

**BEFORE THE OFFICE OF THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

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I. CASE OVERVIEW

1. In February 1977, **Ao An** became the Secretary of Democratic Kampuchea's Sector 41 as part of a plan to purge suspected enemies in that sector. **Ao An** immediately began using the powers and resources of his new position to implement a campaign of identifying, arresting, detaining, and killing men, women, and children in Sector 41 who were suspected of disloyalty to the Khmer Rouge regime. (This campaign is referred to hereinafter as the "purge".) **Ao An's** purge began with CPK cadres who had previously worked under the leadership of former (Old North) Zone Secretary Koy Thuon, but it rapidly progressed to include ordinary civilians living in the villages and cooperatives throughout Sector 41. While anyone perceived as disloyal to the DK regime could become a victim of the purge, certain groups were particularly targeted, including "17 April people" and those associated with the Lon Nol regime. As the purge progressed, the entire population of Cham Muslims in Sector 41 was eventually designated as enemies, and **Ao An** implemented a plan to annihilate the Cham population in Sector 41 as part of an effort to destroy the Cham as a distinct ethnic and religious group in Democratic Kampuchea. Thousands of Cham were killed pursuant to **Ao An's** orders.
2. In addition to the purge, **Ao An** also oversaw the use of forced labour in inhumane conditions at construction sites (including the Anlong Chrey Dam worksite) and implemented the CPK policy of forcing DK citizens to marry against their will in order to increase the country's population.
3. In carrying out the purge, in managing the forced labour sites, and in forcing civilians and cadres to marry against their will, **Ao An** operated in cooperation with his superior, Central Zone Secretary Ke Pauk, and his subordinates throughout the sector.
4. Because of his acts and omissions while serving as the Secretary of Sector 41, **Ao An** is responsible for the crime of genocide; the crimes against humanity of extermination, murder, torture, imprisonment, enslavement, other inhumane acts, and persecution on political and religious grounds.

II. AO AN'S ACTS, CONDUCT, ROLE, AND RESPONSIBILITY

1. AO AN'S PERSONAL BACKGROUND AND PRE-1975 ROLE

5. **Ao An** was born as Aom Yoeung in either 1933 or 1936 in Taing Svay Village, Peam Commune, Kampong Tralach District, Kampong Chhnang Province.¹ He was ordained and served as a Buddhist monk from approximately 1954 until 1960.² He left the monkhood due to illness in 1960.³ He later worked as a rice farmer in his birth village.⁴
6. **Ao An** claimed to DC-Cam that he joined the Khmer Rouge movement following Lon Nol's coup against Prince Sihanouk on 18 March 1970.⁵ In the same interview, **Ao An** claimed that he was initially assigned to a 12-member propaganda group,⁶ but that in 1971, Ta Mok appointed him as secretary of Kandal Stung District to the south of Phnom Penh.⁷ **Ao An** further claimed that shortly thereafter, he became the commander of Division 11 of the Khmer Rouge military.⁸ At the time of his appointment, Division 11 was part of the Southwest Zone, but it was later made part of the Special Zone.⁹ **Ao An** remained with Division 11 in Kandal Stung until the final Khmer Rouge assault on Phnom Penh.¹⁰

2. AO AN'S ROLE FROM 17 APRIL 1975 UNTIL TRANSFER TO THE CENTRAL ZONE

7. **Ao An** and Division 11 participated in the attack on Phnom Penh on 17 April 1975, advancing up National Road 3 through Chaom Chao *en route* to the city.¹¹ Less than a month after the capture of Phnom Penh, **Ao An** was summoned to a meeting with Son Sen at which he was appointed as a member of the committee for Sector 25 in the Southwest Zone.¹² He was simultaneously made secretary of Sa'ang District.¹³
8. In early 1976, Ta Mok transferred **Ao An** to Sector 35 (Kampot), where he served on the Sector Committee.¹⁴ He was also responsible for the districts of Srae Khnong, Chhouk, and Kao Sla.¹⁵ In Sector 35, **Ao An** supervised work on various dam construction sites pursuant to plans given by and under the authority of Ta Mok.¹⁶

3. TRANSFER TO THE CENTRAL ZONE

9. Sometime between late January and late February 1977,¹⁷ a group of approximately 100 to 300 Southwest Zone cadres including **Ao An** was transferred from the Southwest Zone to the Central (Old North)¹⁸ Zone (hereafter “Central Zone”).¹⁹ Members of the group knew each other well, having worked together closely in the Southwest Zone.²⁰ Southwest Zone Secretary Ta Mok personally notified some of the cadres of their impending transfer,²¹ and Central Zone Secretary Ke Pauk was informed of their imminent arrival by a “letter of mission”.²²
10. They traveled *via* Phnom Penh, where they stopped for one or two days, visiting the Central Zone office there²³ and staying in group accommodation provided by the Party Centre.²⁴ The group was escorted to Phnom Penh by Ta Mok,²⁵ and was then met there by Ke Pauk, who personally led the group on to the Central Zone.²⁶
11. Before and during this journey, it was made clear to the group of Southwest Zone cadres that the reason for their transfer was the Party Centre’s claim that the Central Zone cadres had become “traitors.” **Ao An** has stated that Ta Mok personally told him that the reason for his transfer to the Central Zone was that “all the leaders there had become traitors”²⁷ and Chom Vong recalled a large pre-departure meeting at which it was explained to the group that “over there in the Central Zone [...] there really was a lot of treason, from the higher levels down to the lower levels, so it was necessary to take forces and go make things shipshape.”²⁸ Similarly, when the group arrived in Phnom Penh, Pech Chim was told by Ke Pauk that the reason for the group’s transfer “was because there was the internal betrayal within the Central Zone”.²⁹
12. During the group’s sojourn in Phnom Penh, many of the cadres being transferred from the Central Zone—including **Ao An**—attended a meeting with Pol Pot, Ta Mok, Nuon Chea, Ke Pauk, and Son Sen.³⁰ During the meeting, Pol Pot described the Central Zone as “traitorous” and told the assembled cadres to “deal with it”.³¹
13. This evidence shows that the purge was the primary purpose of the transfer of Southwest Zone cadres to the Central Zone. As Krala Commune Secretary Pov Sarom stated, the Southwest Zone cadres “were ordered [to the Central Zone] to kill the people.”³²

14. As was the case throughout the DK, there were no courts in Sector 41, no laws were in place, and all arrests, detentions, and executions occurred without any judicial process. Those accused were not informed of the “charges”, had no right to counsel, and were afforded no trial. All detentions and executions were extrajudicial.

4. AO AN'S CONDUCT OF THE PURGE IN THE CENTRAL ZONE

ARRIVAL AND APPOINTMENT

15. When the group of Southwest Zone cadres arrived in the Central Zone, their first stop was Ke Pauk's Zone Office in Kampong Cham town.³³ There, they had a two or three-day meeting during which Ke Pauk appointed **Ao An** as Secretary of Sector 41 and also appointed the secretaries of Sectors 42 and 43.³⁴ **Ao An** also became the Deputy Secretary of the Central Zone, a position that required him to act in Ke Pauk's place when Ke Pauk was absent.³⁵ He became a member of the Central Zone Committee as well.³⁶
16. Following the meeting in Kampong Cham town, **Ao An** and other cadres were transported to the Sector 41 Office in Prey Toteung by trucks belonging to the zone.³⁷ There, **Ao An** began exercising his authority as Sector Secretary by appointing the five district secretaries in Sector 41 who served as his direct subordinates.³⁸

