

To: YOU Bunleng and Marcel LEMONDE  
Co-Investigating Judges

Case File No: 001/18-07-2007-ECCC/OCIJ

Subject: Submission of the commentaries in Khmer of Kaing Guek Eav on the book entitled: "Voices from S-21: Terror and History in Pol Pot's Secret Prison" by David Chandler.

Your honours,

We, Mr. KAR Savuth and Mr. François ROUX, Co-Lawyers of KAING Guek Eav, have a great honour to submit the commentaries in Khmer of KAING Geuk Eav on the book entitled "Voices from S-21: Terror and History in Pol Pot's Secret Prison" by David Chandler (10 pages). This text is the original version. As regards French version of the original file, it is personally written by KAING Guek Eav and attached as Annex with the Written Record of Interview dated 5 May 2008.

Please, your honours, accept the assurance of our respectful consideration.

Phnom Penh, 09 May 2008

For both Co-Lawyers,  
One of the Co-Lawyers

(Signature)

KAR Savuth

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Original version in Khmer

*Concerning*

*Voices from S-21: Terror and History in Pol Pot's Secret Prison*  
(David Chandler)

*Voices from S-21: Terror and History in Pol Pot's Secret Prison*, by David Chandler, is a systematic and thorough analysis of all relevant documents, with references to other books and exchanges of opinion with other scholars.

To the best of my limited knowledge, I would like to define the type of terror that existed in Cambodia, as well as my role.

**I A total institution**

It is clear that "the Communist Party of Kampuchea (CPK) was itself a total institution *par excellence*."

I lived in this institution from 1966 on, and we proudly named ourselves "the children of communist society" among our people. We were prepared to sacrifice everything for the sake of the people, but, in 1975, everything suddenly turned upside down – from white to black.

By forcibly evacuating the inhabitants of Phnom Penh and forcibly appropriating their means of production, from sewing machines to factories, the CPK succeeded in turning the population of the whole country into peasants.

A short time later, the CPK collected former factory workers and transported them back to their factories. Everyone worked very hard under strict supervision; to be honest, it was inhumane, and they only received an insufficient ration twice a day.

POL Pot was satisfied with his achievements of:

- abolishing feudal, capitalist and bourgeois classes by committing criminal acts,
- abolishing the privatization of the means of production by committing criminal acts;
- criminally implementing a theory of "from each, according to his ability; to each, according to his need".

He called the above achievements "Super Great Mass Movement" and "Super Great Leap Forward". And Cambodia became "a sealed environment", stretching across the country as a whole, including uncountable "re-education centres". And everyone knew that there was constant, strict re-education, and there were constant arrests, causing POL Pot's "sealed environment" from 1975 to differ essentially from his own 1960s children of communist society.

The CPK, on which I pinned my deepest hopes, destroyed my people; it started to turn into a criminal organization.

## **II Terms and sayings**

### **1. The anteroom to death**

It is true that “the facility (S-21) served primarily as an anteroom to death.”

At that time, every unit was educated to clearly define the dividing line between enemies and ourselves. Therefore, a criminal order was introduced: “any victim who has been arrested has to be smashed;” and secondary criminal consciousness was stimulated automatically among implementing units, especially S-21, through the abuse of power.

Comrade Seng (សេង) sat on the victim CHUM Mei’s head, and Comrade Tuy (តូយ) forced Professor KE Kim Huot (កែ គីមហួត) to eat excrement. These are two examples of the innumerable criminal acts at S-21.

There was a case in which, even though it was serious and shocked me deeply, I was not brave enough to arrest the perpetrator – leaving it to SON Sen (សុន សេន) to take action, but he did not do so.

I did not worry about those acts at that time, but now I realize that they were criminal acts that must be prosecuted rigorously.

I am totally responsible for all the crimes at S-21.

### **2. Paranoia**

VORN Vet (វ៉ែន វេត) demonstrated the paranoid political attitude of POL Pot, comparing him to a lapwing (Tradévech), in the Khmer perception. I have the same perception as Chandler concerning the political attitudes of POL Pot, who was too paranoid, as lapwings are, and who had too much imagination.

### **3. Two sayings**

“Better arrest ten people by mistake than free one wrongly.” It was a legitimate accusation of my people, who suffered considerably from constant brutal arrests. SON Sen, and perhaps other Khmer Rouge leaders as well, used a phrase, “No gain in keeping, no loss in weeding out”.

