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ឯកសារទទួល
DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de reception):
07 / 04 / 2011

ម៉ោង (Time/Heure) : 15:45

មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé
Ratanak



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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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

លេខស៊ើបអង្កេត/Investigation/Instruction

លេខ/No: 002/19-09-2007

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Interview of Witness

Procès-verbal d'audition de témoin

On the twenty-eight of August in the year two thousand and nine, at 1425 hours, at the
Pha-av (ផ្កាវ) village, Pha-av (ផ្កាវ) commune, Trapeang Prasat (ត្រពាំងប្រាសាទ) district,
Odor Mean Chey (ឱត្តរមានជ័យ) province;

We, Chay Chan Daravan (ចាយ ច័ន្ទតារាវណ្ណ) and Thomas KUEHNEL, Investigators of the
Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating
Judges, dated 24 July 2009;

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. Samorn NIL (សាម៉ែន នីល), as a sworn Interpreter of the Extraordinary
Chambers;

Recorded the statements of PECH Chim (ពេជ្រ ជឹម), a witness, who provided the
following information regarding his personal identity:

The undersigned, PECH Chim, no alias/revolutionary name, was born on 29 September 1941 in Trapeäng Prei (ត្រពាំងប្រីយ័) village, Trapeäng Thom (ត្រពាំងធំ) commune, Trăm Kák (ត្រាំកក់) district, Takeo (តាកែវ) province.

He is of Khmer nationality and is a peasant.

His father, PREAP Pich (ប្រាប ពេជ្រ), is “deceased”, and his mother, UN Orn (អ៊ុន អន), is “deceased”.

His present address is in Pha-av village, Pha-av commune, Trapeäng Prasat district, Odor Mean Chey province.

He is married to CHREK Pich Nēng (ឡឹក ពេជ្រណេង), “alive”, who is the second deputy of the Pha-av commune, and 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: Can you please explain to us how the report was sent out and received by the Kraing Ta Chăn (ក្រាំងតាចាន់) Security Center?

A: For example, when there were people to be sent from the village or commune, they would be sent to the District. After the District received those people, they would first consult with the secretary of the District party before they sent those people to the Kraing Ta Chăn Security Center along with the report. At the same time the District also sent the report about those people to the Sector. The procedure for sending the people at that time depended on the circumstance. In a normal circumstance, before people were sent, I

personally would go to question and investigate their problem first. But during the war time, for example, when the militias encountered with the LON Nol soldiers and captured them, we did not go to question or investigate anything.

Q: Can you explain to us what they did with the confessions sent from the Kraing Ta Chăn Security Center? And where did they take them to?

A: The confessions and reports, which were in the enclosed envelope and sent from the Kraing Ta Chăn Security Center to the Sector, had to go through the District first. The District then sent them on to the Sector by the District messenger. One day or two days later, the Sector sent the decision [writing on] the confessions back to the District. The decision could be in a sealed envelope or in an open one. In case that the decision related to the confession of those in District 105, [the envelope] was not sealed. But if the decision related to the other districts, it was sealed. We could not see them. For the decision and confession that related to the people of District 105, which was sent in an open envelope, I would read them. If there were some names in the confessions were crossed by the red ink, it meant that the sector level had decided that these names were to be purged. To purge meant to kill. The District then sent these names to the Kraing Ta Chăn Security Center who was responsible for implementation. If the names in the confession were not crossed by the red ink, it meant that the Sector level had decided to release them back to their village. The District did not have the right to cross any name in the confession with the red ink. The District only had the right to receive the decision from and implement the decision of the Sector level.

Q: We will show you two documents with ERN 00082725 and 00082726 and want you to read them with our translator. What did the annotation on the top left side of the page mean? Can you tell us about the sending out of these two documents, the signature in hand writing, and the annotation on these documents?

A: The story in this document with number 00082725 does not relate to me. The report preparer sent it out from the Kraing Ta Chăn Center. This report was sent to the Sector, and after the Sector had read it, it sent it back to the Kraing Ta Chăn Center. Ǻn (អ័ន), who was the chief of the Kraing Ta Chăn Security Center, was the person who sent this report. On this document, Prak (ប្រាក់), who was the secretary of Sector 13, made an annotation authorizing execution.

Q: After receiving the decision from the Sector, how soon did the Kraing Ta Chăn Security Center smash or kill or purge that person?

A: After the Kraing Ta Chăn Security Centre had received the decision from the Sector to smash [someone], it had the right to smash that person as circumstances suggested.

Q: Do you agree to me attaching this document that I just read to you to during this interview?

A: I agree. But I would like to specify that the story in this document was not that of mine because I had already left for Kampong Cham (កំពង់ចាម).

Q: I want to give this document with ERN 00082726 to you to read. What do you think?

A: This was the report of the Kraing Ta Chăn Security Center where Ǻn was the chief. This report was sent to the secretary of Sector 13 named Prak. And then Prak, the secretary of Sector 13 in Takeo (តាកែវ) province, sent this decision back to Ǻn so that Ǻn could execute this plan.

Q: In this document, at the bottom of the page there is an annotation reading 'arrest'. Who was in charge of executing the arrest following the order?

