

09/07/16

ឯកសារទទួល
DOCUMENT RECEIVED/DOCUMENT REÇU

ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de reception):
11 / 05 / 2010

ម៉ោង (Time/heure): 16:30

ឈ្មោះមន្ត្រីទទួលបន្ទុក/Case File Officer/L'agent chargé
du dossier: ANNADA

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-ECCC-OCIJ

កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី

Written Record of Interview of Witness

Procès-verbal d'audition de témoin

On the ninth of March, two thousand and ten, at 14:25 hours, at the Kaun Phnom Cheung
(កូនភ្នំខាងជើង) village, Ta Sda (តាស្ដា) commune, Sâmpov Loun (សំពៅលូន) district,

Battambang (បាត់ដំបង) province;

We, NGUON Im (ងួន អ៊ឹម) and Christian BAUDESSON, Investigators 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 the presence of Mr NIL Samorn (នីល សាម៉ន), as sworn Interpreter of the
Extraordinary Chambers;

Recorded the statement of NY Kân (នី កន), a witness, who provided the following
information regarding his personal identity:

Original KH: 00486479-00486482

ឯកសារប្រាកដថាជាកម្រិតត្រឹមត្រូវតាមច្បាប់ដើម
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
18 / 05 / 2010

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Ratanak

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The undersigned, NY Kân alias Kân, was born on 13 March, 1943, in Preah Trâpeäng (ព្រះត្រពាំង), Kampuchea Kroam (កម្ពុជាក្រោម). He is of Cambodian nationality. His occupation is an advisor to the Ministry of Defense.

His father, Ny (នី), is “deceased”, and his mother, Soeung (សៀង), is “deceased”.

His present address is in Kaun Phnom Cheung village, Ta Sda commune, Sâmpov Loun district, Battambang province.

He is married to KIM Sath (គឹម សាត), “alive”, and is the father of 03 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: Previously you answered that you used to receive political education from Ta Sy (តាស៊ី), the secretary of the West Zone. What was your role in the West Zone?

A-1: I was in charge of propaganda and educating the people to work hard to produce food in the Special Sector or was also called Sector 15, which composed of Punnhea Leu (ព្រៃហ្លួង) district, Odong (ឧតុង) district, and Âng Snuol (អង្គស្នួល) district. Later on this Special Sector or Sector 15 was changed to Sector 32, and was in the West Zone.

Q: After Sector 15 was changed to Sector 32 in the West Zone, what was your role? Please also specify the structure of the West Zone committee?

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A-2: My role was still the propaganda cadre and educator. Ta Sy was the Zone secretary, Ta Pāl (តាប៉ាល់) (died) was the Zone deputy secretary, and Ta Sarun (តាសារុន) (died) was the member.

Q: Based on your knowledge, when was Ta Sy arrested?

A-3: I did not know. The event took place after I left the West Zone to work at the Ministry of Foreign Affairs. About three months after I left the West Zone to work at the Ministry, there were many problems involving the arrest of the people in the West Zone. But I did not know anything about that. I did not dare to ask them who were gone (arrested or transferred) or who remained.

Q: You specified that you left the west Zone about 3 months before Ta Sy was arrested. Based on the document Ta Sy was arrested in March 1978. So, this means that it was about January 1978 when you were transferred to work at the Ministry of Foreign Affairs, is it true?

A-4: Yes, it was about January 1978.

Q: Between 1975-76 and until late 1977, when you were still working in the West Zone, did you know anything about the purge and arrest of people in the West Zone?

A-5: Because I was in the propaganda and educational committee, I did not know anything about this matter. The propaganda and educational committee only focused on organizing political education session based on the documents provided by the Sector level.

Q: How many Sectors were organized under the West Zone?

A-6: I knew that there were Sector 32 (as I specified above) and Sector 31 in Kampong Chhnang (កំពង់ឆ្នាំង) province.

Q: Was there Sector 37?

A-7: I heard that there was also Sector 37. But I did not know how many districts were in that Sector. I heard that Sector 37 also included Koh Kong (កោះកុង) province.

Q: Can you describe the structure of the leadership committee and their names in each Sector?

A-8: Ta Pāl was the secretary of Sector 32 and also the deputy of the West Zone.

CHÈNG Ân (ចេង អ៊ិន) (died) was the deputy secretary of Sector 32, but I do not recall the name of the Sector member. As for Sector 37, I do not know anything about it.

Q: In 1977 there was an assembly held in the West Zone (according to the Revolutionary Flag Journal number 8, August 1977), did you know about that?

A-9: Usually they used to hold the great assembly in the Zone, but I do not recall whether or not the West Zone held any assembly. I never attended the Zone assembly. But if there was an open meeting, I attended. That was the meeting in Sector 32 which was based in

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Sdok Toal (ស្រុកតោល) or Beung Va (បឹងវ៉ា). At that time the Sector secretary and the deputy presided over the meeting to disseminate the substance of the West Zone assembly in which they had attended.

Q: Regarding to the open meeting, what substance was discussed in it?

A-10: At my level I received just the information on food production, and importantly on self reliance.

Q: Do you know Khem (ខឹម) whose name is in the document with ERN 00319407 (D159/5.92)? In Khem's confession, he wrote "uncle secretary of the Zone announced the appointment of the new committee for Sector 32 as follow: 1-Comrade Rân (រ៉ាន) as secretary, 2-Comrade Kân as deputy, 3-Comrade Moeun (ម៉ឺន) as the member? What do you think about this confession?

A-11: I do not know Khem. As for this document I do not think this confession is right because my role was still the propaganda cadre. I do not know comrade Moeun either.

Q: There is a witness whom I already interviewed who still lives until today said: "In the West Zone, your role was the deputy secretary of Sector 32[?]. What do you think?

A-12: That is not right. I was still a cadre of the propaganda committee then.

Q: There was a witness confirming that in July 1977, in the West Zone, they held the Zone assembly in Châmkar Daung (ចំការដូង) in Kampong Speu (កំពង់ស្ពឺ) province.

During that assembly you were the person writing on the board, was it true?

A-13: That was not true. I did not attend it.

☒ 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 17:20 hours on the same date.

Witness

Interpreter

Investigators

[Signature/Thumbprint]

[Signature]

[Signatures]

NY Kân

Samorn NIL

Christian BAUDESSON
Nguon Im