



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

ឯកសារដើម

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ថ្ងៃ ខែ ឆ្នាំ (Date): 09-Apr-2015, 13:42

Sann Rada

CMS/CFO:.....

Request for Correction

Case : 002/19-09-2007-ECCC/TC

To Document No(s):	ERN(s):	Request Date:	Correction Type:
E1/270.1	01072843-01072892	27/03/2015	<input checked="" type="checkbox"/> Change to Original <input type="checkbox"/> Change to Translation <input type="checkbox"/> Reclassification

Reason for changes:

Error in interpretation as per TC's request by mail on 4 March 2015.

Details:

The correction is made on the English version to the passages highlighted by the TC, as shown in the attached corrected version.

The following footer is added to this transcript:

"Corrected transcript: Text occurring between less than (<) and greater than (>) signs has been corrected to ensure consistency among the three language versions of the transcript."

Filed by: Reath Panhean

Signature:

Approved by Greffier (for originals):

Signature:

Approved by ITU (for translations):

Signature:

1 A. ~~<I observed that~~ Based on my observation, there were two types of meeting at that time.

2 One type of meeting ~~<include the composition of~~ was for security guards and the other for

3 Party members.

4 Q. Very well. So there were six Party members when you arrived with your group of six -- that
5 is, the six security guards. Is it correct to say that your unit consists of six security guards was
6 subordinate to the unit composed of six Party members?

7 A. Yes.

8 Q. As a subordinate, did you have to obey orders from members of the Party, particularly the
9 committee of the Krang Ta Chan leadership or you had the choice not to do what you were
10 asked to do?

11 [15.12.37]

12 A. Actually six of us were the guards stationed outside of the compound.

13 Q. My question was different. I wanted to find out whether as subordinates to the unit of Party
14 members, you were under a duty to obey any instructions meted to you, for instance, carry out
15 certain tasks and to work as messengers.

16 A. Yes, we had to obey the order because the order came from the superior.

17 Q. Do you know what would have happened during that period if you did not abide by these
18 disciplinary measures handed down to you by the leadership of the Krang Ta Chan centre?

19 A. If we did not comply with the disciplines or the order, we would be detained in the prison.

20 Q. Have there been any examples in the past of guards who didn't comply with disciplinary
21 measures who were detained at the Krang Ta Chan security centre?

22 [15.14.27]

23 A. Yes.

24 Q. Can you give us the name or the names of persons who were detained for that reason?

1 and I quote: "There was a person called Duch. He was a chief in charge of records and
2 documents". A while ago, you mentioned a name Duch who worked at the district. That person
3 called Duch, did he have any specific duties at Krang Ta Chan centre?

4 A. I saw him participate in the meeting every month. I did not dare to look at his face.

5 Q. To be very specific, you referred to another Duch in your guard unit and he was from a
6 district. Did they distinguish them by different names in order not to confuse both persons, or
7 the names of both persons during that period?

8 [15.18.36]

9 A. One Duch was from the district and one Duch was a guard. And Duch who was working as a
10 guard was assigned and asked to do the typing.

11 Q. And the person who came from the district, did he also know how to type or it was the other
12 Duch who could type?

13 A. ~~<Two Duch could know how to do the typing. Yes, they both knew how to type.>~~

14 Q. So if I understand you correctly, it was only the junior Duch from your unit who knew how to
15 type; is that correct?

16 A. ~~<Actually Little Duch or Small Duch did the regular task of typing. And as for Little Duch, he
17 would lend a hand in some occasion only. Only small Duch worked regularly at that time. Big
18 Duch came to work occasionally.>~~

19 Q. In a record of your interview, E319.1.33, in answer to question number 56, which had to deal
20 with letters -- that is, letters you delivered at the (inaudible) district as a messenger. These
21 letters were reports on prisoners and confessions, right? And your answer was, "Yes, that is
22 correct". So your answer appears to indicate that you nevertheless knew that the letters you
23 delivered had to do with reports. How did he know that the mails you delivered dealt with
24 reports, confessions and prisoner list?

25 [15.21.01]

1 You answer: "Yes, the interrogation section and the guard section."

2 Question: "Who was in charge of the interrogation section?"

3 Answer: "An, Cheng and Penh."

4 So you gave three names, An, Cheng and Penh, among the six Party members. Did the other
5 Party members also play any role during the interrogations or did they not play any role?

6 [15.23.24]

7 A. They rotated in their work in this matter.

8 Q. So the six Party members took turns in interrogating the prisoners. Is that correct?

9 A. Yes, that is correct.

10 Q. Now, during the interrogations, did the security guard unit have any role to play? For
11 instance, guarding the interrogation venue or taking prisoners to the locations where they had
12 to be interrogated."

13 A. ~~<The six men unit, they would coordinate work among themselves. Those six guards made~~
14 ~~the arrangements on their own.>~~

15 Q. I would like us to talk of the role of the leadership committee of the Party, regarding the
16 execution of prisoners. And I'll read out two extracts from the record of your interview. The first
17 is D21/23; and in Khmer, it is 00165355; in French, it is 00490909; and in English, 00223211.

