

THOI

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

PLACE Quang Ngai City RVN	DATE 24 Dec 69	TIME 1500 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME FEIER, Andre C R	SOCIAL SECURITY ACCOUNT NO.		GRADE CW4
ORGANIZATION OR ADDRESS Det A, 8th MP Gp (CI) APO San Francisco 96243			

SWORN STATEMENT

I, ANDRE C R FEIER, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 24 December 1969, Mr Phan THOI was interviewed by me in the presence of 1LT John C WOOD, SSN: , HQ MACV, APO San Francisco 96222, acting as an interpreter. This interview was started at 0800 hours and was completed at 1030 hours. THOI at present is a detainee at the Province Interrogation Center at Quang Ngai, which is operated by the Vietnamese National Police. THOI is above average intelligence and was very cooperative. It was disclosed that sometime in 1965 THOI was forced by the VC to teach children to read and write. THOI lives in My Lai. This hamlet according to THOI was located about 3 Kilometers from the My Lai(4) we know. (Tu Cung, Thuan Yen All through the interview THOI referred to the incident at My Lai(4) as having occurred in Tu Cung. My Lai, THOI's residence is according to him about 250 meters from the ocean and subsequently his residence should be at My Lai(1) according to Army Map Vietnam 1:50 000, Sheet 6739 11. THOI stated that the Government of Vietnam calls My Lai(4) Tu Cung. The people living in My Lai(4) call it Xom Lang. The VC name for Xom Lang according to THOI is Thuan Yen. At the time that THOI was teaching in My Lai, the area was under complete control of the VC. THOI defected to the side of the Government of Vietnam on 21 November 1969, because he had seen some propaganda leaflets, promising better treatment and a happier life. THOI has been under VC control from 1965 till 1969. THOI's wife and 6 children had left VC territory a year earlier in 1968. At present they are living at the refugee camp at Truong An, Son My Village, Son Tinh District, Quang Ngai Province. In about a month after having been in a rehabilitation center THOI will be released by the Government of Vietnam. Personal Data of THOI is as follows:

NAME: Phan THOI

ID#: None

ADDRESS: My Lai(1) Son My Village, Son Tinh District, Quang Ngai Province, RVN.
(Upon release THOI intends to reside at the refugee camp at Truong An)

DOB: 1925

POB: My Lai(1) Son My Village, Son Tinh District, Quang Ngai Province, RVN.

SEX: Male

EDUCATION: Equivalent of highschool.

MARITAL STATUS: Married

OCCUPATION: Farmer and Teacher.

Questioning of THOI revealed that he had only heard about the incident at My Lai(4) (Tu Cung-Thuan Yen) THOI did not witness it. THOI related that he had heard that the incident had occurred in March 68. THOI was not able to say how many people had been living in My Lai(4) prior to the incident in March 1968. Prior to the incident THOI had been in My Lai(4) maybe once or twice a month. He went there to visit some of his relatives. These relatives however had left My Lai(4) for Saigon about a year prior to the incident. THOI however periodically went to My Lai(4) to help with the harvest of the rice. THOI's wife had some relatives in My Lai(4) and THOI on occasions visited them.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF ANDRE C R FEHER, TAKEN AT QUANG NGAI CITY, DATED 24 DECEMBER, (CONT'D)

These relatives consisted of one family. Father, mother daughter and son. THOI only knew the name of the mother as being Mrs PHO. He did not remember the name of the father and the daughter. The name of the son was SAU and he was 35 years old. The mother Mrs PHO was 52, the daughter 17 and the father 60. Mrs PHO and her daughter allegedly were killed during the incident at My Lai(4) in March 68. THOI does not know any particulars about it. He does not know where the mother and daughter are buried. The father and the son SAU are presently in Saigon, but THOI does not know their address. On the prepared blank sketch THOI was able to locate the residence of Mrs PHO. He also indicated on the sketch the residences of Do CHUC and Do HOAI. In addition when shown photographs of Do CHUC and Do HOAI, THOI was able to identify them. Upon closer questioning it was disclosed that during March 68 there was another old trail entering My Lai(4) from the South. This trail is located about 500 meter further east on the road that runs from Son My Village to the Sea from the "trail" where CALLEY and MEADLO allegedly shot several civilians. This old trail is only 200 meters away from the "trail" where one of the incidents in My Lai(4) occurred when it enters the hamlet. THOI entered the old trail on the sketch. He further stated that the "trail" on which MEADLO and CALLEY allegedly shot the civilians, after entering the hamlet became winding, small and went through various living areas, THOI further stated that one of his relatives which now lives in Saigon prior to his departure lived close to Do CHUC's residence. THOI also entered this residence on the sketch. THOI's relative was named Mr PHU. THOI several times repeated that he had not been present during the incident in My Lai(4) in March 68. He did not go there to bury any bodies. From the VC propaganda machine he heard that 502 civilians had been killed during the operation in My Lai(4). He also heard that 3 months after the incident the VC got together with the survivors and some type of memorial service was held at My Lai(4). THOI never seen any photographs taken by the VC depicting the alleged atrocities. As far as THOI knew there was nobody in that area that had a camera. THOI did not hear that the civilians had been gathered together and then shot. THOI when questioned if any dead certificates were issued for any victims of the war, THOI stated that he had not heard of this practice in his area. Sometimes according to THOI, the VC would visit the relatives of victims of the war. THOI was not certain but stated that in his 4 years with the VC he had never heard of the practice of issuing dead certificates. In general victims of the war in Vietnam according to THOI are never burned. At least not in the area where THOI was. The dead are buried in wooden caskets. THOI had no knowledge if there were any North Vietnamese troops, VC guerillas or elements of the 48th VC Bn present during the incident in March 68 in My Lai(4). He also does not know if there was a fire fight between the opposing forces. According to VC propaganda however there was no resistance in My Lai(4) during the incident in March 68. Shown the color photographs and the black and white photographs, THOI was not able to identify anybody. He was also not able to identify any of the trails shown on some of the photographs. THOI was not able to furnish any more information and the interview was terminated.

XXXXXXXXXXXXXXXXXXXX End of Statement XXXXXXXXXXXXXXX

André C. R. Feher

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AFFIDAVIT

1. ANDRE C R FEHER

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD; WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Fredric C. O'Leary
(Signature of Person Making Statement)Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of December, 1969
at Quang Ngai City RVN*James P. McLellan*
(Signature of Person Administering Oath)

KENNETH P MCLELLAN, Crim Inves

(Typed Name of Person Administering Oath)

Art 136(b),4, UCMJ 1968

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT
BS

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Mỹ Lai Hamlet

Ap My Lai (4)

PHAN THOI

