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**ព្រះរាជាណាចក្រកម្ពុជា**

**ជាតិ សាសនា ព្រះមហាក្សត្រ**

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

**Extraordinary Chambers in the  
Courts of Cambodia**

**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**

**Investigation**

**លេខ/No: 002/19-09-2007-ECCC-OCLJ**

**ឯកសារចម្លងត្រឹមត្រូវតាមបទដ្ឋានជាតិ**  
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):  
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé  
du dossier:..... SANV RADA .....

**កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី**

**Written Record of Interview of Witness**

On the ninth day of January in the year two thousand and nine, at 09:10 hours at .....  
Village, Chieph ជៀប Subdistrict, Tik Phos ទឹកផុស District, Kampong Chhnang កំពង់ឆ្នាំង  
Province,

We, **SIM Sorya សឹម សុរិយ៉ា** and **THOMAS Grange Morrow**, Investigators of the  
Extraordinary Chambers, having been assigned by the Rogatory Letter of the Co-  
Investigating Judges dated 5 November 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,

With Mr. **NIL Samorn និល សាម៉ន**, sworn interpreter of the Extraordinary Chambers,

Recorded the statements of **KUNG Kim គង់ គឹម**, a witness, who provided the following  
information regarding his identity:

The undersigned KUNG Kim គង់ គីម alias Kae កើ was born on 15 May 1956 at Châмна ចំណា Village, Châмна ចំណា Subdistrict, Stông ស្ទែង District, Kampong Thom កំពង់ធំ Province. He is of Cambodian nationality, and is a rice farmer. His father LONG ឡុង is deceased, and his mother LĒNG Kea ឡេង កា is deceased. His current residence is at Prey Taing Thnung ព្រៃតាំងធួង់ Village, Chiep ជៀប Subdistrict, Tik Phos ទឹកផុស District, Kampong Chhnang កំពង់ឆ្នាំង Province. His wife TĒNG Mut តេង មុត is living. He is the father of four 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.

Question - Answer:

Q: Would you describe your history prior to 1975?

A: I was a soldier in Division 310 in the North Zone; I was a squad leader at the time. Each squad had twelve members, and there were three squads subordinate to each platoon.

Q: Did you participate in the attack on Phnom Penh?

A: Yes, I participated.

Q: What orders did you receive prior to attacking and entering Phnom Penh?

A: My squad attacked and entered along Prék Kdam ព្រែកក្តាម, Prék Phnoeu ព្រែកផ្អៅ, Thom Village តូម, Trápěang Preay ត្រពាំងព្រាយ, and Ânlung Krângan អន្លូងក្រងាន. At the same time, I received orders to shoot and kill right away any soldiers or anyone dressed as soldier.

Q: What was the situation when you had attacked and reached the Kàb Srauv Dam  
ទំនប់កប់ស្រូវ?

A: There was a strong clash there; there were deaths on both sides.

Q: Did your superiors tell you how to handle prisoners and the people?

A: At the time I received orders not to take prisoners; anyone in the vicinity of the city's defensive belt was to be shot right away; no matter where the soldiers were, they were to be shot at once. These orders came from Division Chairman Ouen អឿន, through

Regimental Chairman Song សុំដី and Battalion Chairman Yim យឹម, all the way down to me.

Q: Before the attack and the fall of Phnom Penh, what orders did you receive on what to do with the people in the city?

A: I had no orders on what to do with the people. At that time, I just had orders to attack and enter.

Q: During the attack on Phnom Penh, did you or your squad shoot any soldiers or civilians?

A: When I fired, I must have hit and killed some, but I never first captured and then shot and killed any of them.

Q: Did you receive any orders or instructions several days in advance regarding the evacuation of the people?

A: The orders regarding the evacuation of the people did not come until immediately after the victory in Phnom Penh.

Q: What position did you hold after you arrived in Phnom Penh?

A: All the military units were assigned to control the various parts of the city; my squad was based in and controlled the north section, for instance the vicinity of Watt Phnom វត្តភ្នំ, Tuol Kôk ទួលគោក, and the Chrôy Chângwar ជ្រោយចង្វារ Bridge. We had to conduct searches and drive the people away, and there were no rules at all against shooting the people. I never saw anyone who had shot [them] be punished for having done so. Some had morals and did not fire; those who had no morals did fire.

Q: What orders did you receive about evacuating the people?

A: Those instructions only came immediately after the victory on Phnom Penh; we were assigned responsibility for blocks of houses. As for driving the people out, that was difficult because some remaining LON Nol soldiers were throwing grenades from up above and killing Khmer Rouge soldiers, and some of the people up above refused to leave. Therefore, we received orders to cut-off the water and electricity for a half-month; then we captured the people who came down and sent them to our superiors.