18 And the question was as follows: "As for those who were in charge of the execution of
19 prisoners, do you know where they came from?"

20 And your answer: "That section consisted of the six party members."

21 Question: "What were the names of each of those six party members?"

22 And your answer was: "An, Penh, Chhen, Chhieng, Moeun and Chhoeun." End of quote

23 And in the second record of your interview, your answer is somewhat different, and I'll read it
24 out. And it is E319.1.33.

25 Question 193: "Was it only Khorn and Ruos," R-U-O-S, "who were perpetrators of the killing, to

1 mentioned?

2 A. <Other than those I mentioned, I really did not know anyone and> I <really> did not know
3 Ruos and Khorn.

4 Q. Did you at any point in time during your assignment at Krang Ta Chan, did some of your
5 colleagues among the six security guards receive orders from Ta An or Ta Penh to play any
6 role in the execution of prisoners?

7 A. I myself was not involved in the task, because it was said that I was too young.

8 Q. Very well, I am not accusing you of anything. I know that you were very young, but as
9 regards the five other persons who were members of your security guard unit, did some of
10 them receive any orders to take part in the execution of prisoners?

11 A. During that period, I was not aware of this matter, because I was a messenger sending
12 letters out to the outside areas, and I did not know about this.

13 [15.29.48]

14 Q. You said that you were the youngest in the group and that you were not asked to participate
15 in the executions. Were there any other kinds of tasks that were not given to you because of
16 your age, whether it be in terms of supervising the prisoners or any other kinds of tasks linked
17 to the security centre?

18 A. I was assigned to do the outside guard.

19 Q. I'm going to try to understand what your security guard unit might have done, since they
20 were under the authority of the Party members. Did Ta An or the other members of the
21 committee ask members of your unit, that was therefore subordinate, to
22

1 supervise the prisoners who were working outside to make sure that none would escape?

2 [15.31.19]

3 A. Yes.

4 Q. Were some members of your unit also asked to supervise prisoners in the detention
5 houses?

6 A. When they started -- from the day we started doing the guard duty it was assigned to guard
7 outside.

8 Q. I will get back to that tomorrow probably. Were the members of your team requested to bring
9 the new prisoners who arrived at Krang Ta Chan outside -- was your unit asked to bring them
10 to the detention buildings so that these prisoners would be shackled?

11 A. No, they only did that work among themselves.

12 Q. Were certain members of your unit -- that is to say, the unit that was under the Party, not
13 speaking about you, speaking about the other members, were they asked to bring prisoners to
14 the interrogation place and then to bring them back after the interrogation?

15 A. We, the guards, were not used for that task.

16 Q. So, who then brought the prisoners to the interrogation place and then who brought them
17 back? Was it the members of the leadership or the guards or other prisoners who were in
18 charge of doing so?

19 A. ~~They only did that work -- that is, to bring the prisoners out and to bring them back,~~
20 ~~amongst themselves. It was the Party members who brought them and who took them back.~~

21 [15.34.13]

22 Q. So, to sum things up, if I understood well, with regard to the administration, the interrogation
23 and the execution of the prisoners, this was only the leadership that took care of that while the
24 security guards did practically nothing. Is that correct?

25 A. Yes.

1 remember that the Krang Ta Chan prison chief was called An and his underling was Duch.”

2 End of quote. [Free translation]. Do you disagree with Little Duch regarding Big Duch’s role as

3 Ta An’s deputy at Krang Ta Chan?

4 A. I did not know the details in this matter.

5 Q. As far as you know, and based on what you noted there, why did Big Duch come to Krang

6 Ta Chan? Was it to supervise the prisoners, to observe, to carry out investigations, or to

7 manage the administrative aspects of the centre or any other reasons? Can you tell us why he

8 would come to Krang Ta Chan?

9 A. I did not know the details of his visits.

10 [15.38.02]

11 Q. Did you ever see Big Duch come to Krang Ta Chan until the end of 1978 or the beginning of

12 1979?

13 A. Sometimes he came ~~<twice a month>~~ a few times a month. Yes in 1978, he came more
14 frequently.>

15 Q. So, you suggest that he would come until the very end of the security centre?

16 [15.38.53]

17 A. I did not know the details of his visits. However, during 1978, he came more frequently, and

18 sometimes he stayed overnight or sometimes he stayed for two nights.

19 Q. I’m going to read an excerpt -- not right away, in fact. Well, I can tell you that on the case

20 file, there is a written record of interview of Big Duch E46/27; at page 00163992, in Khmer; in

21 French 00651258 in French; and English 00223475; Big Duch says that he went to assess the

22 situation --

23 MR. KOPPE:

24 Mr. President, thank you. I’m not sure if it has been established yet that the witness the

25 prosecution is referring to, who is, as we know, dead, is in fact the same person as Big Duch.