THE “SOUNDLESS WAR” AGAINST TRAITORS

17. **Ao An** wasted no time in getting to work on the job he had been assigned to do: arresting and killing those designated by the DK regime as enemies. In March 1977,³⁹ he presided over a meeting of sector-level cadres at Wat Ta Meak at which he announced that he was the new secretary of Sector 41 and then denounced the incumbent Central Zone cadres as traitors, saying that “those who fought against Lon Nol now ride Lon Nol's horse.”⁴⁰ He next explained how these “traitors” would be purged, saying, “From now on, more people will die by a soundless war than those who were killed by the B-52s.”⁴¹ **Ao An** repeated similar threats on other occasions, describing the CPK's enemies as “cars whose old tires had to be removed and cut up to make shoes”—meaning that they had to be killed.⁴²
18. **Ao An's** statements to his subordinates at this meeting echoed the instructions he received from Ke Pauk. At meetings in Kampong Cham attended by **Ao An** and other high-level

cadres from the sectors of the Central Zone,⁴³ Ke Pauk said that there were orders from the upper echelon to carry out purges, stressing that the cadres “had to do whatever could be done to arrest all the enemies” and that “when digging up the grass,” the cadres should “dig it up the roots and all.”⁴⁴ In addition to these general exhortations, **Ao An** also received specific, written orders from Ke Pauk to kill people.⁴⁵ **Ao An** himself admits that he received orders from Ke Pauk to kill people and that he later told Ke Pauk that he had followed those orders—though he claims that he in fact hid and protected those he was supposed to kill.⁴⁶

THE BEGINNING OF THE PURGE AGAINST CADRES

19. The purge ordered by Ke Pauk and **Ao An** very quickly began to take shape.⁴⁷ About a month after their arrival in the Southwest Zone, **Ao An** ordered Kampong Siem District Secretary Prak Yut to “collect” all the commune chiefs (who were still the “old” Central Zone cadres⁴⁸) in her district to be re-educated at the sector level.⁴⁹ Prak Yut called a meeting of all of the incumbent commune and village chiefs in her district and informed them that they would be replaced.⁵⁰ According to Prak Yut, following this meeting, “Grandfather An led their arrest and organized their replacement with the Southwest cadres.”⁵¹ The cadres were arrested and briefly detained at the Kampong Siem District Security Office, then sent on to the sector security office.⁵² This process was not unique to Kampong Siem District; the replacement of the old commune chiefs followed the same pattern in the rest of Sector 41.⁵³
20. Prak Yut’s evidence on this point is corroborated by at least five witnesses. Penh Va stated, “[A]ll the commune chiefs of Sector 41 were arrested. They were arrested one after another. Starting from March 1977, two or three of them disappeared every week. My commune chief and my deputy disappeared one after another. All the cooperative chiefs of Sector 41 disappeared.”⁵⁴ So Saren confirmed that it was Prak Yut who replaced the secretary of Ou Svay Commune in Kampong Siem District⁵⁵ and Nhim Kol stated, “Cadre who served as village chairpersons upwards [...] were sent to the Sector” and described the disappearance of commune and village chairmen.⁵⁶ Pov Sarom corroborated sector-level involvement in the arrest of village chiefs.⁵⁷ You Vann also stated that a number of former commune chiefs were purged and disappeared.⁵⁸

21. Some cadres were arrested by soldiers under **Ao An**'s command at **Ao An**'s own house or at meetings he initiated. **Ao An** summoned cadres from the agriculture, industry, handicrafts, textiles, commerce, and logistics offices to his house for meetings, and ordered his soldiers to arrest the cadres upon their arrival.⁵⁹ Approximately 50 cadres in total were arrested in this manner, and those arrested were replaced with Southwest Zone cadres.⁶⁰ **Ao An** arrested district and commune-level cadres by summoning them to meetings at the sector office and then having members of his personal defence unit arrest them at gunpoint following the meeting.⁶¹
22. Some cadres were also arrested following monthly sector meetings (held at Prey Toteung)⁶² and were taken east in the direction of Kampong Cham town,⁶³ likely to be killed. As one witness explained, "At that time, when we were to be sent to the east, we all knew in advance that we would be taken to be killed."⁶⁴
23. The purge of cadres was thorough. One witness explained, "[T]hey smashed by network. All the leaders in the North Zone were taken away."⁶⁵ **Ao An**'s bodyguard Nhem Chen confirmed: "They arrested everyone as long as they were networks of [former Sector 41 Secretary] Ta Taing. [...] The slightest thing, and we were all traitors."⁶⁶ Like other aspects of the purge, this comprehensive approach was the result of orders from **Ao An**: he instructed his security offices that in carrying out the purge, they must "dig up the grass roots and all."⁶⁷ Although the identities of all the cadres taken away and killed will never be known, witnesses are able to recall and name a large number,⁶⁸ while simultaneously acknowledging that those they remember are a small fraction of the whole.⁶⁹
24. While cadres were sometimes arrested in secret, other arrests were conducted openly and brutally in the immediate vicinity of **Ao An**'s Sector Office. One worker from the Sector 41 Logistics Office⁷⁰ (which was across the street from **Ao An**'s office)⁷¹ described seeing his superiors taken outside, beaten with a chain, stripped down to their underwear, and tied up and blindfolded before being put on a truck belonging to the Sector Office and driven off in the direction of Kor Security Centre.⁷² Another witness recalled an occasion on which a vehicle driven and guarded by zone soldiers stopped in front of the Sector Logistics Office at Prey Toteung with five or six prisoners restrained in sacks on the back of the vehicle.⁷³ Another witness described a different cadre from the Sector Logistics

Office being arrested just after dinner at the Sector Commerce Office by being thrown into a sack and taken away.⁷⁴ These events took place at sector facilities near **Ao An**'s house and office.

25. Those arrested were vilified as traitors and accused of being allied with the Vietnamese or the CIA.⁷⁵

THE PURGE OF ORDINARY CIVILIANS

26. While CPK cadres were the first victims of the purge, the search for enemies extended far beyond their ranks to target ordinary civilians as well. As **Ao An**'s close protection bodyguard Nhem Chen said, "When the enemies were all arrested from the provinces and sectors, they started to search for anyone who had affiliation with the previous regime in the communes and villages."⁷⁶
27. **Ao An** instructed his subordinates to root out and kill all ordinary people suspected of disloyalty—and suspicion could arise from something as trivial as being unhappy with the terrible living conditions that prevailed under the DK regime. As Prak Yut said, "Grandfather An gave an order to me to identify those who opposed the revolution, those who wanted to topple the revolution and those who were not satisfied with their living conditions, and to arrest those people to be smashed."⁷⁷ Prak Yut implemented this order by in turn ordering her commune chiefs to "designate by level of seriousness those who strongly opposed the revolution and those who could cause great danger to the revolution."⁷⁸ Evidence shows these instructions were passed all the way down the ranks to the village level.⁷⁹ The commune chiefs then arrested these "no-good elements" to be detained or smashed,⁸⁰ it was these ordinary people suspected of disloyalty whose bodies filled the mass graves of execution sites like Tuol Beng and Kok Pring.⁸¹
28. **Ao An** was kept closely informed of the progress of the purge: after his orders were carried out, Prak Yut sent him a list of the names of the people arrested as well as the reasons for their arrest, detention, release, and/or execution.⁸² The districts kept careful records of the number of people killed because it was relevant to the calculation of food rations required, among other reasons.⁸³ **Ao An** sometimes personally met with Prak Yut to decide the fates

of those identified as disloyal.⁸⁴ Prak Yut could not release prisoners who had been “refashioned” from district security facilities without obtaining **Ao An**’s approval.⁸⁵

