



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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the
Courts of Cambodia

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

ឯកសារទទួល	
DOCUMENT RECEIVED/DOCUMENT REÇU	
ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/date de reception):	
04 / 11 / 2011	
ម៉ោង (Time/Heure) : 14:10	
មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé	
du dossier: Ratanak	

កំណត់ហេតុនៃការស្តាប់បម្លើយសាក្សី
Written Record of Witness Interview

On the eighteenth of December two thousand and nine, at 9.3 a.m. in the office of Victims Unit of the Extraordinary Chambers in the Courts of Cambodia in Phnom Penh capital,

I, Thomas Khuelnel, Investigator of the Office of the Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia (the "ECCC"), being assigned by the Rogatory Letter of the Co-Investigating Judges, dated 8 July 2009,

Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004,

Noting Rules 24, 28 and 60 of the ECCC Internal Rules,

With NIL Samorn (នីល សាម៉ុន), as sworn Interpreter of Extraordinary Chambers,

Recorded the statements of SÂKIM Lmut (ស៊ីម ល្អិត), a witness, who provided the following information regarding his personal identity:

Original KH: 00418539-00418551
អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១
ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។
Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh
Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.
Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

The undersigned SÂKIM Lmut, alias: Mey (មី), born in 1931 in Chhouk (ឈ្លូក) district, Kampot (កំពត) province. He is of Cambodian nationality. He is an advisor to a micro financial institution in Phnom Penh. His father, RATH Sâkim (រ៉ាត ស៊ីម), is deceased, and his mother, NHOK Sakun (ញ៉ុក ស៊ុន), is deceased. His present address: St. 244, #42BEO, Sangkat Phsar Doeum Kor (សង្កាត់ផ្សារដើមគរ), Khan Tuol Kork, Phnom Penh capital. He is married to OUK Samal (អ៊ុក សាម៉ាល់) who is alive and is father of 4 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 French and English.
- Therefore, the original of this Written Record is written in the Khmer language.

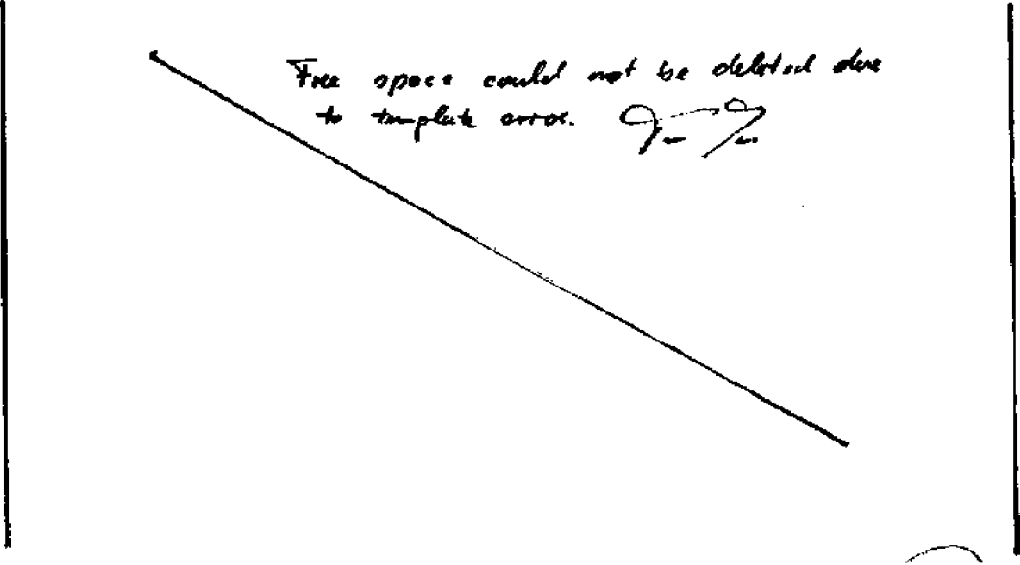
- We advised the witness that an audio or video recording was being made of this Interview.
- The witness told me that he is not related to either the Charged Persons or to any of the Civil Parties.
- The witness took an oath, in accordance with Rule 24 of the ECCC Internal Rules.
- We notified the witness of his right against self-incrimination, in accordance with Rule 28 of the ECCC Internal Rules.