## **III POL Pot and ideological theories**

- POL Pot read a lot, and he liked to be considered as somebody who knew everything.
- POL Pot had a close relationship with Khang Soeng (ខាង ស៊ីង) (*Voices from S-21: Terror and History in Pol Pot's Secret Prison*, by David Chandler, pp. 126-127) and, after 17 April 1975, with CHHANG Chhun Chheav\* (ឆាង ឈុនឈាវ) (the second member of the Gang of Four).
- POL Pot had a well-organized calendar with a clear schedule of meetings with foreigners, meaning Chinese leaders (decision dated 30 March 1976).
- POL Pot never used the theories of anyone in the older generation which had not been revised. Also, he did not want anyone to read about the achievements of such people.

#### A. The evacuation of Phnom Penh

This evacuation was a criminal act, because it was done with force, but what was even more disgusting was the fact that POL Pot took this opportunity to kill people secretly, so that Cambodia embodied the description "one country, but two social classes".

With the forcible evacuation and with secret smashing, POL Pot brutally abolished privatization and forced all the technicians to do farming, so as to make them powerless and dependent on peasants.

Concerning infrastructure, POL Pot abolished religions and education, regarding the functioning educational system as capitalist in nature. "We will carry out our concept – four years of primary education, four years of secondary education and four years of higher education," POL Pot said.

What were the sources of POL Pot's theories?

Stalin (ស្តាលីន) might have been one of them: "Although the exploiting class was overthrown, it long remained stronger and than the class that overthrew it" (*Leninism*)

#### B. The concept of the people

It is important to look at the concept of the people.

- In a liberal society, people are everything.
  - In the socialist society of Mao, there were four classes of people: workers, farmers, intellectuals and national capitalists, symbolized by the four small stars on the flag of China; the big star symbolizes the Communist Party of China.
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- In POL Pot's society – it was half socialist and half communist – there were two classes of people: workers and peasants.

What were the sources of POL Pot's theories?

- No one knew – only POL Pot himself. The only thing people knew was that a dictatorship was applied only against the enemies of the people.

### C. About intellectuals

David Chandler wrote about "On the Correct Handling of Contradictions among the People", which was in a speech by Mao Zedong given in 1957, i.e. eight years after China was totally liberated. But Mao Zedong still appealed to the Party to give time to intellectuals outside the Party to adapt themselves to Marxism.

But in Cambodia, Ta Mok mistreated intellectual cadres starting in 1968. After POL Pot had tried a couple of times to resolve this matter, he then intervened personally by downplaying the role of intellectual cadres, stating categorically in *Revolutionary Flag* in 1973 that: "the political line of any class means the cadre is of that class." He then started to promote the role of peasant cadres, until, in late 1978, Ta Mok's men were deployed throughout the country, some of them in the Central Committee.

In 1973, Intellectual HOU Yon (ហ៊ុយ យ៉ុង) made a speech in Kos Kong on the rights of indigenous minorities. TA Mok forbade the broadcast of this speech.

The intellectuals' dream "Let a hundred flowers bloom, let a hundred schools of thought contend," (the new democracy of Mao) was over in Cambodia.

### D. Internal purification

Neither POL Pot nor SON Sen ever mentioned the theories of their predecessor, from whom the idea of interior purges was taken.

The words of YON Yan (យ៉ុង យ៉ាង), SON Sen's wife, gave me an idea. She said, "Brother POL has experienced both the success and failure of the universal revolution since the Paris Commune."

David Chandler wrote that POL Pot drew on Mao's speech "On the Correct Handling of Contradictions among the People". This is quite correct.

But Mao described it in more detail in his book *Conflict*, in the chapter on "contradictory unity" and "the positions of opposing parties in disputes."

Look today at the implementation in history! In China, those who were purged before 1949, such as VANG Ming (វ៉ាង មីង) and CHANG Kuk Thav (ចាង គុកថាវ), were

accused by Mao of being "opportunists". During the Cultural Revolution, Mao accused LIV Sav Chhi (លីវ សាវឈី) of being a commander of the capitalist line in the Party (refer to the headline of Mao's newspaper, titled "Burn Down the Headquarters of the Capitalist Class"). Whereas POL Pot was different: he tried to hide the names of those whose arrests he had ordered as much as possible.