29. Prak Yut’s evidence that she was told to root out those suspected of disloyalty in the villages and communes is corroborated by So Saren, who served as a militiaman in Ou Svay Commune in Kampong Siem District. He said that he was instructed by his commune chief “to go around the village and keep watch in case there were people talking bad about the revolution behind its back or were surreptitiously cooking rice at home. If there was, we were to report it.”⁸⁶ He also confirmed that “[a]nyone who was said to have some little tendency [or] had any affiliation” was also arrested.⁸⁷
30. Trivial infractions could lead to suspicion of disloyalty and, therefore, arrest and disappearance. As one witness said, “If we picked a banana, they would give us instruction one time, and if we picked another, they would give us instruction another time. But the third time, they would simply arrest us.”⁸⁸ Those who stole potatoes, chicken, or rice, or ate corn without permission were also arrested and disappeared.⁸⁹
31. This process was not limited to Kampong Siem District—**Ao An**’s order to identify and smash those opposed to the revolution was carried out in all five districts of Sector 41.⁹⁰ Witness Put Kol was told by Batheay District Secretary Phim that thousands of people had been arrested and killed in the Central Zone from 1977 to 1979, and that the orders for the arrests and killings had been transmitted from the Centre to the zone, then from the zone to the sector, then from the sector to the districts.⁹¹ Throughout Sector 41, the penalty for suspected disloyalty or dissent was death.
32. **Ao An** did not just instruct his subordinates to root out and kill enemies; he also provided them with specific instructions as to how to do so. At a meeting that he personally chaired at Wat Ta Meak, **Ao An** instructed cooperative chiefs to lure those who had served the Lon Nol regime into revealing themselves by promising that they would be given similar positions in the DK regime if they identified themselves.⁹² Those who spoke up were murdered.⁹³
33. Evacuees from cities, the so-called “17 April people”, were targeted through the use of a particular ruse. At some point in 1977, large groups of 17 April people were told that special new villages were being created just for them, where there would be more food to

eat and more land to farm.⁹⁴ Those who were told that they were moving to the new villages in fact disappeared and were never heard from again.⁹⁵ Entire families, rather than just individuals, were arrested at the same time.⁹⁶ Like the rest of the events of the purge, this plan was passed down from **Ao An**'s sector level.⁹⁷ **Ao An** also ordered that high-ranking Lon Nol soldiers be sent to the sector level.⁹⁸

34. In addition to instructing his subordinates to identify, arrest, and kill those they suspected of disloyalty, **Ao An** also sometimes gave his district secretaries lists of specific individuals to be arrested.⁹⁹ In those cases, the district secretaries were required to arrest the people on the lists and detain them at district security centres until sector forces arrived to move the prisoners to sector-level facilities.¹⁰⁰ The district secretaries kept meticulous lists of those arrested and transported to the sector to facilitate **Ao An**'s monitoring of the process¹⁰¹ and went to great lengths to ensure they were arresting precisely the people requested by the sector.¹⁰²
35. **Ao An** frequently used Aun, the cadre who at some point became the Sector 41 Office Chairman,¹⁰³ to facilitate and carry out the purges and related crimes.¹⁰⁴ One witness reported that Aun and **Ao An** shared meals and met every day, and Aun made no decision without clearance from **Ao An**.¹⁰⁵ Aun's tasks included ensuring that the status of prisoners was monitored; the results were then communicated to the Sector Committee.¹⁰⁶

**THE CASE 004/2 CRIME SITES FUNCTIONED AS PARTS OF A SINGLE INTEGRATED SYSTEM,
CONTROLLED BY AO AN**

36. Although later sections of this Submission address crime sites in various districts individually, it should be understood that the machinery of the purge functioned as a single system throughout Sector 41, requiring coordinated action organised by the sector and zone leadership.
37. One demonstration of this is the way in which the various execution sites could be used to provide extra capacity when others were full. For example, at one point, Kor Security Centre was temporarily "full" in the sense that "there was no more space left to bury" the victims,¹⁰⁷ so prisoners were re-routed in the direction of Kampong Cham town,¹⁰⁸ likely to be killed at Phom Pros. Similarly, on another occasion, when Phnom Pros was "full", the

extra victims were transferred to Kor Security Centre.¹⁰⁹ Prisoners destined for the Sector were sometimes held at district-level security centres while awaiting transfer.¹¹⁰ This kind of coordination required central decision making and cooperation between the sector and the zone, and demonstrates the way in which the system of facilities functioned as a single whole.

38. There is also evidence that victims were sorted into various categories and then sent to different places to be detained or killed based on those categories. For example, one witness said, “They just said they would take them to Wat Tameak Pagoda, but the senior-ranked ones would be sent to Phnom Pros Mountain, and the next level would be taken to Kor Security Office. The zone cadres would be taken to Phnom Pros Mountain, and the ordinary people would be sent to Batheay District Security.”¹¹¹ Another stated, “After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arresting people associated with, or family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site.”¹¹² Again, the fact that different facilities “specialised” (to some degree) in different kinds of prisoners shows that the facilities all worked as part of a single, integrated system.
39. The crime sites in Sector 41 also functioned as part of the larger, national system. As one witness explained, “wives and children of cadres who had been purged” were often sent to the sector security office at Kor, while “high-ranking cadres, for instance Ta Taing, were sent to Tuol Sleng Prison.”¹¹³

AO AN AND KE PAUK CONTROLLED THE TRANSPORTATION RESOURCES USED TO MOVE THE VICTIMS THROUGHOUT THE PURGE SYSTEM

40. This massive operation necessarily required the transportation of large numbers of victims to and among the various crime sites in Sector 41. The sector was criss-crossed by vehicles transporting prisoners, including a military Jeep and other vehicles belonging to the sector¹¹⁴ and a number of larger trucks belonging to the zone.¹¹⁵
41. The sector’s Jeep (which was parked at Ao An’s Sector Office when not in use¹¹⁶) was particularly active, transporting people from many locations throughout Sector 41 toward Kor Security Centre “three or four times a day, both day and night” every day for at least

three months.¹¹⁷ The Jeep could carry up to ten people, and two to ten prisoners were taken in each trip.¹¹⁸ **Ao An** personally used this Jeep to travel around the sector when it was not being used to transport prisoners.¹¹⁹ On at least one occasion, **Ao An** was personally involved in the transportation of a large group of prisoners: a witness described seeing **Ao An** traveling in his Jeep, accompanying a large truck filled with cadres (bound in restraints) from the East Zone.¹²⁰ The cadres were killed in Kang Meas District shortly thereafter.¹²¹ The vehicle used by **Ao An**'s deputy Aun was also seen transporting prisoners to Kor Security Centre on a regular basis.¹²²

42. The zone trucks, which sometimes operated in convoys of three or four,¹²³ were capable of carrying as many as 30 to 50 prisoners at a time and were guarded by two soldiers riding at the tailgate.¹²⁴ They were used in particular for the transportation of 17 April people and prisoners transported from the East Zone.¹²⁵

THE SECTOR COMPOUND AT PREY TOTEUNG SERVED AS A KEY DISPATCH POINT OF THE PURGE SYSTEM

43. The Prey Toteung market intersection—where **Ao An**'s office and most other sector-level facilities were located¹²⁶—was a key point in the transit network of the sector.¹²⁷ (See **Annex B** for the relative location of **Ao An**'s office and the Sector 41 crime sites.) Within two weeks after **Ao An**'s announcement of a “silent war” at Wat Ta Meak, groups of prisoners from villages began arriving at the Prey Toteung market intersection by ox cart.¹²⁸ There—crying, screaming, and saying good-bye to their relatives—they were either loaded onto large trucks with guards (likely belonging to the zone) and transported to Phnom Pros¹²⁹ or loaded onto trucks from the Sector Garage to be transported to the Sector Security Centre at Kor.¹³⁰ This process continued regularly for a week and then intermittently until at least October 1977.¹³¹
44. One witness succinctly described the function of the sector compound at Prey Toteung as a dispatch point in the sector's purge machinery: “The division of prisoners and the decisions on where the prisoners were to be sent were made before the people reached the Prey Totueng Junction. [...] At Prey Totueng Junction, people were divided and transported to the places that had already been decided.”¹³² Another witness called Wat Ta Meak (located

about 500 metres from the Prey Toteung intersection)¹³³ a “transit place for prisoners taken from various places before they were sent out”.¹³⁴