A: Ǻn told the responsible commune to make the arrest and sent [that person to him], or Ǻn group went down there personally to arrest the [targeted] person.

Q: During the time you held the position as the secretary of District 105 did you know that there were people who had been arrested and sent to the Kraing Ta Chăn Security Center or to S-21 (ស-២១) in Phnom Penh?

A: I did not know about sending people from the Kraing Ta Chăn Security Center to S-21 (ស-២១) in Phnom Penh. But I knew about some cases that people were sent from the Thnaot Tô (ត្នោតទៅ) Security Center to the Security Center of Sector 35 in Chhouk (ឈូក) district, Kampot (កំពត) province.

Q: Why did they send people from the Thnoat Taul Security Center to the Kraing Ta Chăn Security Center?

A: I did not know why. I only heard about that when there were people disappearing.

Q: How often did they send people from the Thnoat Taul Security Center to Security Center of Sector 35?

A: As far as I knew, the sending of people from the Thnoat Taul Security Center to Security Center of Sector 35 took place twice. It took place once in about 1973 prior to the liberation, and another time was in 1976 after the liberation.

Q: At that time did anyone from the Zone or from the Kraing Ta Chăn Security Center ever come to interrogate the prisoners? If they came, did they tell you about it?

A: No, not at all. If there were people from the Zone or other places coming to interrogate the prisoners in the Kraing Ta Chăn Security Center, they made contact through the Sector not through me.

Q: When you were the secretary of District 105, did you ever visit the Kraing Ta Chăn Security Center personally?

A: I visited the Kraing Ta Chăn Security Center twice. The first time was after I received a decision from the Sector to release a person. I went there with Nhēv (ញ៉ែវ) to pick up that person. That might be in 1973 or 1974. In the second time I went to the Kraing Ta Chăn Security Center with the messenger to pick up the released people. That might be in 1976. At that time I instructed Chhēn (ឆែន) and Ān to provide good care to the patients, to allow them to eat until they were satiated and to take husked rice from me if there was any shortage. Other than these cases, I sent the messengers to the Kraing Ta Chăn Security Center to release people.

Q: Is Chhēn who was the chief of the Kraing Ta Chăn Security Center now still alive?

A: Chhēn is still alive now. He is the clergyman of the Sras Chhouk (ស្រះឈូក) Pagoda in Ānlung Veng (អង្គរវែង) district.

Q: Who was the chief of the Baray (បារាយណ៍) commune?

A: The chief of Baray commune might be the person named Nhèt (ញ៉ែត).

Q: Did you know *Krou Yav* (ក្រូយាវ)?

A: *Krou Yav* was a Khmer traditional healer who treated people with magic spitting and blowing. He lived in Cheang Torng (ជាងទង) village.

Q: Do you know Kè Chan Dara (កែ ចាន់តារា)?

A: No.

Q: Can you remember if you ever met with Ta Mok? And did Ta Mok ever tell you not to kill this or that person?

A: I would like to bring up here an obvious example in which Ta Mok personally came to give the instructions at the office of my District. At that time Ta Mut (តា មុត) also came to meet me the District office. Ta Mok scolded Ta Mut who had ordered the killing of comrade Kâng Chea (កង ធា), the ammunition guard of Mr. Soeung (សៀង) alias Keut (កើត) who was the commander of a military division. Ta Mok asked: "Mr. provincial governor, why did you always kill my men? If you were not sure [who they were], why didn't you ask comrade Chim." Ta Mok added, "In the future do not do like that again." This story was as follows: One day Mut received a report from Nhēv telling him that Kâng Chea was hiding ammunition in a trench. After Ta Mut had received that report, in that evening, he came to see me at the District office and ordered me to call Kâng Chea to meet with him. So, I and one militia went to call Kâng Chea. But I told Ta Mut that there

was no problem with Kâng Chea. Ta Mut still insisted that I had to call Kâng Chea to see him. At that time [I let] the militia to go alone to take Kâng Chea to meet with Ta Mut, I did not go to see him. At mid night I heard the sound of gunfire of AK [47] in the forest nearby. Next morning I called that militia to ask how was comrade Chea; the militia answered that comrade Chea was executed. This happened in about 1974. After liberation day in 1975, Ta Mok used to give the instructions during the meeting that there should not be arbitrary killing.

Q: Do you remember that in 1976-1977 you attended the meetings with NUON Chea (្រ្រ ឆា) in District 105 and District 108 in Baray commune?

A: No, NUON Chea never came down to District 105 and District 108. Or he might come down there but I did not know because at that time I had already left for the Central Zone. Whoever gave this information [to you] might not know who NUON Chea was. I saw NUON Chea once when I went to study in Phnom Penh, at which time NUON Chea was the teacher. That was the training for all the district secretaries of the entire country.

Q: At that time did NUON Chea speak about purges or security issues?

A: NUON Chea instructed us to control the people properly, help building the shelters for the people, and provide the people with enough food to eat.

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.

This interview ended at 16:37 hours on the same date.

Witness

Interpreter

Investigators

[Thumbprint] [Signature]

[Signatures]

PECH Chim