

០២៣៤ / ១៧



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

អង្គជំនុំជម្រះវិសេសវិសេសសាលាក្នុងតុលាការកម្ពុជា
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 20th of November, two thousand and nine, at 1020 hours, in the headquarter of the Military Region 5 in Battambang (បាត់ដំបង) province;

We, Thomas KUEHNEL, Investigator of the Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 8 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 NIL Samorn (និល សាម៉ុន), as sworn Interpreter of the Extraordinary Chambers;

Recorded the statements of LONH Dos (ឡូញ ដុស), a witness, who provided the following information regarding his personal identity:

Original KH: 00404629-00404639

ឯកសារទទួល	
DOCUMENT RECEIVED/DOCUMENT REÇU	
ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de réception):	
..... 30 / 05 / 2011	
ម៉ោង (Time/Heure) :	
..... 11:00	
អ្នកទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé	
du dossier:	
..... Ratana K	

The undersigned, LONH Dos, no alias, was born in 1951 in Tēp Âr Choun (តែបអរជួន) village, Koh Khél (កោះខែល) commune, Sa-Ang (ស្នាង) district, Kandal (កណ្តាល) province.

He is of Khmer nationality and the Deputy of the General Staff of the Military Region 5;

His father, LONH Sruol (ឡុយ ស្រួល), is “deceased”, and his mother, PRAK Tol (ប្រាក់ តុល), is “deceased”;

His present address is in Au Da (អូដា) village, Au Da commune, Kamreing (កំរៀង) district, Battambang province;

He is married to PRAK Yoeun (ប្រាក់ យ៉ែន), “alive”, and is the father of 2 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 can read and write the French and Thai 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 and answer:

Q: Can you explain us about the telephone communication between Duch (ឌុច) and SON Sen (សុន សែន)? How the communication was done?

A-1: The communication between these two persons was done with two methods: one, he called Duch to meet with him personally, and two, they used the secret phone line.

Q: How did he call [Duch]? Did he use the messengers to do it?

A-2: There were also two methods: first, [he] used the regular phone line, and second, [he] wrote the letter and used the messenger to deliver it to Duch. The telephone communication was made as follows: SON Sen told the telephone operator, for example, [“] please call Duch to come to meet with me at 8 o’clock [”]. After that the telephone operator would telephone Duch and told him that [“] Brother, Granduncle invited you to meet with him tomorrow at such and such time at the same meeting hall of the General Staff.”

Q: Where did the house for regular meeting locate?

A-3: The house for the regular meeting was not in the main office of the General Staff. It was a house for the regular meeting, which located near SON Sen’s residence. Those houses located in a place behind the General Staff. That place is now behind the current Army Headquarters.

Q: In using the regular phone line, how did they use it? (The witness explained by drawing sketches on a sheet of paper about how the phone communication was made from SON Sen’s house to Duch’s place).

A-4: There was a phone line from SON Sen’s house to Duch place, which went through the central switchboard (of the General Staff). The central switchboard was that of the General Staff. At both sides of the line, there were two black desk phones which were made in China. On the phone set there was a switch for use for the confidential phone conversation. During the confidential phone conversation, no one could intercept their voice. Even the central switchboard, they could not listen to and understand the conversation.

Q: Were there one or two wires connecting from one phone set to another?

A-5: There was a pair of black wires connecting from one phone to another. The important function of the switch was that it could be used to switch from the regular phone conversation to the confidential one, using the same wires.

Q: Did they use a different line to connect the phone from SON Sen’s house to Duch’s?

A-6: They separately used the Chinese made black wires, which were different from the regular phone line.

Q: Who installed those wires?

A-7: The telephone installation unit had its own group to install them.

Q: Did you know if there were any phone lines connecting Duch’s place to K-1 (ក-១),

NUON Chea (នួន ឆា), or to the other places?

A-8: I did not know that.

Q: Did you personally ever see Duch coming to meet with SON Sen?