45. Prey Toteung also served as a dispatch point for prisoners from the East Zone who had been brought across the Mekong River to Kang Meas District by boat.¹³⁵ On arrival in Kang Meas District, they were loaded onto trucks for transportation to Phnom Pros *via* Prey Toteung.¹³⁶
46. Given Prey Toteung’s location at the main crossroads, it was sometimes possible for observers to determine which security centre or execution site victims were being taken to: those traveling north were destined for Kor Security Centre,¹³⁷ while those going east were being sent to Phnom Pros.¹³⁸

**PRISONERS WERE DETAINED, TORTURED, AND KILLED IN AND NEAR AO AN’S SECTOR
COMPOUND AT PREY TOTEUNG**

47. Prisoners were also detained at the sector compound in Prey Toteung, and some were tortured and killed there. At least one prisoner was held within the Sector Office building itself: when Prak Yut’s husband Am (then the Sector Office Chairman) was accused of betraying the Party and was arrested, he was held shackled in a meeting room in the Sector Office building for three or four days while **Ao An** was present.¹³⁹ A group of women prisoners was also held in the Sector Office building on at least one occasion.¹⁴⁰
48. Larger groups were also held in the sector compound. One witness described an occasion when a group of Cham was detained within the “sector perimeter” at Prey Toteung for several hours before being tied up and led away by militia.¹⁴¹ An hour or so later, the militia brought back the prisoners’ clothing for storage in one of the sector facilities,¹⁴² indicating that the prisoners had been killed.
49. A member of **Ao An**’s defence unit described the treatment of prisoners held within the gated perimeter in which **Ao An**’s and Aun’s houses were located.¹⁴³ Some prisoners were detained in an open facility belonging to the motor pool directly across the street from¹⁴⁴ (and clearly visible from¹⁴⁵) **Ao An**’s house, while others were held in an enclosed area (also belonging to the motor pool) where motorbikes were kept.¹⁴⁶ Prisoners in the open

facility were guarded by members of **Ao An**'s and **Aun**'s personal defence units.¹⁴⁷ Both groups were bound or handcuffed.¹⁴⁸

50. Some of the prisoners held in the sector compound were interrogated and tortured at a school located behind **Aun**'s house.¹⁴⁹ They were suspended upside down, suffocated with plastic bags, given electric shocks, and stabbed with broken pieces of glass.¹⁵⁰ This torture was carried out by members of **Ao An**'s personal defence unit.¹⁵¹ At times, their screams could be heard throughout the sector compound.¹⁵² Some died as a result of this treatment,¹⁵³ including one woman who was anally penetrated with a 40mm rifle grenade.¹⁵⁴ On one occasion, two prisoners were taken directly from the sector compound to Wat Ta Meak by a member of **Ao An**'s personal defence unit.¹⁵⁵ At the pagoda, their throats were slit and their livers were then cut out to be eaten.¹⁵⁶

AO AN STOOD AT THE CENTRE OF AND EXERCISED CONTROL OVER THE SECTOR 41 PURGE MACHINERY

51. As Secretary of Sector 41, **Ao An** was the one who ultimately controlled and operated this complex machinery. His location at Prey Toteung gave him a bird's-eye view of the movement of victims through his territory, and no prisoners could be transported from one district to another without **Ao An** being informed.¹⁵⁷ **Ao An** also personally controlled and approved the use of the trucks belonging to the sector.¹⁵⁸ (The districts and lower levels had no vehicles other than motorbikes.¹⁵⁹) He informed his subordinates of the impending purge at its outset and tried to justify the planned crimes to them.¹⁶⁰ He personally gave orders for arrests¹⁶¹ and killings¹⁶² with no legal process, on one occasion even ordering that a pregnant woman be killed and her stomach cut open at the Sector Office.¹⁶³ He personally visited security centres to make sure his orders to kill had been carried out.¹⁶⁴ On at least one occasion, he accompanied a truckload of prisoners as it drove through Sector 41.¹⁶⁵
52. **Ao An** also actively monitored the implementation of the purge, requiring and receiving reports regarding the extent to which planned killings had been carried out.¹⁶⁶ **Ngov**, the commander of the sector security centre at Kor, "very often" came to visit **Ao An** and **Aun** at the Sector Office at Prey Toteung.¹⁶⁷ **Ao An** also received more tangible evidence of the progress of the killing when the victims' clothes and belongings were returned to his Sector

Office for storage after the killings had been carried out.¹⁶⁸ He demonstrated his knowledge of the purges by casually commenting that “Soon our plan [will] be achieved.”¹⁶⁹

53. **Ao An** also kept himself more generally informed of events in Sector 41 by frequently traveling to the cooperatives, villages, and districts of the sector¹⁷⁰ and by meeting with the district secretaries¹⁷¹ and sector military.¹⁷² He also traveled to meet the leaders of Sector 43¹⁷³ and Baray District in Sector 42.¹⁷⁴

THE GENOCIDE OF THE CHAM

54. The purge in Sector 41 eventually progressed to the annihilation of the Cham. As with other aspects of the purge, **Ao An** played a central role in this attack as well.
55. The genocidal attack against the Cham happened some time after the beginning of the purge—as Prak Yut said, “[W]e carried out execution of all the Cham people after we had already arrested people of other elements.”¹⁷⁵

1. **Ao An’s Orders to Kill All of the Cham**

56. Unlike the others swept up in the Sector 41 purge who were targeted for individual reasons such as suspicion of disloyalty or an association with the Lon Nol regime, the Cham were targeted as a group because of their ethnic and religious identity. Prak Yut’s statements to investigators taken during the Case 004 investigation leave no doubt as to the blanket, identity-driven, and group-based nature of the attack. Nor do they leave any doubt as to **Ao An’s** central role in the genocidal campaign.
57. In her Case 004 investigative statements, Prak Yut said that **Ao An** convened a meeting of all five district secretaries in Sector 41 at his office in Prey Toteung at which he instructed them to identify all of the Cham in the sector and smash them.¹⁷⁶ She made it clear that **Ao An** had ordered the killing of *all* the Cham in Sector 41, saying, for example:

I would like to clarify that I received orders from the sector level to arrest and kill all of those Cham. The orders I received were very clear about killing those Cham. [...] After the killings of the Cham people were completed, I received a report from my (*sic*) or the militia chief about the number of Cham they had killed. Then I sent that report to Ta An, who was at the sector level. [...] I would like to clarify once again

that the orders I received were very clear: they stated that we must kill all the Cham.¹⁷⁷

58. Much of the evidence she gave during her testimony in Case 002/02 confirmed this account. She maintained that, when it came to “the killings in my district [...] [t]he order came from Ta An”¹⁷⁸ and that “there was an order from the sector level to us to purge the Cham.”¹⁷⁹ She noted that **Ao An** told her that “the total number of Cham people from Trean commune would be purged”¹⁸⁰ and confirmed that the “upper echelon instructed me to identify *all* Cham people within that commune.”¹⁸¹ Consistent with her investigative statements, she also confirmed that the meeting at which **Ao An** gave the instructions regarding the Cham took place at his office in Prey Toteung¹⁸² and that it was attended by the secretaries of all districts in Sector 41.¹⁸³
59. Prak Yut’s statement that **Ao An’s** orders were to kill *all* of the Cham in Sector 41 is well-corroborated by other witnesses. Muok Sengly attended a meeting in Kampong Siem District at which he heard Prak Yut say, “The Cham are the enemy of *Angkar* because they plan to rebel, so *Angkar* has to smash them. [...] If any Cham remain, this must be reported so they can be swept clean, because this is the plan of the upper-echelon.”¹⁸⁴ Krala Commune cadre Nhim Kol stated that, during the dry season in late 1977, he personally heard Prak Yut tell Krala Commune Secretary Rom “to check to see if any Cham remained or not, and if any Cham remained, Rom had to report that to Prak Yuth.”¹⁸⁵ He confirmed that “[a]ll the Cham Muslims in Kampong Siem District were also arrested and executed right in the district. No Cham Muslim was spared except for Pheap, who was defended by Prak Yut.”¹⁸⁶ Another Krala Commune cadre recalled receiving a written order to arrest ethnic Cham from Prak Yut.¹⁸⁷ The letter ordered the cadres to “smash internal enemies — Chams, Vietnamese, capitalists, former Lon Nol workers, intellectuals, and CIA agents.”¹⁸⁸ Sbong Yann confirmed that “no ethnic Cham remained around the end of 1977”¹⁸⁹ and Krala Commune Chief Pov Sarom alias Rom was told that “the Cham people would not be spared.”¹⁹⁰ Numerous other witnesses also gave evidence to the effect that *all* Cham were targeted; their evidence is summarised below in the detailed section on the genocide of the Cham.¹⁹¹