Questions and answers:

Original KH: 00418539-00418551

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh
 Mail Po Box 71, Phnom Penh Tel:+855(0)23 218914 Fax: +855(0) 23 218941.
 Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Choam Chao, Dangkoa, Phnom Penh
 Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.



Q: We wish to know your jobs before 1975. Can you tell us what jobs you did?

A1: After I stopped my schooling, I worked as a professor for 3 years, and as a railway staffer for approximately 8 years, and in 1963 or 1964, I worked in the State Commercial Bank.

Q: What did you actually do while you were in the Bank?

A2: I was the chief of Loan Unit.

Q: At that time, did you work with other colleagues who, later on, became the Khmer Rouge cadres?

A3: Not all of them. Only Mr. VANN Rith (វ៉ាន់ រិត) did.

Q: Can you describe the relationship between you and Mr. VANN Rith?

A4 He used to work in the treasury and moved to work with me in the unit.

Q: Did you hold higher position than he did?

A5: Yes, I was.

Q: When did you join the revolution?

A6: Since I was still young. While I was at school, I joined the revolution but I did not undertake any activities. That was the time of the Sangkum Reastr Niyum (Sihanouk's regime) (សង្គមរាស្ត្រនិយម).

Q: When did you start helping the Revolutionary Organization in various means?

Original KH: 00418539-00418551

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១
ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១។

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh
Mail Po Box 71, Phnom Penh Tel: +855(0)23 218914 Fax: +855(0) 23 218941.
Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

A7: Maybe, I started when I was working as a railway staffer. In a meeting, money was collected and I did some small contributions.

Q: Before you worked in the State Bank in 1975, what did you?

A8: I was the chief of the Loan Unit.

Q: Our question is that while you were working, did you contribute to the Khmer Rouge movements – logistically or in any confidential means?

A9: I did not do anything, except some small financial contributions.

Q: Did you stay in Phnom Penh until the country was liberated?

A10: Yes, I did. When Phnom Penh was invaded in the morning, I was evacuated from the capital in the afternoon.

Q: Was it true that before Phnom Penh was liberated, you used to help Khmer Rouge with your financial expertise in the special zone?

A11: I did know where the Special Zone was located.

Q: Did Mr. VANN Rith was working with you from 1970 to 1975?

A12: At first, we worked together but later on VANN Rith left before 1975 as he realized that he was being hunted by Lon Nol government.

Q: Before we talk about the events from 1975 to 1979, we wish to know what you did after 1979.

A13: After the Khmer Rouge regime, how can I answer your question? After 1979, I went to the Thai border camp which was under the control of a resistance movement along Cambodian-Thai border.

Q: Did you live in the camp with IENG Sary (អៀង សារី)?

A14: Yes, I lived in the Cambodian-Thai border camp with IENG Sary.

Q: At that time, were you the chief of Thor-100 (ថ្ម-១០០) of Unit 838?

A15: No, I was not. I just worked with the Unit people. I was assigned to do various things to show the world that there were intellectual people working in the movement to attract international support.

Q: When did you escape from the resistance camp?

A16: In 1994, that is after the Paris Agreement and General Election in 1993. I left the camp alone, with only my family

Q: Now we refer to the events from 1975 to 1979. Can you tell us what happened in Phnom Penh capital?

A17: The Khmer Rouge entered Phnom Penh and came to my house and told all of us to leave in the afternoon.

Q: After you left your house, where did you go? How long did you stay there? Who asked you to come back to your house?

A18: When we left, we did individually. Two vehicles were used: my personal vehicle and that of the Bank to carry luggage and us to Kien Svay (កៀន ស្វាយ). We were told to leave for a few days and could return home. I stayed in Kien Svay for about a month and was taken back to a cooperative in the southern Phnom Penh. I did know who asked me to go to the cooperative.

Q: What make is your vehicle?

A19: It is Japan-made vehicle and the bank vehicle is Citroën DS (ស៊ីត្រូអ៊ែន).

Q: What did you do in the cooperative? What changes did you see?

A20: I was asked to do rice farming in the cooperative as I was a son of the farmers and I knew how to do rice farming.

Q: When did you stop working in the cooperative and moved to work in a unit in Phnom Penh?

