



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

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

ឯកសារបកប្រែ
TRANSLATION/TRADUCTION
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ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges

Criminal Case File/Dossier penal
No: 002/14-08-2006
លេខស៊ើបអង្កេត/Investigation/Instruction
លេខ/No: 002/19-09-2007-ECCC-OCIJ

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី
Written Record of Witness Interview

On the twenty-eighth of February two thousand and ten, at 1310 hours, at Phnom Yeay Sam (ភ្នំយាយសំ) village, Tuol Pongro (ទួលពង្រៀង) commune, Malai (ម៉ាលៃ) district, Banteay Mean Chey (បន្ទាយមានជ័យ) province,

I, EM Hoy (ឯម ហ៊ុយ), Investigator of the Extraordinary Chambers, being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 25 February 2010,

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, as sworn Interpreter of the Extraordinary Chambers,

Recorded the statements of PHAN Van (ផាន វ៉ាន), a witness, who provided the following information regarding his personal identity:

The undersigned PHAN Van alias Kham Phàn (ខាំ ផាន់), born in 1960 in Piem Chimiet (ពាមជីមៀត) village, Piem Chimiet commune, Kaoh Nheak (កោះញែក) district, Mondul Kiri (មណ្ឌលគិរី) province. He is of Laotian ethnicity, Cambodian nationality. His father, Laing (ឡាំង) alias Sovan (សុវណ្ណ) alias Hâm (ហម), is deceased, and his mother, KHAM Kân (ខាំ កន), is deceased. Currently he is a farmer. His present address: Kandal (កណ្តាល) village, Malai commune, Malai district, Banteay Mean Chey province. He is married to HUN Vi (ហុន វី), alive, and is father of three 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 other languages, Thai and Lao. 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/her right against self-incrimination, in accordance with Rule 28 of the ECCC Internal Rules.

Questions and answers:

Q: When did you start your career as a chauffer for Mrs. IENG Thirith (អៀង ធីរិទ្ធ)?

A1: I became a chauffer for Mrs. IENG Thirith in late 1977, about three to four months after the killing of my father.

Q: What was the relationship between your father and Mrs. IENG Thirith?

A2: My father got to know Mrs. IENG Thirith when she and other leaders fled into the jungle in Mondul Kiri province. At that time, my father provided care and protection for everyone who stayed there.

Q: When was Mrs. IENG Thirith appointed as Minister of Social Action?

A3: Mrs. IENG Thirith was appointed as Minister of Social Action in 1976 and the Ministry of Social Action was also established in the same year.

Q: In that regime, was there Ministry of Health?

A4: No, there was not. Ministry of Social Action and Ministry of Health were actually combined as one. The Ministry of Social Action was called K-2 (ក២).

Q: What did Mrs. IENG Thirith do before 1976? And where did she stay at that time?

A5: Before being appointed as Minister of Social Action, Mrs. IENG Thirith was not in any positions and she stayed in Beijing.

Q: After getting her position as Minister, what was her factual and legal authority at the Ministry?

A6: Mrs. IENG Thirith had full authority over the Ministry of Social Action. She could assign and educate staff, and she was in charge of administration and policy management. Regarding her performance entitlement, Mrs. IENG Thirith was entitled to dismiss someone from a job and she could also appoint someone to a position, etc. Mr. CHUON

Choen (ជួន ធើន) was in charge of technical matters in Ministry of Social Action.

Ministry of Social Action supervised hospitals, medicine warehouses and both traditional and modern pharmaceutical enterprises.

Q: What were the entitlements and influences that Mrs. IENG Thirith had over those hospitals and pharmaceutical enterprises?

A7: She was entitled to nominate staff, to dismiss or purge staff, to organize meetings and to spy upon medical staff in order to uncover enemy burrowing from within.

Q: Based on your knowledge, what was the connection between Mr. NUON Chea (នួន ធើ) and Mrs. IENG Thirith?

A8: Both of them had some kinds of connection because they usually had meeting together twice or thrice a month. I knew because I was the one who drove Mrs. IENG Thirith to meet him.

Q: Did Mrs. IENG Thirith go to meet Mr. NUON Chea or did Mr. NUON Chea come to have meeting at the Ministry of Social Action?

A9: He usually asked her to go and meet him at K-3 (កំណ).

Q: Was Mr. NUON Chea in charge of looking over the hospitals?

A10: The organizational structure in that regime was in bottom-up style. Some administrative works had to be reported to Mr. NUON Chea.

Q: Did Mr. NUON Chea come to inspect the Ministry of Social Action and hospitals?