2. Ao An's Monitoring and Management of the Progress of the Genocide

60. **Ao An** monitored the progress of the genocidal campaign he had ordered. Prak Yut testified that, after “those people have already been purged”, she “reported back to the upper level.”¹⁹² She clarified, “After we carried out our instructions, in fact, Si made a report to me, and I further relayed the report to the sector secretary. That is how it worked.”¹⁹³ You Vann has corroborated this account.¹⁹⁴

3. Ao An's Order to Prepare a Second List Shortly Before the Vietnamese Invasion

61. **Ao An** remained focused on the task of annihilating the Cham until the last days of the DK regime. You Vann testified that she attended a meeting shortly before the Vietnamese invasion led by **Ao An** and Ta Mok at which **Ao An** instructed the attendees to make a second set of lists of all of the Cham, Chinese, and Vietnamese people (as well as Lon Nol officers) residing within the sector.¹⁹⁵ The meeting attendees included the cadres from every district in Sector 41 who were responsible for preparing these lists, including all the commune chiefs from Sector 41.¹⁹⁶ **Ao An** also instructed the attendees that they were not permitted to simply rely on lists provided to them by village chiefs; rather, they were required to personally travel to the villages and identify the relevant individuals themselves.¹⁹⁷ **Ao An** and Ta Mok then instructed the attendees to “purge” the people “linked to different ethnicities and the old elements.”¹⁹⁸ You Vann claimed that these lists were never prepared because the Vietnamese invasion occurred shortly after this meeting.¹⁹⁹
62. This meeting is significant in a number of ways. First, it shows that **Ao An's** specific intent to destroy the Cham persisted until the last days of the regime. Second, it shows **Ao An's** determination that the genocide be carried out thoroughly. **Ao An** did not simply issue his orders to his district secretaries and instruct them to pass the orders along to their subordinates in the communes; rather, he personally addressed the individuals responsible for making the lists, ensuring that his orders reached them unfiltered. Similarly, he did not allow the cadres responsible for making the lists to simply accept the village chiefs' representations about the people who lived in their villages; rather, he required them to go to the villages personally to ensure the completeness of their lists. Both of these facts show

that **Ao An** was not content to simply follow the letter of his instructions, but that he personally pushed to make sure the goal was achieved.

4. Prak Yut's Implausible Retreat from her Prior Statements regarding the Content of Ao An's Order

63. During her testimony in Case 002/02, Prak Yut attempted to partially retreat from the clear and consistent evidence she had previously given regarding **Ao An's** order to smash all the Cham. Her revised account is inconsistent and unpersuasive and cannot be believed.
64. In her interviews with the OCIJ, Prak Yut was candid about the contents of **Ao An's** order and her own role in the genocide. Unsurprisingly, she indicated that she still felt a considerable degree of guilt regarding all the crimes committed in Kampong Siem District and her role in them and she feared that talking honestly about these matters could pose a risk to her own safety. In one OCIJ interview, she spontaneously said, "I would like people in Kampong Siem to forgive me. I did not say everything in my previous interviews. I request for confidentiality of my statement because I was worried about my safety."²⁰⁰
65. Six months after unambiguously stating to an OCIJ investigator that she "received orders from the sector level to arrest and kill all of those Cham,"²⁰¹ Prak Yut was called as a witness in Case 002/02. From her first answer, she sought to minimise her role in the killing of the Cham, asserting repeatedly that she simply passed on orders from **Ao An** to her own subordinates and had no role in their implementation.²⁰² Despite her nervousness and discomfort, her testimony initially remained consistent with her investigative statements, described above. However, approximately an hour and a half into her testimony, Prak Yut dramatically revised her evidence, taking the novel position that **Ao An's** order had been only to identify and kill the "bad elements" among the Cham.²⁰³
66. Prak Yut's revised story cannot be believed. Not only does it contradict all of her investigative statements, it also contradicts her live, in-court testimony given both immediately before and immediately after she attempted to change her story about the contents of the order. For example, in the second substantive answer of her testimony, she said:

It was in 1977. There was an order from the sector level to us to purge the Cham. And I, myself, was also wondering why the Cham were wanted to be purged. And I was not sure how many Cham people living in my district. So I told them that I was –I did not grab the exact number of people living in Kampong Siem District. [...] And regarding the Cham people, I myself was also wondering why the Cham –the name of the Cham people were wanted to be purged. But the order came from the upper echelon so I simply implemented it.²⁰⁴

67. Three things stand out about this answer. First, by its own terms, it is clearly a statement that “the Cham”—that is, *all* the Cham—were to be purged. Second, Prak Yut twice expressed surprise (“wondering”) that the Cham were to be purged. Since by that point she had already been given orders by **Ao An** to help purge the “bad elements” among both cadres and ordinary villagers,²⁰⁵ Prak Yut would not have been surprised by an order to purge the “bad elements” among the Cham. Only an order to completely destroy the Cham would have represented a change in approach and therefore could have caused her to “wonder.” Third, she emphasised that she did not know the number of Cham living in her district and informed the upper echelon that she did not have that information. But the total number of Cham living in her district would be irrelevant if the order was only to identify and purge the “bad elements.” The total number of Cham in her district would only be relevant if the order were, in fact, to kill *all* the Cham.
68. In her next answer—the third substantive answer of her Case 002/02 testimony—Prak Yut was also explicit that the order to kill was a blanket order. In that answer, she said, “So he told me that the total number of people from Trean commune would be purged. [...] The upper echelon instructed me to identify all the Cham people within that commune.”²⁰⁶ Similarly, when her prior statement that “[t]he orders I received were very clear. They stated that we must kill all the Cham” was put to her, she acknowledged that “we received such an order.”²⁰⁷ These answers, which are consistent with an order to kill all the Cham and inconsistent with an order to identify and purge only the “bad elements”, were given just before Prak Yut changed her story.
69. The answers Prak Yut gave immediately after changing her story also contradict her new version of events. Immediately after stating that she had been instructed to identify only the “bad elements” among the Cham, Prak Yut gave a detailed account of her efforts to save a

young Cham girl (named Phea or Pheap) whom she was raising, and made it clear that Phea survived only through Prak Yut's interventions on her behalf and that "no other Cham people were spared".²⁰⁸ Again, this answer only makes sense in the context of an order to purge *all* Cham, as a young girl being personally raised by a trusted cadre would not be considered a "bad element".

70. Phea corroborated Prak Yut's evidence that she was saved only through Prak Yut's intervention. Phea heard Prak Yut telling others that she had received an order from the sector level to arrest Phea because Phea was Cham.²⁰⁹ Pov Sarom alias Rom also corroborated this account.²¹⁰ Indeed, when Prak Yut was asked whether any other Cham survived, her answer made it clear that Phea was the sole survivor:

Q: Well, you've testified that you went to sector secretary An to get an exception for Pheap. Were there any other Cham who you went to Uncle An and asked that they not be arrested and killed and, if so, who were those people?

