by] Trapaing Pring ditch, Chravar Riel (ច្រវ៉ាវៀល) dyke etc.

TK: In addition to the grave in Damrey Srot prison, did you know any other graves in the region?

LL: Yes, I did. There was another one located 500 meters in the west of Damrey Srot prison. As long as I knew about 700 to 800 people who were evacuated from Phnom Penh were killed and buried there. When Phnom Penh was evacuated several people were forced to come here and some people were killed. At that time, chief of district told them to come here.

TK: Did the phrase “to come here” mean to come to the execution place?

LL: Yes. After 1979, people came to exhume the grave over there in order to seek gold and valuable things.

TK: Please kindly describe mass grave exhumation?

LL: At that time, people exhumed about twenty to thirty graves in which there were about 700 to 800 dead bodies in total. Some graves have not been exhumed yet. So, of the total number of people who were killed there remains unknown.

TK: Did you know how the 17 April people were killed?

LL: When the 17 April people from Phnom Penh arrived at District 12, they were asked about their biography by cadres. Based on their answers, they were classified into two categories: the ordinary people such as rice-farmers and non-ordinary people such as soldiers, civil servants of Lon Nol and capitalists. While the former are currently alive, the latter disappeared.

TK: Did the word “disappeared” mean “died”?

LL: Yes. The order of this operation was issued from commune and district chiefs. I heard with my ears that chief of District 12, Sron, told Nan (Srey), chief of Svay Chuk commune, to separate the people. Rice-farmers had to be kept for work and enemies had to be taken away, and capitalists had to be destroyed.

TK: What was the meaning of “destroy”?

LL: At that time, all people knew that to destroy meant to kill.

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TK: How did you hear the discussion of the two men?

LL: Immediately after 17 April, I was still a militiaman and was working with Nan. After receiving an instruction from Sron, Nan was taking the record of biographies of the 17 April people. This was an execution plan. Next, Nan asked all village chiefs in communes to come to the meeting in which he told them to take record of biographies of the 17 April people in all villages. After that, Nan collected all biographies of the 17 April people from all village chiefs. He gave them to Sron. Sron classified those biographies into two categories - capitalists and peasants. Sron made a final decision for Nan to implement. With my ears, I heard that one of the decisions was to kill my uncle. At that time, I was so suffering; however, I could not say a word but shed tears. At that time, there was an order to kill approximately 100 families in early rainy season in 1975; this order was immediately implemented. The soon-to-be killed people were told to bring all belonging properties and travel to the execution site by own means such as by carts or on foot. The determined destinations were several; all of which was located near the execution site. When people got together, they were divided into smaller groups of 10 people. Then, they were told that they would be brought to see *Angkar*, however, they had to be blindfolded and their hands had to be tied behind their back.

TK: How did the blindfolding and hand tie happen? Were the materials prepared in advanced or on spot?

LL: They were prepared in advance by tearing scarf (ក្រែម) into small strings for blindfolding and hand tie.

TK: Please describe killing process.

LL: When people to be killed arrived at the execution site, executioners were already waiting there. Pits were already dug beforehand; executioners told people to sit at the pits and listen to “the announcement of *Angkar*”. One of the executioner counted 1, 2, 3 and they began to kill; one killer killed only one person.

TK: Did you mean there were already ten executioners waiting to kill ten people?

LL: Yes.

TK: Who were those executioners?

LL: They were base people in the villages. Those villagers could not refuse the orders at all; if they did, their lives would be risk. At present, none of them is alive.

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TK: Who monitored the killing?

LL: A group of about 10 to 20 district combatants did.

TK: What was used to kill people? How were they killed?

LL: Bamboos, cart axles or wooden sticks were used to strike people on their necks.

TK: Was that the only method used to kill people?

LL: Usually, those materials were used to kill people. However, when people did not die of the above execution method yet, axes were used to hit the necks to death. In other cases when people fell into the pit after the first strike, no more strikes were made. Executioners just covered the pits.

TK: Did you mean that there were some people who were still alive at the time the pits were covered?

LL: Yes.

TK: Did you see the killing with your own eyes?

LL: I only heard hitting sound, the reading of *Angkar* announcement and the counting 1, 2, 3.

TK: Why were you so close to the execution site? Why were you there?

LL: Because I was once ordered to take people to that place.

TK: Do you know whether Sron and Nan are still alive?

LL: Yes, they are. At the present, Sron lives in Ovil village, Pailin. Nan lives in Am Leang area but I do not know the village.