A11: No, he did not because Mrs. IENG Thirith was in charge of supervising and monitoring the ministry and hospitals. There were also her deputy, heads of offices in the Ministry of Social Action, as well as directors of hospitals. All of them were asked to come to study at Mr. NUON Chea's place.

Q: From what level were the orders of purge of Ministry of Social Action and hospital personnel issued?

A12: I did not know from what level these orders were issued. However, people kept disappearing one after another. The excuse was re-education. As usual, those people were

sent to the office of messengers. For instance; *Ming* (Aunt) Sou (មីងស៊ូ), deputy of Mrs. IENG Thirith, and *Yeay Pàk* (យាយប៉ាក់), director of PH-1 (ផ្ទះ-១) pharmaceutical enterprise were taken to Office K-7 (កែ-៧), the office of messengers. I was the one who took them there and they disappeared from that time on.

Q: Did you know the reason that led to their arrests?

A13: No, I did not. Mrs. IENG Thirith (*Yeay Phea*) (យាយផា) was the one who told me to bring *Ming* Sou and *Yeay Pàk* to Office K-7 to work. I was not sure, at that time, whether *Yeay Phea* knew about these arrests. However, she was kind of frightened from her facial expression.

Q: Did Mrs. IENG Thirith, at the later time, organize a meeting to inform about these arrests?

A14: Yes she did. She called staff in the ministry to come together in a meeting and informed about the arrests of those two people. Both of them were accused of being traitors. She read the circular from K-3 (កែ-៣). Their chauffeurs, *Ming* Sou's and *Yeay Pok*'s, were sent to K-7 as well. Both of them have never shown up again. *Muon* (មួន) was *Ming* Sou's chauffeur. However, I could not recall the name of *Yeay Pok*'s chauffeur.

Q: In what year did the arrest take place?

A15: It was in early 1978, during the severe clash between Cambodia and Vietnam at the border. In the later time, many more people were arrested and those included directors and deputy directors of hospitals as well as their chauffeurs. The arrests were carried out in the same manner as previous ones. The excuse was re-education, and those people disappeared. Soon afterward, they hold meetings to inform others that those arrestees were traitors. Only one week after their arrests, *Yeay Phea* organized meetings and informed everyone that those arrestees were traitors. I was also in those meetings.

Q: Was there internal meeting before the arrest?

A16: I did not know. At first, they told those people to go to study. Subsequently, those people disappeared and later on a meeting was organized and they announced that those arrestees were traitors. They did not arrest in direct manner, they just gave excuse of sending to study.

Q: In general, were people sent to study at nighttime or daytime?

A17: Most of the time, they were sent at daytime. In that regime, there were general meetings, group meetings and unit meetings. The meeting was done once every three days or a week. The purpose of this meeting was to follow up performance, to prepare the study plan, documents and to share advice. Those who were party's members were sent to study at the upper echelon. When it was time for study, the upper echelon invited them

to go there, so people had no suspicion of being arrested. However, one week later, they announced that those arrested people were traitors.

Q: Were the arrests mainly targeted at staff at the Ministry of Social Action or at staff at the hospitals?

A18: They arrested many staff from the ministry, hospitals as well as pharmaceutical enterprises.

Q: Which hospitals and pharmaceutical enterprises did you know?

A19: I knew such hospitals as Khmer Soviet Friendship Hospital (មន្ទីរពេទ្យមិត្តភាពខ្មែរសូវៀត), Chinese Hospital (មន្ទីរពេទ្យចិន), Preah Keto Mealea Hospital (មន្ទីរពេទ្យព្រះកេតុមាលា), etc. I could still remember that when I drove Mrs. IENG Thirith to Khmer Soviet Friendship Hospital. The Chinese were angry and blamed *Yeay Phea*: “Technical staff are valuable, why they keep disappearing one after another. How can we find staff to replace them in the work?” The number of disappeared staff in the Khmer Soviet Friendship Hospital was higher compared to other places.

Q: What was her reaction after being blamed? What did she tell you about this blame?

A20: She did not response and she was voiceless.

Q: Were there many Chinese technicians in the Khmer Soviet Friendship Hospital?

A21: Yes, there were.

Q: Were there new staff to replace those who were arrested from the Khmer Soviet Friendship Hospital?

A22: Yes, there were. Mrs. IENG Thirith selected girls from Srae Ambel to replace them.

Q: Base on your knowledge, did those girls receive any medical training?

A23: I think no. They received some political training and then they were assigned to work straight away.

Q: Were there many medical doctors in Khmer Soviet Friendship Hospital?