The smashing of YON, which was probably the first top-level interior purge, only figured in the confession of KOY Thuon.

After 17 April 1975, POL Pot announced only four victims: KOY Thuon and Ya in a meeting on 17 April 1977, and VORN Vet and CHENG Orn in a political training course in 1978. POL Pot had to know about SAO Phoem, and he announced that he had committed suicide. He stated that KOY Thuon and Ya were CIA agents, in conformity with S-21 confessions. According to POL Pot, VORN Vet and CHENG Orn were troublemakers who spread false information. He used tricks to push SEUNG Ngok Menh (ស្ទឹង ឥន្ទឫ) out of the Party ranks. This made me doubtful about the deaths of TAU Samut (តូ សាមុត) in 1962 and MA Mong (ម៉ា ម៉ុង) in 1968.

#### **E. The effect of "On the Correct Handling of Contradictions among the People" on POL Pot.**

POL Pot, in a statement given on the occasion of a memorial service for Mao, highly praised both Mao himself and his writings, including "On the Correct Handling of Contradictions among the People," making it clear that he was a follower of this theory. In fact he used the theory as a curtain to hide Mao's, and especially his own, crimes.

#### **F. The spirit of "mastery and self-reliance"**

POL Pot and NUON Chea, and especially SON Sen and POL Pot continuously preached about the spirit of "mastery and self-reliance" which means the mastery over oneself and the nation... This notion was embedded in the mindset of people inside the Party to a certain degree.

In 1978, at the Beijing National Institute of Foreign Languages, MINH Yong Chang, the Chinese professor, who specializes in Khmer language, honestly challenged my opinion as he evidentially saw CHHANG Chhun Chheav covertly stayed in Cambodia after 17 April 1975.

YON YAT (SON Sen's wife) admitted the secret presence of Chang who was the Chairman of the Committee for Communication with Foreign Communist Party.

### **IV The decision of 30 March 1976**

It is an historical document which was, in its nature, aimed to separate the regimes. The wordings in the decision were those of POL Pot's.

### 1. Before 30 March 1976

POL Pot abolished the oppressor class, private ownership, and people of the former regime, religion and administration of education.

- There are some points about the administration of education which need a clarification.
- All former regime's education staff were finally kept to do farming so that they could become rice farmers. This was a measure to prevent revisionism.
- POL Pot focused on building the movement of the children of the Lower middle-class farmers who he believed would be grateful to him.

### 2. In light of the decision of 30 March 1976,

he made another step forward:

1. Cambodia was the country that had the merely symbolic People's Representative Assembly. "All representatives continued to be with the people."
2. POL Pot's Cambodia completely eradicated the trade of the country. He said that "his main plea (implementing the pricing table) was attempted to have the pricing table exchanged between states. ... but not for the purpose of bringing up a private ownership."
3. The "Great Leap Forward" flag was merely a means to promote favorite cadres. HOU Nim, in his confession, clearly indicated that he admitted his mistake. He described rice farming in the Norwest Zone. He was convinced by the Party to return to the correct path by appraising the patriotism of the Kampong Tralach rice farmers (a district). POL Pot promoted VEAN Em alias Sarun, who was the Secretary of Zone 31 and the annual assistant to the Central Committee, to the full member of this committee without having to wait until the commencement of the next General Congress.
4. The demolishing of the Ongko church (Catholic Church) revealed POL Pot's non-frontier boast. It was at great expense for him to make war against an abstract object with the sole purpose of bragging among his combatants about his being the best person.

### 3. The primordial importance of this decision

This decision was not meant to encourage the economic growth of the country but to make the Party, military and people clean based on the *Tradevech* [គ្រោះថ្នាក់] perception (Paranoia).

The first Section covered the core essence of the whole decision.

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It is true as he stated at the end of Section 12 that "Government tasks were managed by the three Deputy Prime Ministers." However, VORN Veth was appointed to merely and closely follow up the tasks.

The first Section was the most important part as it focused on the right to smash. It is, therefore, necessary to clarify that the term "smash" means arrest, detention (for being interrogated) and execution at last.

#### 4. After 30 March 1976

Internal purge was the key focus.

This was carried out successively from the North Zone, then to the West Zone, later on to the Northwest and followed by the East.