TK: During the Khmer Rouge period, how many chiefs of districts were changed?

LL: In early 1976, Sron was removed to work as chief of District 18 (Kampong Tralach Leu). Kem (កែម) replaced Sron (I did not know where Kem was from). When Kem was a chief of the district, there was no more mass execution but the operation of Damrey Srot prison was still in operation. I think, at that time, there was no execution; if there was, it was just in small scale. Kem was a chief of District 12 until arrival of Yuon. Kem escaped to the west.

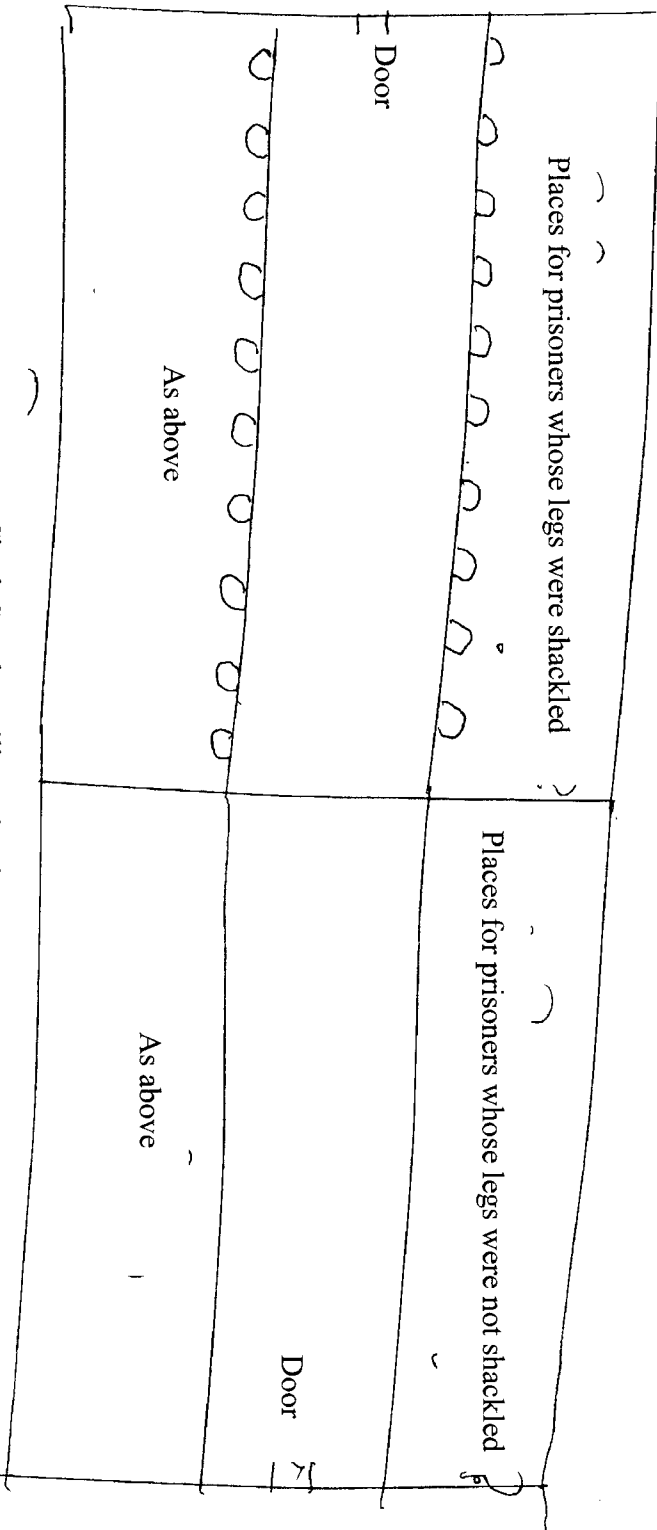
m/v. 0125/68

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

End of the interview: at eleven a.m. on the same date.

Witness	Interpreter	Investigators
[Thumbprint]	[Signatures]	[Signatures]
LEV Lam	HENG Ham Kheng	Thomas KUEHNEL

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Chrak Sangkae village, 3 July 2008

[Signature]

LEV Lam

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 ឃុំស្រែកស្រែក ភូមិស្រែកស្រែក
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02/10/08 0125/68

A check report to the O.C.'s interview of witness LEV Lam.

- Sketch made by the witness
- Identification of items/location on site by the witness
- Assistance given to the witness in order to apply existing records by the witness
- Hand written by the witness

KYERREZ Thomas O.C.'s in signature print
03 July 2008