A24: There were many medical doctors who were trained in China during the early period. However, the number decreased because most of the doctors were taken to be killed.

Q: Did Ministry of Social Action have any factual and legal authority over the military hospitals?

A25: Ministry of Social Action did not have authority over the military hospitals which were inside divisions and headquarters. Those hospitals in Phnom Penh city were civilian hospitals, while military hospitals located in divisions. Mrs. IENG Thirith was in charge of supervision over only hospitals in Phnom Penh city. Usually, each division sent their medical staff to be trained at Khmer Soviet Friendship Hospital.

Q: Did Mrs. IENG Thirith supervise Hospital 310 in the Central Zone and Old North Zone?

A26: I do not know.

Q: Which section was in charge of distribution of medicines and medical equipment?

A27: For distribution of medicines and medical equipment to military hospital, a letter was sent from Office 870 to Ministry of Social Action for approval. There, *Yeay Phea* approved of this letter before distribution could be made.

Q: Which institution were Keto Mealea (កែតូម៉ាលា) and Preah Monivong (ព្រះមុនីវង្ស) hospitals part of?

A28: Both of them were under the supervision of the Ministry of Social Action.

Q: Were there arrests of staff at Keto Mealea and Preah Monivong hospitals?

A29: Yes there were. There were arrests of staff from every hospital and pharmaceutical enterprise.

Q: Was there shortage of medicines and equipments in hospitals?

A30: In quarterly meeting, *Yeay Phea* publicly announced the shortage of medicines and equipments. *Yeay Phea* chaired these meetings.

Q: Did Mrs. IENG Thirith organize meetings to discuss about the purges or to follow up the arrestees?

A31: There were constant meetings which focused on the spying upon each other. Doing so would enable us to uncover the enemy burrowing from within.

Q: In each meeting, did Mrs. IENG Thirith talk about Democratic Kampuchea's policy?

A32: Yes, many lectures and documents were provided and those included current situation, the fighting with Vietnamese and the enemy that burrowed from within, best practices from provinces as well as people's confession. *Yeay Phea* was an immediate trainer.

Q: How were the food and living conditions of the staff?

A33: Staff lived in group. Those who were married lived with their families but they had to come for common meals. Food ration consisted of half a loaf of bread for each person per meal. There were only two meal times a day. However, staff could get cooked rice just before the arrival of the Vietnamese.

Q: Where was the location of the Ministry of Social Action?

A34: The Ministry was on the western side of Ministry of National Defence. It was on the corner of Nehru (នេរូ) Street and Russian Federation (សហព័ន្ធរុស្ស៊ី) Street.

Q: As a chauffer, to what places did you drive Mrs. IENG Thirith?

A35: I drove her to meetings at K-3 (កី-៣) and many other places.

Q: In each meeting, with whom did Mrs. IENG Thirith meet?

A36: Sometimes, she went with hospital staff to meet NUON Chea and KHIEU Samphan at K-3, which was the office of Mr. NUON Chea. Usually, she went there to have meeting with NUON Chea, KHIEU Samphan and IENG Sary.

Q: Were you allowed to participate in the meetings?

A37: No, I was not allowed to participate in the meeting. I was allowed to enter only the reception area.

Q: How many times did you drive Mrs. IENG Thirith to the meeting there?

A38: I do not remember. However, she went there for meeting almost every month.

Q: Beside K-3, where else did you drive Mrs. IENG Thirith to?

A39: I drove her to many places, but I could not remember all places.

Q: Which hospitals did you drive Mrs. IENG Thirith to?

A40: I drove her to every hospital and pharmaceutical enterprise in Phnom Penh city. We visited many places as the following:

- Khmer Soviet Friendship Hospital,
- Calmette Hospital (មន្ទីរពេទ្យកាល់ម៉ែត) that specialized in maternity and child care and it was headed by *Yeay Menh* (យាយម៉ុញ), who is currently living in Pailin,
- Preah Kosomak Hospital (មន្ទីរពេទ្យព្រះកុសមៈ), (I do not recall the chairperson's name)
- Chinese Hospital,
- 6 January Hospital,
- Preah Monivong Hospital,
- Children Hospital, which is presently Central Children Hospital,
- PH-4 (ផ្ទះ៤) which was Penicillin manufacturing enterprise directed by *Ming Pàk*,
- Vaccine manufacturing enterprise located on the eastern side of river, and
- PH-1 (ផ្ទះ១) which was traditional medicine manufacturing enterprise headed by Mrs. IENG Thirith's child named Ra who is currently living in Pailin.