A21: In January or February, while I was transporting the rice hays, I was told that I was asked by Angkar to go to Phnom Penh.

Q: Do you know the person who came to ask you?

A22: I do not know. I was asked via the chief of the cooperative, who, later, informed me. I, therefore, do not know the person from Phnom Penh.

Q: When you were brought to Phnom Penh, where were you sent to? Where did you work?

A23: At first, I was asked to stay in a kitchen nearby the Ministry of Industry. Later on, VORN Vet (វ៉ែន វ៉ែត) told me that there would be a visit by the Chinese delegate, including bankers. At the Cambodian side, people with bank expertise were needed to ease the discussions. As I was known to them that I had some bank knowledge, I was asked to be the member of commerce delegate of the Cambodian side for the meeting with the Chinese delegate.

Q: What committee did you sit on?

A24: I did not sit on any committees.

Q: Who was the industry committee chief at that time?

A25: As far as I remember it was Comrade Orn (ឃីត្ត អ៊ិន). I did not know how many people were sitting in the committee. What I knew was that he was holding the highest position in the committee. I did not see any other members as I did not hold any position.

Q: What were you asked to do?

A26: At that time, I was asked to stay at home and when the Chinese delegate arrived, I was asked to join the Cambodian delegate.

Q: Who organized the ceremony to meet the Chinese delegate?

A27: I did not know who did it but in the meeting with the Chinese delegate, it was not chaired by Mr. VORN Vet or Comrade Orn. It was chaired by another person.

Q: Was VANN Rith the chairperson of the meeting?

A28: No, he was not. The chief of the delegate during the meeting was Comrade Doeun (ខៀន). I do not know his real name as only revolutionary names were used at that time. Comrade Doeun was not known to me before.

Q: Was Doeun the only chief of the Commerce Committee or also the chief of Office 870?

A29: I just knew he was the chief of the Commerce Committee but I was not sure of if he was the chief of Office 870.

Q: You were shown a document with ERN 00019108. Doeun was listed in number 8. Is Doeun in the document the one you mentioned?

A30: I do not know and I do not dare to confirm you that Doeun was the chief of Office 870. I only knew he was the chief of the Commerce Committee and the high profile committee member. I cannot confirm if he was the chief of Office 870. Later on, Doeun was replaced by VANN Rith and I did not know where he was sent to. I do not know when he was replaced.

Q: Did IENG Sary attend the meeting with the Chinese delegate?

A31: The meeting was about the economy and it was, therefore, not attended by IENG Sary.

Q: Can you explain us about the Structure of the Ministry of Economy? There were the Commerce Committee or offices below the Ministry.

A32: With my understanding, there were no structure and nothing was done in writing. With my observation while I was working there, there was Economy Committee in the above position and below it, there were Commerce Committee

Original KH: 00418539-00418551

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh
Mail Po Box 71, Phnom Penh Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

and Industry Committee. I did not know if there were other provincial sub-committees.

Q: As we know there were many other lower committees but you told us there were only two committees. Can you tell us other committees?

A33: I do not know as I was not connected to these two committees. But if there were other committees, I am not aware of them.

Q: Who was the chief of the Ministry of Economy?

A34: I know only Mr. VORN Vet. I do not know other people.

Q: Can you recall who established the Ministry of Economy? When was it established?

A35: I do not know when it was established but the Khmer Rouge had to have the ministries for the international relations. With my estimation, the Ministry of Economy was probably established when the Khmer Rouge government was created.

Q: You will be shown a document with ERN 00019108-00019126, titled Standing Committee Meeting, dated 9 October 1975.

A36: I never see this document. The Permanent Committee was the Central Committee. I was in the very low position that time. Although I was educated, I was in the low position in the party.

Q: Please look at number 4 with ERN 00019108.

A37: I do not know who the meeting participants were as the participants were not communicated with the low profile people.

Q: Do you know what position Hem (ហែម) held in the Ministry of Industry?

A38: When I started working there, Orn (អ៊ិន) was the chief of the Ministry and I assumed that Hem was above Orn but he was not known to the public. Probably, Mr. Hem was sitting on the above Economy Committee and was in charge.