Q: When your squad was advancing on the offensive into Phnom Penh, did you see civilians or soldiers lying dead along the streets?

A: I saw bodies floating in the water. From Kilometer 6 all the way to the Chrôy Chângwar Bridge, I saw a few bodies of LON Nol soldiers and continuously saw many bodies of people who had died along the streets. Some were blood-stained. Some were in the road and had been run over by our vehicles.

Q: Were there really orders for the people to leave, and if they did not leave they were to be killed?

A: Yes! Those were the orders; they came through Ta Yim, like always.

Q: What did the Khmer Rouge want done regarding the monks?

A: I did not receive these orders, but regarding the monks or the people, they were driven from the city; it was the same for both.

Q: At that time, did the Khmer Rouge permit the monks to wear their robes?

A: They still permitted them to wear their robes then; I personally saw this because there was a pagoda in my block.

Q: When all the people had been driven out of the city, did you ever see any senior leaders travelling in the city, or did you ever attend any meetings with them?

Q: I did not see that, because I was busy defending the location I was in charge of.

Q: Later on, what were you assigned to do?

A: In late 1975 or early 1976, I was assigned to guard a prison north of Watt Phnom. That prison was the division's prison. There were 32 of us guarding that prison. As for the interrogations, other people did that. The prisoners included Sector Coms គណៈតំបន់ and District Coms គណៈស្រុក.

Q: Did you ever see the Khmer Rouge torture or kill prisoners?

A: I saw prisoners being tortured by the Khmer Rouge in that prison, being hung upside-down by ropes and having their heads immersed in water, and being beaten with blackjacks. The prisoners who were being beaten screamed oy, oy. Some prisoners had chicken feathers inserted up their penises into their urethras and they passed out from the pain. Some were tied at the waist, hung up, and rotated in circles. I never saw any prisoners killed there.

Q: How was it that you could see the torturing?

A: Three or four of my comrades and I guarded the inside of the prison. Prisoners were blindfolded when they entered and exited. The blindfolds were taken off while they were inside. Those prisoners were only at my location for two or three nights before they were taken to Tuol Sleng.

Q: Who were the other prisoners?

A: Later on, my own commander, that is, Division Commander Oeun, was arrested; I saw them place him in chains. Aside from him, Regimental Chairman Song, Battalion Chairman Yim, and Company Commander Chau ជ័យ were also arrested and put in that prison.

Q: How do you know that those prisoners were taken to Tuol Sleng?

A: A guard, one of my comrades, told me; the guards there escorted those prisoners to Tuol Sleng.

Q: How long did you guard that prison?

A: I had been guarding that prison for less than three months when my superiors were arrested and the group from the Southwest came to supervise [the prison] in place of the former superiors. Previously, supervisors like Ta Oeun had supervised that prison.

Q: Do you know if the creation and operation of that prison were related to the senior leadership?

A: I don't know. I just knew about Ta Oeun, and I never saw any of the senior leaders come to look at that prison.

Q: Where was the prison located, and what was its condition?

A: It had been a prison in the Sângum [Sihanouk] era. It was southeast of Watt Phnom; the compound was square, about 70 meters on each side. The buildings were concrete and built on ground-level; one section was a dark underground dungeon.

Q: Did you ever listen to or hear prisoner interrogations?

A: I could hear, but I did not know the content because I could barely hear the questions; as for the screams, they were loud.

Q: Do you know about the reasons for or the circumstances of Ta Oeun's arrest?

A: I don't know. I just knew about the locations where I was present, because the rule was to keep the prisoners under constant guard; an escaping prisoner could be shot and killed. If they escaped, I would serve their sentence in their place.

Q: Do you know about the events which led to Ta Oeun's arrest, in particular any coup plans?

A: I did not know anything. It was only when the new chairman, Ta Phôn ព័ន្ធរិទ្ធ (from the Southwest), held a meeting and told us that my commander Ta Ouen had betrayed Angkar [អង្គការ] and had prepared a coup that I learned about this. But he told us that we, the subordinates, had committed no offense, and we would be spared. Later, they sent us to construct the Kampong Chhnang Airfield.

Q: During the meeting, did Ta Phôn play a tape recording for you to listen to about Ta Oeun being a traitor?

A: I did not hear one.

Q: While you were in Phnom Penh, did you know about the demolition [smashing] of the Catholic Church?

A: My squad smashed that church to bits. Rēn រ៉ែន, the company deputy chairman (Ta Phau's deputy) gave the order to smash that church. I don't know the reason for its destruction; I just had the job of destroying it, because that's what Rēn told me to do. We placed TNT inside the church to destroy it.