A-9: I used to see him coming to attend the meeting in the General Staff, but I never attended the meeting.

Q: Were there any regular meeting between Duch and SON Sen ([and if there were], what were the time and frequency)?

A-10: There was no regular meeting except when it was necessary for them to meet. I used to see him coming twice to the meeting in the General Staff. Later on I was transferred to work at the front line (Svay Rieng (ស្វាយរៀង)).

Q: You saw Duch coming to meet with Son Sen, was that meeting attended only by Duch and SON Sen or there were other people attending it as well?

A-11: There were only two persons, Duch and SON Sen, attending it.

Q: Did you ever know if there were any exchanges of documents between Duch and SON Sen? And if there were, how did they send them?

A-12: I did not know that because that was the work in the meeting between those two persons only.

Q: Did you ever know if there were any communication between SON Sen and NUON Chea? And if there were, how did they do it?

A-13: I did not know that.

Q: Can you tell us, did SON Sen go to work regularly at the General Staff or at some other places?

A-14: Every day in the morning he left the General Staff with his wife to work at K-1. His wife named YUN Yat (យុន យ៉ាត). At that time YUN Yat was the Minister of Propaganda. He [SON Sen] came to attend the meeting at the General Staff when there was meeting with the [military] Divisions. For example, such meeting was held once a week or once a month. And that meeting was organized only when there was a need to do it.

Q: Based on your knowledge as a telegram translator and a telephone receptionist, were there any telegram communication between SON Sen and NUON Chea?

A-15: There was no telegram communication because they generally met and worked together every day.

Q: Did you know if SON Sen had his other office at K-1 or at other place where he went to work every day?

A-16: I did not know that.

Q: You said that SON Sen went to work and met with NUON Chea every day at K-1. How did you know that SON Sen met with NUON Chea every day?

A-17: Generally, the K-1 was the place of the Centre. We generally knew that every morning the leadership level went to meet and work together at K-1. The word K-1 was the code number of the Centre.

Q: In the hierarchy [what were] the rank of NUON Chea and SON Sen? And what were the authorities of SON Se and NUON Chea?

A-18: I did not understand the hierarchy.

Q: Why did SON Sen go to meet and speak with NUON Chea every day?

A-19: I only knew that he left the General Staff almost every morning for the Centre. He went to K-1, but I did not know with whom he met there. I did not know what he did there, and I never reached there. I did not know the location of K-1. I only knew that he went there.

Q: Did NUON Chea come to the General Staff regularly?

A-20: He never came.

This interview paused at 1200 hours on the same date.

This interview resumed at 1410 o'clock on the same date.

Q: Can you explain us about how the communication was made between the General Staff and the Centre Divisions and the Zones Divisions?

A-21: At my place there was no communication between the General Staff and the Centre. My [work] place communicated with the Divisions only. The Divisions belonged to the Centre level, and I did not know if the Zone level had any Divisions.

Q: Can you tell us about the telegram communication between the General Staff and the Divisions?

A-22: All the telegrams were transmitted in code numbers, and the contact was made at least two to three times a day. My group did not prepare the [contact] schedule. The contact was made two to three times a day except when there was a special case in which we could make an additional contact. The radio communication machine had the power of 2 watts to 15 watts.

Q: Was it the requirement that the scheduled two to three contacts a day had to be made?

A-23: That was our daily work that we had to make [contacts] regularly two to three times a day.

Q: From September 1975 to August 1977, how many Divisions were under the General Staff?

A-24: I do not recall all of them. But I still remember that Division 801 was in Rattanakiri (រតនគីរី), Division 920 was in Mondulkiri (មណ្ឌលគីរី), Division 164 was in Kampong Som (កំពង់សោម), Division 170 was in the East Zone, Division 310 was in Chroy Changvar (ច្រៀយចង្វារ), Division 703 was in an area south of Chamkar Mon (ចំការមន), which might be in the Beung Trábèk (បឹងត្របែក) High School, and the

Division under Brother SOU Samēt (ស៊ូ សាម៉េត) was defending the airport, but I did not recall the number of that Division.