Based from my knowledge, the director of Preah Kosomak Hospital was the last person to be arrested and during his arrest, Mrs. IENG Thirith mentioned that "this person is not supposed to be traitor".

Q: Were all staff of hospitals and pharmaceutical enterprises under the direct supervision of Mrs. IENG Thirith?

A41: Yes, they were. Mrs. IENG Thirith had the authority to remove, assign, follow up and report about all staff.

Q: To where were all arrestees taken?

A42: I did not know. They did not announce about the places they took those people to. They just told us that traitors had to be arrested.

Q: Where did they select the new staff to replace the arrested ones?

A43: As I mentioned earlier, new staff were selected from girls who worked in Srae Ambel.

Q: Did Ministry of Social Action have any involvement with Northwest Zone concerning the purge?

A44: I did not realize about this.

Q: Did Ministry of Social Action have any involvement with S-21?

A45: I did not know about this. What I knew was that S-21 was a security centre in that regime.

Q: Did you know whether staffs from the Ministry of Social Action and hospitals were arrested and sent to S-21?

A46: I did not know about this but usually, the arrestees were sent to K-7 (ក្រុង) and then to K-3 or other places that I don't know. For *Yeay Phea*, for example, whenever she went to study, she went directly to K-3, while those who were in lower echelon had to go to K-7, Office of Messengers, before being transported by cars from there to other places. This could also be applied in the same manner to the arrest. I did not know to where those arrestees were sent. K-7 located in front of Royal Palace. All documents were issued from K-3. For instance, the letters to authorize medicines distribution to zones, sectors and divisions were issued from K-3.

Q: Besides Srae Ambel, from where else were female staffs selected?

A47: Female staffs were also selected from Southwest Zone, including Takeo and Kampot provinces.

Q: When you drove Mrs. IENG Thirith to the meeting at K-3, did you meet or see high ranking officers there?

A48: No, I did not meet them there. Usually, Mrs. IENG Thirith called me to pick her up when the meeting was over.

Q: Were there any connections between Ministry of Social Action and Ministry of Foreign Affairs?

A49: Yes, there were. Most of the time, IENG Sary came to see IENG Thirith at her ministry.

Q: Do you know staffs that used to work in Ministry of Social Action and still be alive now?

A50: From what I know, Chhun (ឈុន), the former head of Social Action Office, is living in Ratanakiri province. Chhun had a very close relationship with Yeay Phea. Dam (ដំ), one of the former chauffers of Mrs. IENG Thirith, is currently living in Kâm Rieng (កំរឿង) district and so does Run (រុន), the former personal secretary of Mrs. IENG Thirith. I know Chhoeung (ឆឿង), the former chauffeur of Mr. KHIEU Samphan, is presently living in Sâmpoeu Loun (សំពៅលួន) district. Sot (សុត) and Thung (ធ្មង), the former chauffers of Mr. NUON Chea, are living in Samlot (សំឡូត) district now. I knew the three of them, when I drove Mrs. IENG Thirith to the meeting places. I also know that *Ta* Long Narin (ឡុង ណារិន) who used to work with IENG Sary and he is living at Malai now. Suon (សួន), Keat Chhun (គាត ឈុន) and Sao Kim Lmut (សោ គីមលុត) also worked with IENG Sary. Nowadays, Suon is living in Phnom Penh, while his wife is living in Malai.

The interview paused at 1645 hours on 28 February 2010.

The interview resumed at 0940 hours on 1 March 2010.

Q: Did you know *Ta* San (តាសាន) who used to live with *Ta* Mok (ម៉ុក)?

A51: I ever heard about a man named *Ta* San (Sror Maum) (តាសាន(ស្រម៉ូម)); however, I do not know about his current whereabouts. Please check with Nguon (ងួន), a former head of division, because his wife was a relative of *Ta* Mok. *Ta* Nguon, who is deputy head of Division 52 and is currently living in Battambang provincial town, is *Ta* Chay's (ចាយ) son-in-law. *Ta* Chay was the head of model cooperative in Takeo, but he already passed away. *Ta* Mon (ម៉ុន) can also be reached for more information and he is a deputy governor of Samlot district now. *Ta* Mon was close to *Ta* Mok. It is also possible to ask Set (សិត) who came from Takeo province. He is a son of *Ta* Soeun (សៀន) who is a relative of *Ta* San.

Q: Please locate the places of meeting, the hospitals and the pharmaceutical enterprises that you drove Mrs. IENG Thirith to. We show him a map issued on 30 November 2009, Map of KR Era building in North Phnom Penh 1.01, produced by Richard Moore ECCC/UNAKRT Office of the Co-Investigating Judges.