Q: Who personally ordered the demolition?

A: Chett ចិត្ត, the deputy chairman of the regiment (Ta Song's deputy) stood there in person and watched.

Q: During the demolition, did any senior leaders watch?

A: Superiors arrived and departed, but I don't know who there were. During the demolition, I wondered why this church had to be destroyed, but I did not dare ask. I recognized that the church was in a different style of architecture.

Q: Before the church was demolished, were there any furniture and books or people inside?

A: When I first entered the church, there was nothing at all inside. I don't know where the bits and pieces of concrete were taken; I saw trucks transport it away.

Q: How did you know that the people who arrived and departed were upper-echelon?

A: I knew they were senior people because they were received and greeted; but I did not dare ask, because in that era I only knew about the places I controlled.

Q: Did you see any Buddhist pagodas at the locations you controlled? Where they demolished?

A: Yes, there were pagodas, but they were not demolished.

A: When did Angkar have you go build the airfield at Kampong Chhnang?

A: It was approximately late 1976 when I was sent by Angkar to build the Kampong Chhnang Airfield. There I worked at digging up the stumps of coconut trees and palm trees. It was just my comrades who built that airfield; no other groups were there before us or after us. There were 600 of us, and there were two Chinese technicians to supervise [each] 50 persons. I worked there for about five months.

Q: How were the workers there?

A: There were no killings there; the deaths were from disease and overwork, that's all. Ta Thuok តាធុក and Ta Lvey តាល្បៃ were the supervisors there (I don't whether they are alive or dead now); they were from the Southwest and were in Division 502.

Q: Did you ever see any senior leaders come to watch the construction of the airfield?

A: I never saw any, just Ta Thuok and Ta Lvey.

Q: When did Angkar send you to fight the Vietnamese?

A: In approximately early 1977 we were readied to fight the Vietnamese. I went via National Highway 5, then through Kampong Cham.

Q: Before you fought the Vietnamese, did Angkar tell you about rules, or why you had to fight the Vietnamese?

A: Initially, there was a meeting at the Kampong Chhnang Airfield to tell us that the Vietnamese had killed many Cambodians; that was to make us feel pain. They said that the Vietnamese had invaded and had reached the vicinity of the Mekong River and had burned houses and burned rice. At the time of that meeting, I held the position of platoon leader in the company of Ta Chăn តាចាន់ and Ta At តាអាត subordinate to the regiment of Ta Phn តាផន. They were all from the Southwest.

Q: During that meeting or subsequent meetings, were there any instructions on the rules of combat?

A: Nothing was said about that during the meetings, nor was anything mentioned about the senior leadership of Angkar. Upon arrival in Kampong Cham, my group was given weapons. We attacked and pushed the Vietnamese back from the east bank of the Mekong River at Kampong Cham Provincial Town all the way to Krèk ក្រែក. There was a strong clash at Krèk nearly one month after we left Kampong Cham. Along the road I saw burned houses, burned rice barns, and dead buffaloes, but I did not see any ordinary people killed. As for the soldiers, they began to be killed and wounded one after another. I was in the fighting for about a half-month at Phsar Krâdas ផ្សារក្រវាត់, a district town in Vietnam located adjacent to Kampuchea's Krèk District. During that time, I received successive orders to shoot and kill them right away, even if they raised their arms, and to burn and destroy the houses and buildings, both civilian and military. In that fighting, a total of approximately 70 percent of the Khmer Rouge soldiers were killed; as for the Vietnamese soldiers and people, hundreds were probably killed, and the houses of the Vietnamese people were burned.

Q: Did you ever see enemy prisoners or Vietnamese civilians captured and sent to the rear of the battlefield?

A: I never saw any, and I never captured any.

Q: What happened to you next?

A: Later I was wounded and sent to the 17 April Hospital. After that, they sent me back to the Kampong Chhnang Airfield. I saw many Khmer Rouge soldiers from the East Zone and from other locations living there, especially the handicapped and wounded. Those soldiers had no weapons. Later on, those handicapped and wounded soldiers were taken away and killed at Âmlëang អមលាំង after having been told that they were going to fight. I was spared because Company Chairman Chăn, my chairman during the fighting

with the Vietnamese, helped me. At that time, Ta Chăn (I don't know whether he is dead or alive now) was the person who killed those people. He was from the Southwest. Ta Song was also killed at that time.

One copy of the written statement was provided to this witness.

The interview ended at 13:50 hours on the same day.

The Written Record was read out to the witness; the witness had no objections and signed it.

Witness

Interpreter

Investigators

[Thumbprint]

[Signature]

[Signatures]

KUNG Kim គង់ គឹម