Q: Do you recall Division 502?

A-25: Yes, Division 502 was the Division at Pochentong (ព្រៃឈើចិនតុង).

Q: As we are aware, in Division 502 there was a regiment called Regiment 55 which worked at the Kampong Chhnang (កំពង់ឆ្នាំង) Airport, was it true?

A-26: I did not recall that number.

Q: There were two things that we want you to clarify for us, first, what was the difference between the brigade and the division?

A-27: One brigade composed of three regiments, and one division composed of three brigades. But at that time there was no division level.

Q: Earlier you called it division, for example, Division 801 in Rattanakiri. Was it true that it was just the brigade, not the division?

A-28: Yes, I agree.

Q: Based on the information we have, [it said] Brigade 801 was born out of the merging of Brigade 11 and Brigade 14, was it true?

A-29: Yes, I agree.

Q: Based on what we have known, Brigade 801 was born out of the merging of Brigade 11 and Brigade 14, which took place after the Military Assembly in September 1975, do you agree?

A-30: I do not recall the event and the time in which it was created, but I know that Brigade 801 was born out of the merging of Brigade 11 and Brigade 14.

Q: Can you tell us where did the Zone military report to?

A-31: As I knew it, there was no Zone military. All brigades were under the Centre. The Zones did not have a military brigade. For example, Brigade 801 and Brigade 920 were deployed in the Northeast Zone.

Q: Who was the commander of Brigade 920?

A-32: I knew that it was Brother San (សាន), but I did not know his last name.

Q: As you knew it, what type of unit was under the command of the Zone secretary?

A-33: I did not know that. I only knew about the connection between the General Staff and the Brigades.

Q: Did you know which unit was under SOA Phim (ផែម ភឹម) after [before] his death?

A-34: I did not know.

Q: I will show you a telegram with ERN 00020910. This telegram was a report sent to SON Sen. Why did SON Sen then forward this report to Angkar?

A-35: As I understood it, every matter happening must be reported to Angkar.

Q: Can you read the annotation on top left side of the page, and tell us who was comrade Mut (មុត)?

A-36: He was the commander of Brigade 164; but I did not know his last name because at that time they preferred to call only the person's first name.

Q: What was the function of Soeung (ស្នេង) who signed this document?

A-37: I did not recall the function of this person.

Q: After you read this document, [can you tell] whether this document was sent to or from K-18 (ក-១៨)? Or did it go through K-18 before it was sent on to the General Staff?

A-38: I do not recall it.

Q: We will show you a document with ERN 00020909. Who was Brother 89 on the CC line?

A-39: I do not recall who that was because it has been a long time ago.

Q: In this document, what did the words Office and Documentation on the CC line mean?

A-40: It meant one copy was sent to the Office because each Office had its own chairman. Here [in this document] I am not sure about the word Office because there was solely one word, the Office. It could mean the Office K-1, or it could mean the Office of the General Staff. But I remembered that for any telegram sent to the General Staff, they did not use the word [or addressed to] Office like this. The General Staff mandate did not have a right to receive the information as reported in this telegram. The word Documentation meant to be kept in the archive.

Q: On the top left side of the page, whose handwriting-signature was it?

A-41: As I used to know it, this name, Khieu (ខ្មែរ), was the name of SON Sen.

Q: We will show you a document with ERN 00003625 and want you to read it. After you read it, can you tell us about the content of this telegram?

A-42: This was not the telegram sent to the General Staff. The line reads 'to Committee 870'. This meant it was sent to the Centre.

Q: Can you explain why this telegram, which was about the military matters, was not sent to the General Staff?

A-43: This telegram was that of the civilian section. The civilian section sent this telegram to Committee 870, and SON Sen was also in the Committee.

Q: Why there was no SON Sen's name on the CC line?

A-44: Because this telegram was made on 10 April 1978. As far as I knew, during that time SON Sen was not in Phnom Penh. He was in the East Zone, in Svay Rieng (ស្វាយរៀង).