Q: Based on your answers to the question just raised, does it mean that time Hem was sitting on the Economy Committee or in the Ministry of Economy under management of VORN Vet?

A39: Yes, maybe Hem was sitting on the Economy Committee with VORN Vet or he was assigned by the upper echelon to be the chairman of the commerce unit. At first, I was not asked to do anything till the meeting with Chinese delegate was conducted. After the meeting, Chinese delegate suggested a bank be established to facilitate the imports and exports and unit was formed with its official name: Overseas Commercial Bank of Cambodia, in which I worked. The bank was not

Original KH: 00418539-00418551

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh
Mail Po Box 71, Phnom Penh Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

Chambres extraordinaires au sein des tribunaux cambodgiens, Route nationale 4, Choam Chao, Dangkoa, Phnom Penh
Boite postale 71, Phnom Penh. Tel: +855(0)23 218914 Fax: +855(0) 23 218941.

under the control of Economy Committee or Commerce Committee and I did not know who was at the upper echelon and controlled me.

Q: To whom did you report?

A40: There was communication central office and a messenger was used to bring documents to me and the messenger (aged around 12 or 13) was sent to me to collect the reports when they were completed. I did not dare to ask the messenger where he sent to reports to. The young messenger who worked with me was assigned by the upper echelon. He was not recruited by me.

Q: What do they mean by FORTRA and BORTRA?

A41: I am not sure of these abbreviations but if I assume *FORTRA* probably stands for Foreign Trade Unit and *BORTRA* for Board of Trade Council and I do not know who created these acronyms.

Q: Where was the Bank located?

A42: The bank was located in the compound of the Ministry of Commerce, currently stood by the Ministry of National Defense. Two rooms in a large building were designated for the bank.

Q: Where was the Ministry of Economy located?

A43: I do not know.

Q: Please specify that the Ministry of Commerce was the Commerce Committee. Was it under the leadership of VANN Rith (វ៉ាន់ រិត)?

A44: Yes. Below the commerce committee, there were two committees: the domestic commerce committee and overseas commerce committee. The two committees did not work in one building. The overseas commerce committee worked in the recently said building but I did not know where the domestic commerce committee worked. However, I believed this committee worked in Phnom Penh.

Q: We want you to ensure if the Overseas Commercial Bank was established based on the proposal of the Chinese delegate.

A45: It was just a proposal but we were not forced to do so.

Q: If my understanding is correct, did China provide 140 million Yuan to establish the Overseas Commercial Bank?

A46: To my understanding, you are correct but I cannot confirm the sum. But in conclusion, the bank is needed to do the overseas commerce.

Q: I wish to show a document with ERN 00278338-00278347.

- A47: I have never seen this document. This document was produced within the ministry but it was not known to me.
- Q: From our understanding, it is indicated on the first page that a copy was sent to you. Is this correct?
- A48: The document was sent to the Bank to be archived in the Bank on goods imports and exports.
- Q: Please read the handwriting on page 2. What does it mean?
- A49: That is VORN, i.e VORN Vet (វ៉ែន វ៉ែត) and another one was Hem (ហែម).
- Q: Who was the signatory?
- A50: I do not know. This document listed the goods purchased and sold in China. When the goods were exported or imported, they were listed. When we purchased the goods, we did on credit and it was the same when our goods were sold. The role of the bank was only to keep the information, it means the bank was not involved in profits or loss. At the end of each month, a report was written and submitted to the upper echelon. This handwriting is not known to me. In this document, I am called Lmut (លុត) and it was not Rith (រិច) because this is not the signature of Rith. I do not know to whom this signature belonged.
- Q: Why did it need to send this type of report to Comrades Hem and VORN Vet?
- A51: To my assumption, they both were sitting on the Economy Committee. I am not quite sure if Hem was the Economy Committee member but his name was stated in here, implying that he had a supervisory role in the Economy Section.
- Q: Can you please tell us who is named Hem?
- A52: I am afraid I cannot as I am not quite sure of the name belonging to. During the revolutionary time, many people used their revolutionary names. Even the revolutionary names were often changed.
- Q: But at that time, how did you send the reports to VORN Vet and Hem?
- A53: At that time, there was a central communication office to which I sent the report. This office was obliged to send the report to other places which are not known to me. It was up to the Office to make its decision to further send the reports.
- Q: Do you know if other committees report directly VORN Vet or via the Commerce Committee?
- A54: I do not know what other committees did. I only knew the report from the Bank.
- Q: Did the Central Communication Office belong to the Ministry of Commerce?