Prak Yut: At that time, I had a pity for Pheap, and her life was spared. However, no other Cham people were spared, nor did I ask to spare any other Cham to Ta An. And this does not mean that I intended to kill those Cham people, but I did not think of other Cham people at that time. My mind was about Pheap, and not about other Cham people.²¹¹

71. In sum, the only reasonable inference based on the totality of Prak Yut's evidence and the other evidence in this case is that **Ao An's** order was an order to kill *all* the Cham in Sector 41.

THE SCALE OF THE KILLING

72. The precise total number of the victims of **Ao An's** purge of Sector 41 is impossible to know. But, estimates of those killed at the seven security centres and execution sites comprised by this case number in the tens of thousands. Witness Put Kol recalled a private conversation with Batheay District Secretary Phim (who was himself responsible for the crimes at the Wat Batheay Security Centre²¹²), who acknowledged the scale of the killings in a private conversation:

He told me that thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979. He told me that thousands of people had been arrested and killed in Kampong Siem District, and that

the orders had been given from the upper level to the zone level, then to sector and district levels.²¹³

5. FORCED MARRIAGE

73. In addition to his central role in carrying out the purge in Sector 41, **Ao An** was also instrumental in the enforcement of the CPK's policy of forced marriage in the area under his control. He explained publicly that Pol Pot's plan required that the population be increased to 15 or 20 million over the course of 15 to 20 years, and that this was to be accomplished through "marriage planning",²¹⁴ which meant "marrying off workers from ministerial offices and cooperatives."²¹⁵ **Ao An** publicly said that after their marriage, married couples "had to produce children."²¹⁶ These orders were consistent with guidance provided by Ke Pauk as well.²¹⁷ **Ao An** personally approved marriages that occurred in Sector 41²¹⁸ and also arranged and presided over wedding ceremonies.²¹⁹

6. ANLONG CHREY DAM FORCED LABOUR SITE

74. **Ao An** also played an important role in the administration of the Anlong Chrey Dam worksite. The Anlong Chrey Dam was referred to as the "Sector Dam,"²²⁰ indicating that the worksite was subject to **Ao An**'s direct supervision. **Ao An** frequently visited the Anlong Chrey Dam worksite, where he held meetings with the construction chairpersons, inspected the labourers, and sometimes even joined in the work.²²¹
75. **Ao An** also held large, public meetings at which he told workers that those who failed to meet their work quotas would be considered enemies,²²² and he also cautioned workers about the need to identify other "enemies" of the regime.²²³

III. AUTHORITY STRUCTURE AND COMMUNICATIONS SYSTEM

BASIC PRINCIPLES OF THE CPK AUTHORITY STRUCTURE

76. The CPK was governed by a strong hierarchy that emphasised "firm organizational discipline" and required party members to "respect Party organizational discipline"

unconditionally”.²²⁴ This required respecting the Party’s “political line” as well as its “ideological principles and stances”.²²⁵

77. The organisational principles of the Party provided that information was to flow up the hierarchy, while mandatory instructions were to flow down: the CPK statute required that lower echelons report to upper echelons on the “situation and on work done”, while the upper echelons provided the lower echelons with “instructions which they must carry out.”²²⁶

SECTOR 41 AND LOWER LEVELS

78. As Sector 41 Secretary, **Ao An** had “broad authority over personnel and organizational matters, security, and economics” within Sector 41.²²⁷ This included control of the Sector military, which in turn supervised the district militaries.²²⁸ He presided over the Sector Committee, which was the “highest operational organization” for the sector and was charged with controlling the both the population as a whole as well as the district and commune organisations that were subordinate to him as sector secretary.²²⁹ He was also charged with administering discipline.²³⁰ The district committees of the five districts in Sector 41 reported directly to **Ao An** and the sector committee.²³¹ (See Annex C1-3 for a visual representation of certain aspects of the authority structure in Sector 41.)
79. **Ao An**’s direct subordinates thus included the five district secretaries in Sector 41: Kampong Siem District Secretary Prak Yut,²³² Kang Meas District Secretary Kan,²³³ Prey Chhor District Secretary Sim,²³⁴ Batheay District Secretary Phim (later called Phal),²³⁵ and Cheung Prey District Secretary Mon.²³⁶ His other direct subordinates included the chairmen of his sector office, **Am**²³⁷ and then **Aun**²³⁸ (following **Am**’s arrest); the Sector 41 military chairmen, **Hum**²³⁹ and **Sokh**²⁴⁰ (following **Hum**’s arrest); the heads of the sector security centre at Kor, **Sop**²⁴¹ and **Ngov**²⁴² (following **Sop**’s arrest); his personal drivers and bodyguards, **May** (also spelled **Mory**) and **Pon**, among others,²⁴³ and the heads of the various sector “ministries”²⁴⁴ such as **Meng**, the head of the sector handicrafts office²⁴⁵ (who was present at the meeting at which **Ao An** spoke of the “soundless war” against traitors,²⁴⁶ but was then arrested and entered S-21 on 19 May 1977²⁴⁷); **Koan**, the head of the Sector Logistics Office,²⁴⁸ and **Lai**, the chairman of the Sector Garage.²⁴⁹

80. **Ao An**'s direct subordinates cooperated closely with **Ao An** to commit the crimes charged in this case. While the details of their involvement are contained primarily in other sections of this Submission, a few examples help to illustrate the way in which **Ao An** and his direct subordinates worked together to commit crimes. Batheay District Secretary Phim ordered the arrest of those imprisoned and killed at Wat Batheay,²⁵⁰ just as Prak Yut passed down **Ao An**'s orders to arrest and kill those targeted by the purge in Kampong Siem District.²⁵¹ **Ao An**'s office chairman, Aun, gave orders for arrests and killings at Wat Ta Meak,²⁵² ordered workers at Anlong Chrey Dam to work hard to achieve *Angkar*'s goals,²⁵³ and received reports about the number of prisoners at the sector security centre at Kor, as well as the number who were "taken away," which he then passed on to **Ao An**.²⁵⁴ The head of the sector military (and of **Ao An**'s defence unit), Sokh, was present at Wat Batheay during massacres there,²⁵⁵ and personally carried out killings at the security centre at Kor.²⁵⁶ Ngov, the head of the sector security centre at Kor (who received orders from **Ao An** "to do whatever necessary to do two trucks in one night"²⁵⁷) personally participated in the killing of prisoners, and also ordered his subordinate Ke to kill.²⁵⁸ Ngov also frequently visited **Ao An**'s office.²⁵⁹ **Ao An**'s close cooperation with these subordinates made possible the commission of crimes on the scale necessary to carry out the purge and implement the CPK's agrarian, economic, and social policies.
81. Each of **Ao An**'s direct subordinates, in turn, had his or her own subordinates, who also cooperated in the commission of the charged crimes. Multiple commune chiefs reported to each of the district secretaries,²⁶⁰ who in turn passed instructions down to the commune level.²⁶¹ District secretaries also had other subordinates, such as the heads of their district offices and district security chief and military chiefs, who were often responsible for carrying out orders related to arrests and killings and overseeing security centres.²⁶² Similarly, Ngov, the head of the sector security office at Kor, had both a deputy named Ke and a group of approximately 30 soldiers who reported to him.²⁶³
82. Like his direct subordinates, **Ao An**'s indirect subordinates also cooperated with cadres throughout the sector to commit the charged crimes. Again, the specific details are the subject of other sections in this Submission, but by way of example, Vihear Thom Commune Secretary Chea (Prak Yut's subordinate) was instrumental in the mass killings at

Kok Pring,²⁶⁴ **Batheay Military Chairman En** (Phim's subordinate) arrested many of those ultimately murdered at **Wat Batheay**,²⁶⁵ and **Kang Meas District Security Chief Horn** (Kan's subordinate) played a central role in the killings at **Wat Au Trakuon**.²⁶⁶ The effective hierarchy that prevailed throughout Sector 41 allowed **Ao An** and all of his subordinates, both direct and indirect, to work efficiently and cooperatively toward carrying out their goals.

