



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
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

បានថតចម្លងត្រឹមត្រូវតាមច្បាប់ដើម
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ថ្ងៃទី(On/Le)...19...ខែ(Month/Mois)...12...
ឆ្នាំ (Year/Année)...2007.....
ក្រឡាបញ្ជី/ Greffier CHEA Kosal.....

កំណត់ហេតុនៃការសួរចម្លើយ
Written Record of Interview of Charged Person
Procès-verbal d'interrogatoire

ORIGINAL DOCUMENT
RECEIVED ON 19-12-2007
AT 15h30 BY CHEA Kosal
Sl. Rosy ACTING CASE FILE OFFICER

The fourteenth of December, two thousand and seven, at nine fifteen a.m.

We, You Bunleng ឃុំ ប៊ុនឡេង and Marcel Lemonde, Co-Investigating Judges of the Extraordinary Chambers, with Mr. Ham Hel ហេម ហែល and Mr. Ly Chantola លី ច័ន្ទតុណា as Greffiers

Noting the Law on the establishment of the Extraordinary Chambers, dated 27 October 2004
Noting Rule 58 of the Internal Rules of the Extraordinary Chambers

With OUCH Channora អ៊ូច ចាន់ណូរ៉ា and TANHEANG Davann តាន់ហេង ដាវ៉ាន់, sworn interpreters of the Extraordinary Chambers

The Charged Person identified below has appeared before us:

KHIEU Samphan ខៀវ សំផន alias **Hem ហែម**, male, born on 27 July 1931, at Commune of Rom Chek រំចេក, District of Rom Duol រំដួល, Province of Svay Rieng ស្វាយរៀង, Cambodia កម្ពុជា
Nationality: Cambodian

Charged with **Crimes against humanity and Grave Breaches of the Geneva Conventions of 12 August 1949**, offences defined and punishable under Articles 5, 6, 29 (New) and 39 (New) of the Law on the establishment of the Extraordinary Chambers, dated 27 October 2004.

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

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The original of this record is written in the Khmer language.

The Co-Prosecutors of the Extraordinary Chambers, Mr. Robert Petit and Mrs. Chea Leang ជាណាង were duly notified of this interview by Notification Letter dated 05 December 2007:

- Mrs. Chea Leang ជាណាង Co-Prosecutor, is present
- Mr. Robert Petit is represented by Mr. Stuart Ford, Assistant Co-Prosecutor.

SAY Bory សាវ័រ and Jacques VERGES, Co-Lawyers for the Charged Person, who were duly notified of this interview by Summons dated 05 and 07 December 2007, and have been able to examine the case file since that time, are both present.

INTERVIEW

Questions and answers

Question by the Co-Investigating Judge You Bunleng

Earlier, you said that Soeu Vasy សៀវាស៊ី alias Doeun ឡឿន was the Chairman of Office 870. How long did he fulfil this function and who was his successor?

Answer

He was appointed when Pol Pot ប៉ុល ពត established his office on the Tonle Bassac riverfront after leaving the Silver Pagoda, around June 1975. He was arrested in 1977, but I only discovered that fact after the fall of the Khmer Rouge, that is, after 1979. I was not surprised by his absence because as I have said, each of us had to concentrate on his or her own tasks. He travelled quite a lot, Doeun ឡឿន. No one knew where he was except the members of the standing committee.

Even though my wife was in charge of the kitchens at K3 ក៣ office, (one section of office K1 ក១, behind the Royal Palace), she did not know about this.

Regarding the replacement of Doeun ឡឿន. I can only make a presumption: it might be Chhim Sam Aok ឈឹម សំអោក alias Pâng ប៉ង់ who was appointed as his successor. Pâng ប៉ង់ was close to Pol Pot ប៉ុល ពត, since he was working together with Pol Pot ប៉ុល ពត in Office 100. He was a member of the central committee. He also worked very closely with Doeun ឡឿន.

Question by the Co-Investigating Judge You Bunleng

Could you describe the structure and composition of Office (muntichhri) 870?

Answer

It was one office of the standing committee. It had only two members, Doeunhien and me. Doeunhien was the Chairman, assisted by colleagues such as Pângbô and he was in charge of political affairs. As for me, as I mentioned earlier, I was in charge of preparing the price list for the cooperatives and the distribution of goods to the zones under direction from the standing committee and I also had to maintain relations with King Norodom Sihanouk នរោត្តមសីហានុ.

Question by the Co-Investigating Judge Marcel Lemonde

Could you describe the difference between “Office” 870 (muntichhri) and “Working Group” 870, Committee 870, Organisation 870 and Office S71?

Answer:

Organisation 870 and Committee 870 referred to the party, which means Pol Pot ប៉ុល ពត. Pol Pot ប៉ុល ពត signed documents by writing 870 or 87. As for “Working Group” 870, it was one of the sections of Office 870 and Office S71. I do not know much about that, but what I learned from my reading afterwards it was a section of Office 870 at Boeung Tra Bèk បឹងត្របែក area. It had a role to organize the living conditions of those intellectuals returning from abroad and it was under the control of Ieng Sary ឿងសារី.

Question by the Co-Prosecutor Chea Leang

What is the difference between the term Bureau 870 (Karyalaiការិយាល័យ) and Office 870 (muntichhri)?

Answer:

At that time the term used in the party was office (muntichhri) and no one thought about translation into a foreign language. Later researchers used the term bureau (Karyalaiការិយាល័យ) which is the same meaning as muntichhri – as office.

