ដទីព្យូគុំទៅ្ឌិនេខសានយិដ៏១ដំលាងអងគិត្យ

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

អាវិយាល័យសល់ទៅកូរមស៊ីបអខ្មេត

Office of the Co-Investigating Judges Bureau des Co-juges d'instruction សំណុំឡើឡាឡាងស្លា

Criminal Case File /Dossier pénal

រាបាន/No: 002/14-08-2006

សេខស៊េីមស្រុ/Investigation/Instruction

លេខ/No: 002/19-09-2007

ងូឃាឌុសោដ់ខ្លួយមានអ្វីខ្មែនខាង្សឹ

Written Record of Interview of Witness Procès-verbal d'audition de témoin

On the 21st August, two thousand and nine, at 17:30 hours, at the Chhouk (ឈ្មាត់) village, Prâlay (ប្រទុក្ខាយ) commune, Staung (ហ្គោង) district, Kampong Thom (កំពង់ធំ) province;

We, Chay Chan Daravan (ថាយ ច័ន្ទតារាណ្ណ) 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 (សាម៉ឺន និល), as a sworn Interpreter of the Extraordinary Chambers;

Recorded the statements of SUON Kanil (ស្នា កានិល), a witness, who provided the

following information regarding his personal identity:

Original KH: 00373518-00373521

ឯកសារបានថតចម្កួចត្រឹមត្រួចតាមច្បាមជើម CERTIFIED COPY/COPIE CERTIFIEE CONFORM	
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certifified Date/Date de certification):

មន្ត្រីមទូលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé

The undersigned, SUON Kanil, revolutionary name was Neang (នាង), was born on 29 March 1953 in Chhouk village, Prâlay commune, Staung district, Kampong Thom province.

He is of Khmer nationality and is a peasant.

His father, SUON Sin (ស្ងួន ស៊ិន), is "deceased", and his mother, CHĂN Kim Huot (ចាន់ គីមហូត), is "deceased".

His present address is in in Chhouk village, Prâlay commune, Staung district, Kampong Thom province.

He is married to CHIV Ny (ជីវ នី), "alive", and is the father of 06 children, including 02 sons and 04 daughters.

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: I want you to read this document with ERN 00020972. After you read it please explain what did M-870 stand for? In this document it specified that 'send one copy to Brother Sy (ស៊ី) and one copy to Brother Pauk (ពីក)'. Who were Sy and Pauk?

A: After reading this document, I can understand the meaning. Based on my understanding, M-870 (ម-៨៧០) was the number representing the chairperson of the

Central Committee Office. The rank of this sender might be lower than that of those whose names [appeared] at the bottom of the page and whom this document was to be copied and sent to. M-870 represented the Office but not the chairperson of the Office; and [in this] it represented M-870 in Phnom Penh.

Q: Based on your experience, was a telegram numbered [in sequent] before it was transmitted?

A: Based on my experience, they made the sequent number and band number on every telegram. But since this document, which you showed to me, does not have the sequent number and band number, I assumed that it was a letter in character. Based on my

knowledge, Sy in this document was the secretary of Muk Kâmpoul (មុខកំពុល) district.

This letter also listed Pauk name because Pauk was the secretary of the Central Zone, and Muk Kâmpoul district was in the Central Zone. So, it must be sent to comrade Pauk also. Based on the meaning of this substance [text], it meant that the East Zone sent the substance [this text] in the form of letter or telegram to Office M-870, and asked 870 to forward this text to Brother Pauk in the Central Zone because there was enemy activity in Muk Kâmpoul district which was bordering with the East Zone. So, since this case was the inter-zone case, the report [about it] had to go through the Centre (870).

Q: Based on your knowledge, were there any other means that the East Zone could use to report directly to the Central Zone without going through Office 870?

A: It was not possible because it was the instruction of the upper echelon.

Q: Based on your experience, who was in charge of the telegram section of the Democratic Kampuchea?

A: I do not know.

Q: Please read telegram number 10 with ERN 00002986, and explain to us what the substance of this telegram was?

A: This was the real telegram. Based on the content of this telegram, the sender was comrade Pauk who sent it to Committee 870. The Committee 870 here referred to the Central Committee in Phnom Penh. The substance of this telegram described comrade Pauk reported the enemy activity on the East Zone battlefields on 4 May 1978. Based on my knowledge, KÈ Pauk was the number four person in the Centre in charge of the military. So [based on this text], he might just came back from attending a meeting in Phnom Penh, in which he received an assignment to go to the battlefield in the East Zone. In this telegram, it specified that "he (Pauk) arrived at the East Zone battlefield on 4 May 1978 at 6:30pm". He (Pauk) reported to Committee 870 on the same date at 10 o'clock.

At that time, Ta SOA Phim (ជា ដោ ភឹម) was also in the East Zone, but they wanted Pauk to go there and help him.

Q: I want to show you document number 02 with ERN 00020998. Can you read and explain to us about it? After you finish reading it, please specify what its content is about?

A: This was the real telegram because it had the sequent number and the band number. This document was sent from comrade Pauk to Committee 870. This content talked about the situation of the East Zone battlefield. In the military, Ta Pauk was in the higher rank than SOA Phim. In this document, they wrote: copied to Granduncle Nuon (§S) which

meant NUON Chea (ន្ទីន ជា), Granduncle Vann (វ៉ាន់) (do not know who), Granduncle

Vorn (18) (do not know who), and Office which meant Office 870 for documenting.

When I was the chairman of the telegram group, I also recorded the [sequent] number of the telegram which was the same as this document. But I only recorded the [sequent] number because I was just the MORSE operator. I kept them in the record for only three months, after which they must be destroyed.

Q: Do you have anything to add?

A: I do not have anything to add.

☑ 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 18:21 minutes on the same date.

Witness Interpreter Investigators

[Signature/Thumbprint] [Signature] [Signatures]

SUON Kanil