83. Evidence in this case shows that the hierarchy functioned precisely as it was designed to. Consistent with the CPK statute, **Ao An** provided his subordinates with "instructions which they must carry out,"²⁶⁷ such as **Ao An's** instruction to **Ngov** "to do whatever necessary to do two trucks in one night" at **Kor Security Centre**²⁶⁸ or his instruction to **Prak Yut** and the other district secretaries to "smash Cham people."²⁶⁹ At least two witnesses said that they never saw anyone disobey an order given by **Ao An**.²⁷⁰ Also, as contemplated by the Statute, **Ao An's** subordinates maintained a "system of reporting to upper echelon on the situation and work,"²⁷¹ as when **Prak Yut** "reported to the Sector level accordingly" when her deputy told her the Cham had been smashed²⁷² or when **Ngov** visited **Ao An's** sector office²⁷³ and sent written reports to the sector level.²⁷⁴ The specific examples of **Ao An** issuing instructions to subordinates and subordinates reporting information to **Ao An** are too numerous to catalogue comprehensively here, but they occur throughout this Submission.
84. Coordination of efforts was also ensured by frequent face-to-face meetings (either in groups or individually between superior and subordinate) and written communications between the various levels of the hierarchy.²⁷⁵ Information flow was also facilitated by cadres' frequent visits to locations throughout Sector 41.²⁷⁶

CENTRAL ZONE

85. The hierarchy extended above **Ao An** as well, to **Central Zone Secretary Ke Pauk**, another member of the joint criminal enterprise charged in this case.²⁷⁷ Similar to other levels in the CPK hierarchy, the zone secretary passed down mandatory instructions to lower levels which in turn reported back to the zone level.²⁷⁸

86. Like **Ao An** and his subordinates, **Ke Pauk** was firmly committed to carrying out the crimes charged in this case, and his instructions to **Ao An** reflect that fact. At a meeting attended by **Ao An** and other cadres, **Ke Pauk** “ordered action to be taken to arrest the enemy in the districts on a continuous basis” and emphasised that “When you pull out weeds, you must extirpate all its roots!”²⁷⁹ **Ke Pauk** also noted that the orders to carry out purges came from the “upper echelon”.²⁸⁰ As discussed above, **Ao An** has publicly acknowledged receiving orders to kill from **Ke Pauk**.²⁸¹ He has also said that he and **Ke Pauk** had “no problem” working together,²⁸² and when **Ke Pauk** instructed him to carry out arrests, **Ao An** said he was “determined to accomplish the work as planned by the Party.”²⁸³
87. The evidence on the Case File shows that **Ao An** himself also had an important zone-level position as acting Central Zone Secretary in **Ke Pauk**’s absence. Multiple witnesses have given evidence both that **Ao An** was **Ke Pauk**’s deputy and that, by virtue of that position, **Ao An** had the capacity to act for **Ke Pauk** when **Ke Pauk** was absent from the Central Zone.²⁸⁴ Other evidence shows that **Ke Pauk** was regularly absent from the Central Zone in his capacity as the Deputy Commander of the DK army.²⁸⁵ Thus, in addition to serving as Sector 41 Secretary throughout the time relevant to this case, **Ao An** also frequently served as the Acting Secretary of the Central Zone, one of just seven zones in the country. As a result, Sector 42 Secretary **Oeun**²⁸⁶ and Sector 43 Secretaries **Chan**,²⁸⁷ **Phen**,²⁸⁸ and **Sim**,²⁸⁹ (who served at different times), were also sometimes his subordinates.

PARTY CENTRE

88. Above the zone level, the institutions of the Party Centre (primarily the Central Committee and Standing Committee) set the Party policy that was handed down through the hierarchy. The CPK Statute identified the Central Committee as the “highest operational unit throughout the country.”²⁹⁰ The Central Committee comprised members of the Standing Committee and included Zone and Sector Secretaries,²⁹¹ and **Ao An** has acknowledged attending meetings in Phnom Penh.²⁹² While it would appear likely that **Ao An** was a member of the Central Committee given the important positions he held at the Sector and Zone levels, no list of Central Committee members exists and there is no definitive evidence on this point.²⁹³

89. Directives of the Central and Standing Committees were sent to zone offices, military divisions, and ministries, where they were disseminated to sectors, districts and other lower echelons.²⁹⁴ Explicit instructions were provided in directives on how they were to be communicated and implemented.²⁹⁵ Standing Committee Members also conducted inspections of the zones.²⁹⁶
90. The Central and Standing Committees strictly defined and enforced CPK policies, which were collectively known as the Party “line.”²⁹⁷ As described by a CPK cadre, “everything” originated from the Party Centre.²⁹⁸ Any attempt to criticise or alter the Party line was regarded as a treasonous act of “revisionism.”²⁹⁹ The CPK Statute prohibited any “independentism, liberalism [and] sectarianism,” and disciplined any Party member “opposing the Party political line” and “Party ideological stances.”³⁰⁰

IV. CPK POLICIES RELEVANT TO THE CASE AGAINST AO AN

91. As set out elsewhere in this Submission,³⁰¹ **Ao An** is responsible for committing the crimes charged through a joint criminal enterprise (“JCE”) designed to maintain the CPK in power and to implement the CPK central leadership’s radical agrarian, economic, and social policies in the Central Zone through the commission of the charged crimes. The common criminal plan was a manifestation of policies adopted by the leadership of the CPK as set forth below.
92. Like other high-ranking cadres, **Ao An** attended meetings with the Party Centre in Phnom Penh³⁰² at which CPK policies were discussed, agreed upon, and communicated for implementation. Instructions to implement such policies were also passed down to him by his superior, Ke Pauk.³⁰³
93. The CPK’s policy of eliminating opposition and targeting perceived enemies in order to maintain its own power took the form of identifying, arresting, detaining, and killing various categories of perceived enemies, who were summarily executed or sent to security offices. Implementation of the CPK’s radical agrarian, economic, and social policies involved forcibly relocating civilians, restricting their fundamental freedoms, and forcing them to work under inhumane conditions without compensation at worksites and

cooperatives, constituting enslavement. Implementation of the CPK's social policies also involved forcing couples to marry and consummate their marriages in order to increase DK's population.

ELIMINATION OF ENEMIES AND OPPOSITION TO CPK LEADERSHIP

94. As early as the first Party Congress in 1960, the Khmer Rouge resolved to use armed violence to crush the “enemy” and increasingly over time applied this policy not just to military opponents but also to any civilians seen as potential political threats.³⁰⁴ The CPK Statute exhorted members to maintain vigilance against “enemy activities” and defend revolutionary forces, both inside and outside the Party.³⁰⁵ Article 10 of the DK Constitution stated that “dangerous activities” must be “condemned to the highest degree” and that “other cases” should be subject to constructive re-education.³⁰⁶
95. The CPK targeted any individual or group deemed to be a threat or opposed to the DK regime. Those relevant to this case included former Lon Nol regime officials;³⁰⁷ Cham;³⁰⁸ those accused of association with the CIA or KGB;³⁰⁹ those from the “bourgeois”, “feudalist” or “capitalist” classes;³¹⁰ and ordinary citizens perceived as disloyal to the regime because of such minor offences as complaining about conditions or gathering their own food.³¹¹ The CPK stirred hatred against the enemy and emphasised the need to maintain “revolutionary vigilance”.³¹²
96. The CPK abolished all judicial and legal structures³¹³ and implemented this policy of targeting perceived opponents through summary detentions and executions by creating a vast network of security offices.³¹⁴ A 1976 Central Committee decision gave particular zone committees the “right to smash inside and outside the ranks”.³¹⁵ The term “smash” referred to extrajudicial executions.³¹⁶ At security offices nationwide, individuals were detained, interrogated, tortured, and killed.³¹⁷ The torture and interrogation of those deemed “enemies” often involved coerced confessions implicating others — creating a cycle of arrests and killings.³¹⁸
97. The policy of “smashing enemies” and arresting “bad elements” was disseminated *via* the CPK's internal publications,³¹⁹ speeches of CPK leaders,³²⁰ and meetings at all echelons.³²¹ The “smashing” of “enemies” was advocated and acknowledged in *Revolutionary Flag* and