A52: I could remember that medical equipment warehouse which was also used as living area for staff of Ministry of Social Action and staff of hospitals located in a block in

between of Mao Tse Tung (ម៉ៅត្រៃតុង) street, Russian Federation street, Nehru (នេរូ) street and Tep Phan (ទេព ផាន) street as shown in the map. K-2 (ក-២) located on the western side of Nehru Street and on the corner of Russian Federation Street. It was wrongly located in the map that you show me. I have never brought Mrs. IENG Thirith to Headquarter S-62 (ស-៦២) and B-1 (ប-១). She usually went to B-1 with her husband, Mr. IENG Sary. I have never brought Mrs. IENG Thirith to K-7 as well. However, I went to K-7 when I was asked to bring *Ming Sou* and *Yeay Pàk* there. The first director of K-7 was *Ta Prum* (ព្រំ), but he was purged later on. The next director was *Ta Kou* (កូ), alias *Ta Ki* (គី) and he already passed away. I also brought Mrs. IENG Thirith to House Number One (ផ្ទះលេខមួយ) which was close to Wat Phnom. She went there to meet King Sihanouk. KHIEU Samphan, IENG Sary and Chinese guests were also there as well. I also drove Mrs. IENG Thirith to Hospital P-6 (ព-៦) and most of the time she went there to hold a meeting to follow up and to share working experience. I did not know Hospital P-6's director. My elder sister, Han (ហាន), knows about this because she used to work there. House Number one and House Number Two (ផ្ទះលេខពីរ) belonged to Ministry of Foreign Affairs. House Number Two was a reception place for foreign guests. I ever drove Mrs. IENG Thirith there in 1978 when she attended the dinning party with Thai foreign affair minister, Mr. Ouphadit Bacchari Yaingkun (អ៊ូផាឌិត បច្ឆារិយ៉ាឡុងកុន). House Number Two was in front of the red building which was the University of Medicine (សាលាពេទ្យក្រហម). I have never heard about K-33 (ក-៣៣) and I have never brought Mrs. IENG Thirith there. For P-1 (ព-១), I brought her there very often because she wanted to visit the newly born babies and their mothers, because P-1 was a children's hospital. I also drove Mrs. IENG Thirith to Ph-5 (ផ-៥) to join the congress. She taught politics to students at Ph-5. She occasionally told me to drive her to Ph-1 (ផ-១), the traditional pharmaceutical enterprise directed by Ra (រ៉ា), her youngest daughter. I have never brought her to K-5 (ក-៥), the political school. I brought her to P-2 (ព-២) as well but it was not very often because P-2 was place for treating tubercular patients. The places that were pinpointed in the map were the real places that I brought Mrs. IENG Thirith to.

Q: We show another map issued on 23 December 2009, Map of KR Era building in North Phnom Penh 1.01 produced by Richard Moore ECCC/UNAKRT, Office of the Co-Investigating Judges.

A53: I often drove Mrs. IENG Thirith to P-17 (៧-១៧), the Khmer Soviet Friendship Hospital and usually CHUON Choeun (ជួន ធឿន) stationed there. I have never driven Mrs. IENG Thirith to B-32. B-32 (៧-៣២) was possibly a place belonged to the Ministry of Foreign Affair, but I have never been there. Probably, my elder sister, Thi (ធី), can tell in more detail about this place because she used to stay there. I have never driven Mrs. IENG Thirith to K-18 (ក-១៨), a telegram office (two-way communication devices). I did not know who the chairperson of that place was. I only brought her to Hospital P-17 (៧-១៧), as pointed in this map.

Q: We show another map issued on 22 November 2009, Map of KR Era building in North Phnom Penh 1.01 produced by Richard Moore ECCC/UNAKRT, Office of Co-Investigating Judges.

A54: I knew that K-1 (ក-១) was Pol Pot's residence, but I have never brought Mrs. IENG Thirith there. My younger brother, Văn (វ៉ាន់), used to live there. Also, I have never brought Mrs. IENG Thirith to Mr. NUON Chea's office. I think Sot (សុត) can give more information. I brought Mrs. IENG Thirith to K-3 (ក-៣) very often but I did not know clearly where this place located. Mrs. IENG Thirith went there to meet NUON Chea.

Q: Do you have anything to add?

A55: No, 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. Thumbprint
- After the Written Record was read out to the witness, the witness refused to sign it.

End of the interview: at 1530 hours on 1 March 2010.

Witness

Interpreter

Investigator

Thumbprint

Signature