Ta Mok, the third-under secretary and the secretary of the Southwest Zone, was further appointed to the Secretary of the West Zone, the Northwest Zone and Zone 801. NUON Chea, the first under-secretary, was also promoted to the Secretary of the East and the Northeast Zone.

By the end of 1978 the final internal purge movement in the East Zone confronted with the absolute resistance of armed people and the military units. This happened coincidentally with the interference of the Vietnamese troops.

The death toll from 30 March 1976 at the S-21 in particular was considerably stunning let alone the nationwide death.

The world has strongly condemned the crimes committed by Khmer Rouge under its regime which is also known as the "terror regime" of Cambodia.

- What is the characteristic of this terror regime?
- The main cause of these heinous crimes was the measure to prevent revisionism.

After POL Pot's death, Henry KISSINGER, the former US Secretary of State, expressed his consent to this idea based on KHIEU Samphan's thesis.

Khmer Rouge's wording indicated the committed in its meaning. They normally like to say that "We have to be very determined to protect and preserve the victorious achievement of our revolution for the next generation."

Did Khmer Rouge truly prevent revisionism?

Or in other word: Did they consider Communism as their objective?



In 1983 NUON Chea made a declaration in Samlot in a political session that "Neither socialism nor communism is the main objective for our resistance. It is merely a means to achieve our patriotic cause."

Were the leaders truly patriotic?  
Combatants were truly patriotic.

Khmer Rouge internal conflict continued until Ta Mok was arrested (on 6 March 1979). It was said that after 7 January 1979 Ta Mok's men killed people, who were in the central Party, and who were not their associates by overtly accusing them of being traitors or cunningly implicating them.

SON Sen, his family and his associates were victims of the inclusive decision made by POL Pot himself or with the cunning helpful hand of Ta Mok (?).

Ta Mok and POL Pot used this patriotism as their means, too.

POL Pot used the at-will theory to create his dynasty atop of Ta Mok's forces.

On the contrary Ta Mok tried to create his dynasty atop of POL Pot's loyalists. It reflects in his mockery statement that "Atop of Ta Mok is a hat and on top of the hat is the sky."

## **5. Now, let's talk about S-21**

I was appointed the chief of S-21 on March 1976. On 30 March POL Pot made an historical decision which alienated the regimes. The authority to smash, which would be used as the official guideline, was written.

Ever since that date that the internal purge operation was undertaken from small scale maneuver to momentarily the larger and more terrifying ones.

The internal purge of the first network started with the arrest of YIM Sambath (4 April 1976), the person carried the grenade attack to the West near the brick wall of the Royal Palace. After some arrests of some cadres of Division 170, POL Pot and SON Sen arrested CHAN Chakrey, a highly dangerous suspect, who was earlier removed from the unit and symbolically put to work as an assistant at the General Headquarter to closely keep good track of what happened there.

The internal purge of the second network started with the arrest of KOY Thuon on 25 January 1977. On 31 January, cadres of the Northern Zone were arrested *en masse*. These arrested were made in light of the first complete confession of KOY Thuon on 29 January.

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I was terrified since I had never seen such thing. The lives of the combatants who fought for their people and nation were ended finally and mournfully at S-21 as traitors. *Oh, the Northern combatants!*

These arrests went on and on uncontrollably. I was then very conscious of the risk of my life and well-being after the arrests of NGET You, alias Hong, who was arrested on 13 March 1978, then VORN Veth (2 November 1978) and CHHAY Kimhor, my trainer. NOUN Chea's order of 2 or 3 January 1979 to take all the S-21's prisoners to Cheung Ek completely made me so despairing that I could not concentrate on my work any longer.

I had very strong sentiment towards the victims; I had been sympathetic for them. Because of this and based on the role and core task of managing the confessions, I did not go to see the people who were detained and I did not interrogated any of them except KOY Thuon. I was not involved in the killing of people. Regarding a special victim, VORN Veth, I bowed my head down and sincerely expressed my apologies to his dead soul. However, I can never forget all the confessions at S-21 and other crimes including the illegal arrests, inhumane detention conditions, heinous tortures, illegal and inhumane killings of people without trials etc. These memories have mentally hurt me all the time.

I am totally liable for the crimes that were committed at S-21.

08 May 2008

KAING GUEK EAV, alias DUCH

Lawyer

08 May 2008

KAR SAVUTH