Question by the Co-Prosecutor Chea Leang

The minutes of the standing committee meeting dated 9 October 1975 (number ERN0000653 and 0000654) mention “Doeunឡឿន, Chairman of Office 870” (muntichឡឿន), “Yemយ៉ែម, Bureau 870”, “Pangប៉ង, government office”. This seems to indicate that it was not a problem of translation.

Answer:

I would like to inform you that I do not know the details of those meetings but I knew that Yemយ៉ែម was the secretary of Kratieក្រចេះ Zone and later he was appointed as Ambassador but I did not know to which country he was assigned. It may have been North Korea. I must say that I don't understand the meaning of the references you referred to.

Question by the Co-Investigating Judge Marcel Lemonde

What does the reference to K1ក១ and K3ក៣ mean?

Answer:

It refers to the place of living or place of work of the standing committee members. K1ក១ was on the Tonle Bassacទន្លេលាបាសាក់ riverfront (south of the national theatre building). K3ក៣ office was located just behind the Royal Palace. It can be identified as a group of houses which were delineated by Pasteurប៉ាស្ទ័រ Street and Kampuchea Kromកម្ពុជាឆ្នេរ Street, Dr. Han's Street and another parallel road.

As for myself I lived in K3ក៣ after I had stayed at K1ក១ for two or three months, after we moved from the Silver Pagoda in the Royal Palace.

In fact, most of the leaders lived in K3ក៣, Ieng Saryអៀងសារី, Son Senសុនសែន, Nuon Cheaឡនជា. As for Pol Potប៉ុលពត, once in awhile he stayed in K3ក៣, because he had to be careful and cautious all the time. It was not uncommon for him to change his house from one place to another. He also lived in K1ក១.

The meetings of the standing committee were often held at K1ក១ office but sometimes at K3ក៣ office, Pol Pot's ប៉ុលពត house, and it could be held in the kitchen.

Question by the Co-Prosecutor Chea Leang:

Who was the one who convened the meetings of the standing committee?

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

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Answer:

The decision was by Pol Potប៉ុលពត but the convening invitation was prepared by Doeunឌៀន.

Question by the Co-Investigating Judge You Bunleng

What were the other functions of Office 870 beside the functions you have described?

Answer:

At first this office was not so important, but at a later stage it gained in importance, because it was tasked to monitor suspected members of the party for the standing committee. I learned this after the revolution collapsed, when I reached Pailinប៉ៃលិន.

Question by Co-Investigating Judge Marcel Lemonde

How could you prepare lists of prices of goods when there was no money?

Answer:

It was true that I could not do my designated job at that time, and in reality I was in charge of distributing the goods and maintaining relations with Prince Sihanoukសីហនុ. I would like to add that there might have been exchanges of goods between cooperatives, so the price could have been fixed, but in the practical terms it was something that was never implemented.

Question by the Co-Investigating Judge Marcel Lemonde

What was the relation between your role in Office 870 and your role as President of the State Presidium?

Answer:

There was no connection between my two roles. As I have already clarified earlier, my title as President of the State Presidium was only symbolic. I did not have any specific tasks to fulfil. My only official role was to deliver speeches during formal ceremonies, receive and accredit ambassadors to Democratic Kampuchea. In reality the content of the speeches I made was dictated by Pol Potប៉ុលពត himself.

Question by the Co-Investigating Judge Marcel Lemonde

Did you agree with the content of those speeches you made? And if you disagreed with the content could you give us an example of such disagreement?

Answer:

Generally I agreed with the content because there was an ultimatum imposed by Vietnam in May 1976 (I recall that I was appointed President of the State Presidium in April 1976). But on certain points I disagreed with what was said in the speeches, for instance for the elimination of the currency which resulted in the absence of small industry or handicraft developments. I tried to let Pol Pot ប៉ុល ពត know about my disagreements on these points. Pol Pot ប៉ុល ពត responded that he was the politician while I was only a technician. However, I could not make my disagreement public because we did not want to reveal to the public that there were disagreements within the party itself. What is more, I would not have survived if I dared to reveal any disagreement or objection to anything. The obvious example of that was the case of Hou Nim ហ៊ុន នឹម and Hou Yun ហ៊ុន យ៉ុង.

I would like to add something. His Honour the Co-Investigating Judge said that my speeches were very important, but in fact at that time those speeches were not very important because the important statements were from Pol Pot ប៉ុល ពត and Nuon Chea ណួន ចា ជា when they were declaring the opening of education sessions. They were not the speeches I made on radio. My role was just protocol. Everyone knew that Pol Pot ប៉ុល ពត considered me as "a son of the ruined feudal class" or a "patriotic intellectual" who had no influence at all.

Question by the Co-Investigating Judge You Bunleng

How many times did you deliver speeches in Cambodia and in different countries?

Answer:

I do not remember the exact number of times of making speeches. I can say that 3 or 4 times I delivered speeches during the 17 April victory anniversary and as many for the Khmer New Year celebration. Regarding travel to foreign countries, I took the Cambodian delegates to the meeting of the non aligned countries meeting in Colombo, in 1976, I believe, and I paid visits to Yugoslavia two times. I also visited Africa and Peking but that was before 17 April 1975.

The original of the audio-visual recording was sealed before the Charged Person and his lawyers and was signed by us, the Greffiers, the Charged Person, and his lawyers.

One original of the audio-visual recording was provided to the Charged Person.

At 11:45 a.m., we had the Greffier read aloud this Written Record of Interview of Charged Person as recorded.

After having been read aloud and heard, the Charged Person had no objections and agreed to sign.

Charged Person	Lawyers for Charged Person	Co-Prosecutors	Interpreters	Greffiers	Co-Investigating Judges
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