Q: Did you know who was in charge of the General Staff in the absence of SON Sen?

A-45: I did not recall who was in charge; but SON Sen traveled forth and back between Svay Rieng and Phnom Penh. I saw Brother Mēt often came in and out of the General Staff. But I did not know clearly who was in charge of the General Staff because I had been transferred to work at the front line (Svay Rieng).

Q: Was this person, Mēt, the commander of Brigade 502 named SOU Samēt?

A-46: Yes.

Q: On the top left side of the page, whose name was it?

A-47: Granduncle NUON, NUON Chea.

Q: We will show you a telegram with ERN 00017027, and can you tell us whose name is on the top left side of the page?

A-48: Granduncle NUON, NUON Chea.

Q: If you read paragraph 2, there is a line saying 'to Respected Brother'. Who was that Brother based on your understanding?

A-49: The word Brother could refer to Granduncle on the CC line. Brother could be Committee 870 because sometimes they addressed to as 'to Committee 870', but some other times they addressed to as 'to Brother'.

Q: Can you explain, based on your experience when you worked in the telegram unit, why one copy of this type of telegram had to be sent to NUON Chea?

A-50: Because these names were in Committee 870. In this [telegram] the word Granduncle could be Granduncle Pol; Granduncle Nuon was NUON Chea, Granduncle Vann was IENG Sary (អៀង សារី), Granduncle Vorn (វ៉ន), Office and Documentation.

This meant that the telegram receiver sent this telegram to these names because at that time these persons could be in that place [Office]. In fact, I did not know how it really happened, but this is just my understanding.

Q: When you read paragraph two of the telegram, [you can see] it was the discussion in which the Brigade agreed to distribute the weapons to the Sector. Based on your understanding, what did this mean?

A-51: This matter was not related to the General Staff. It could be a report about the discussion between Sarun (ស៊ុន) and the Brigade. But I did not know what Sarun was.

Q: Based on your knowledge, people in what ranks in the military who had been sent for reeducation, for example, at S-21 Center (ស៊ី-២១) and at the Kampong Chhnang Airport?

A-52: I did not know.

Q: At that time, did you know if there were any people working around you had been arrested?

A-53: It never happened in my place.

Q: Did you know what was the substance discussed in the meeting between SON Sen and the Brigade commanders and the Regiment commanders when, as you told us in the previous interview, you served as the note taker?

A-54: I attended in the regular meeting; if it was a confidential meeting, I did not attend it.

Q: In the regular meeting, did they talk about the arrest, purge, or traitor?

A-55: Do not talk about this matter. They did not discuss this matter in the regular meeting.

Q: Did you ever see NUON Chea attending the meeting?

A-56: Never saw.

Q: When you attended the educational meeting with SON Sen, what was the substance he spoke about? Did he use the Revolutionary Journal or the Revolutionary Youth Journal in his teaching?

A-57: The educational meeting was the regular general education. The Revolutionary Flag Journals were generally distributed to the party members and the Communist Youths of Kampuchea.

Q: Did you ever receive and read any Revolutionary Flag Journals?

A-58: At that time they generally distributed them to the Communist Youths of Kampuchea and the party members.

Q: How often did they distribute them?

A-59: They distributed them monthly.

Q: Who was in charge of the distribution of those Revolutionary Flag Journals?

A-60: In the Office, the Office chairperson was the distributor. They distributed them to every office and ministry.

Q: Who was the publisher of the Revolutionary Flag Journal?

A-61: I did not know.

Q: We will show you the telegram with ERN 00020886. Can you explain us about this telegram why did they send it to Brother Pol and then there was the name of Brother Khieu on the CC line?

A-62: I do not know. I have no time to look at it anymore. And this was the matter of the other place [unit].

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 1830 hours on the same date.

Witness

Interpreter

Investigators

[Thumbprint] [Signature]

[Signatures]

LONH Dos