A55: I am not quite sure with that. I cannot confirm it. I feel that the Central Communication Office played the facilitation role for other committees at the upper echelon.

Q: We wish to show a document with ERN 00278398.

A56: At that time, the commercial relations were done with Yugoslavia and goods were proposed to be sold to Cambodia. VANN Rith (វ៉ាន់ រិត) did not have any right to make a decision on purchase or rejection. He, therefore, needed to ask VORN Vet and Hem, the higher profile people. This signature belonged to VANN Rith. Hem ascribed and replied, “*Bong Vorn* did not accept, please look for solution to reply”. I cannot read this English writing. I have never seen this list as it was not relevant to the Bank.

Q: With this process, i.e. on purchase-sale affairs, did a decision need to be made by the upper echelon?

A57: Yes, the decision needed to be made by the upper echelon.

Q: You will be shown certain documents, which are the monthly reports in 1978 with ERN 00278285 for January Report, 00278348 for February Report, 00278289 for April Report, 00278298 for May Report, 00278300 for July-August Report and 00278316 for October Report. Please look carefully at the handwriting only. You are not required to read their contents.

A58: ERN 00278285 was the report signed by Rith and sent to *Bang Hem* and Vorn by VANN Rith. ERN 00278348 was also the report signed by VANN Rith and sent to Hem and Vorn. ERN 00278289 was also the report written by Rith and sent to Hem and Vorn. It was the same for ERN 00278298, ERN 00278300 of July-August Report and ERN 00278316 of October Report.

Q: We want to show you four other documents dated in 1978: (1) ERN 00278330 for November, (2) 00278399-00278400, (3) 00278466 and (4) 00278405.

A59: ERN 278330 was the document written by VANN Rith and only sent to Hem, not to Vorn. This document was written on 8 November 1978. It was the same for ERN 00278399-00278400, dated 12 November 1978 and 00278366, dated 4 November 1978 and 00278405, dated 26 November 1978. They all were sent to Hem alone.

Q: Can you explain why they were sent to Hem alone but not to VORN Vet?

A60: I do not know the reason. Maybe, there was a change at the upper echelon. I in the lower position did not know the reason.

Q: When VORN Vet disappeared, did anyone talk about such disappearance?

A61: No one talked about it. I just heard that he was removed. However, no one confirmed the case and Rith never told me this. At that although I was close to VANN Rith, I did not dare to ask him. At first, the documents were sent to two people but later on, to only one person. For this, I just thought he was probably removed or he was fired or I did know to where he was sent.

Q: At that time, do you know who remove VORN Vet?

A62: I do not know.

Q: Did you ever see VORN Vet again?

A63: I used to see him only before I moved to work in the Bank.

Q: In which year did you meet him?

A64: It was about in late 1976, the time I was asked to leave the cooperative and stayed at home to meet with the Chinese delegate. He came to meet me and talk about the arrival of a Chinese delegation.

Q: After 1979, do you know if he is deceased?

A65: I do not know after 1979. In 1979, when the Vietnamese soldiers fought and entered Phnom Penh, people left Phnom Penh and it was only rumored about his death.

Q: Do you remember that the 5th Congress of Communist Party of Kampuchea was held on 1 November 1978?

A66: I do not know that.

Q: Do know who was the chief of Commerce Committee after VORN Vet disappeared?

A67: I am not quite sure who it was.

Q: At that time, did you know the roles and title of Hem?

A68: Since the revolutionary name was often changed, I did not know who Hem was but in the international arena, the government of the Democratic Kampuchea publicized certain ministers such as KHIEU Samphan, IENG Sary and so on. I did not know who replaced VORN Vet for economy.

Q: Based on our document, we wish you to confirm that Hem was the revolutionary name of KHIEU Saphan?

A69: Yes, we can say so.

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.

End of the interview: 14.25 p.m. on the same date.

Witness

Interpreter

Investigator

[Thumbprint]

[Signature]

[Signature]