Revolutionary Youth magazines between 1975 and 1979.³²² Telegrams between various levels of the CPK hierarchy also reported “enemy activity” and details of people killed.³²³

98. In 1977, the CPK’s elimination of “traitors” and “enemies”, as well as their families,³²⁴ escalated.³²⁵ The Centre coordinated mass purges of CPK cadres,³²⁶ including the purge of the Central Zone by Southwest Zone cadres.³²⁷ A 1978 *Revolutionary Flag* ordered every level of the Party to:

adopt the role of leading the army and the people to attack all [...] enemies, sweep them cleanly away, sweep, and sweep and sweep again and again ceaselessly, so that our Party forces are pure, our leading forces at every level and in every sphere are clean at all times.³²⁸

AGRARIAN, ECONOMIC, AND SOCIAL POLICIES

1. Establishment of Cooperatives and Worksites

99. The CPK sought to rapidly create a socialist state in which all citizens worked collectively in agriculture and industry to ensure the DK’s economic strength and self-sufficiency.³²⁹ Implementing this policy led to the creation and operation of cooperatives and worksites in which citizens were forced to live and work under conditions that amounted to enslavement.³³⁰
100. From 1972, the CPK established cooperatives and worksites in territories they controlled.³³¹ Currency and private markets were abolished.³³² In 1973, the CPK adopted a policy of forcibly moving civilian populations out of urban areas to work in cooperatives and worksites in the countryside.³³³ The policy had economic, political, and ideological objectives: (i) to attack the economic power of the “feudalists and land owners”,³³⁴ (ii) to disperse, monitor, control, and kill any people opposed to the CPK and the revolution,³³⁵ and (iii) to rapidly increase agricultural production.³³⁶
101. The CPK established cooperatives and worksites across the country upon gaining power.³³⁷ These included farming cooperatives, and worksites to construct irrigation networks,³³⁸ dams,³³⁹ airfields,³⁴⁰ salt fields, and stone quarries.³⁴¹ Mobile units were created to work on multiple worksites and agricultural cooperatives.³⁴² The CPK’s policy regarding cooperatives and worksites³⁴³ was disseminated through CPK directives,³⁴⁴ meetings at all echelons,³⁴⁵ publications,³⁴⁶ and radio broadcasts.³⁴⁷ Cooperatives and worksites were

required to adopt a similar structure and method of operation across the country.³⁴⁸ The CPK acknowledged the coercion of the policy,³⁴⁹ stating that production was to be achieved by any means necessary,³⁵⁰ and deployed the army to enforce it.³⁵¹ The CPK set unrealistic production quotas, such as requiring three tons of rice production per hectare.³⁵²

102. Forced population transfers rapidly expanded the population of cooperatives and worksites.³⁵³ People were forced to live and work in inhumane conditions. This included: inhumane work quotas and hours, insufficient food, separation of family members, lack of hygiene and medicine, and harsh discipline. Backbreaking labour was done almost exclusively without the assistance of machinery.³⁵⁴ CPK cadres classified starving workers foraging for food, visiting family without permission, or trying to flee, as betraying the revolution.³⁵⁵ The inhumane conditions were widely known and reported.³⁵⁶ CPK leaders at various levels visited worksites,³⁵⁷ and food shortages and disease were acknowledged at meetings,³⁵⁸ in CPK publications,³⁵⁹ and reported to the upper echelons.³⁶⁰

103. Despite insufficient food at worksites and cooperatives,³⁶¹ the DK regime bragged about exporting rice to other countries.³⁶² In late 1976 or early 1977, amidst reports of traitorous activities by cadres not following CPK policy,³⁶³ the Party Centre sent several hundred Southwest Zone cadres to the Central Zone to purge the leadership of the Central Zone.³⁶⁴ Ultimately, the CPK's policy response to its systemic ill-treatment of the people was to seek out and purge enemies with greater vigour.³⁶⁵

2. Forced Marriage

104. The CPK's policy regarding forced marriage is set out in the section entitled *Forced Marriage and Rape* below.³⁶⁶

V. CHAPEAU ELEMENTS OF CRIMES AGAINST HUMANITY

105. The evidence on the Case File and referred to in this Submission demonstrates that crimes against humanity punishable under Article 5 of the ECCC Law were committed during the DK period. The facts establishing the requisite jurisdictional elements are addressed below.

JURISDICTIONAL ELEMENTS OF CRIMES AGAINST HUMANITY

1. Attack Against a Civilian Population

106. The offences detailed in this Submission were part of an attack involving the commission of numerous crimes within a system of organised repression. These acts included (i) forced expulsion of persons from urban centres; (ii) enslavement of persons in cooperatives and worksites established by the CPK; (iii) mass forced labour; (iv) the imposition of forced marriages; (v) denial of basic human rights and freedoms and confiscation of property; and (vi) enforcement of these various forms of repression through arbitrary arrests, detention, and executions.³⁶⁷ This attack was primarily directed against the entire civilian population of Democratic Kampuchea, including ethnic and religious minorities.³⁶⁸

2. Widespread or Systematic

107. The attack was both widespread and systematic. It was widespread due to its large-scale nature, extended duration, the geographic area in which it occurred, and the large number of victims against whom it was directed. The attack targeted the majority of the country's civilian population across the entire territory of DK and lasted over three years and eight months.³⁶⁹ Vast groups of civilians were forcibly moved from urban centres and countless people were enslaved in cooperatives and worksites.³⁷⁰ The CPK established approximately 196 security offices³⁷¹ where thousands were imprisoned, tortured, and executed.³⁷² The total number of deaths resulting from the attack is estimated to be between 1.7 and 2.2 million people.³⁷³

108. The attack on the civilian population was also systematic. The CPK Standing Committee centrally devised policies involving the commission of crimes, issued directives for their implementation, and received regular reports from all CPK echelons on the policies' implementation on the ground.³⁷⁴

3. Discriminatory Grounds

109. The attacks were based on discriminatory grounds, namely political, religious and/or ethnic. The CPK imposed, *inter alia*, a political revolution and resisted any opposition. All civilians were considered real or potential enemies and were variously subject to political

re-education, enslavement, detention, and execution.³⁷⁵ This included members of the former Lon Nol regime, cadres within the CPK ranks who fell under suspicion, those characterised as “spies” for foreign governments, and “new people” or “17 April people” who the CPK considered as being opposed to the revolution.³⁷⁶ It also included all those suspected of disloyalty to the regime or the revolution because of behaviours such as expressing dissatisfaction with living conditions or minor offences such as gathering food without authorisation.³⁷⁷

110. The attack on civilians was also based on religious and ethnic grounds. In the Central Zone, it involved the abolition and suppression of religion, desecration of religious property, and suppression of the Cham ethnic identity.³⁷⁸

4. Ao An’s Knowledge of the Attack

111. **Ao An** and the other perpetrators had knowledge of the attack against the civilian population and knew that their acts formed part of the attack. This is demonstrated by his extensive contributions to and participation in the attack, as discussed elsewhere in this Submission.³⁷⁹

VI. CRIMES AND CRIME SITES

A. WAT TA MEAK SECURITY CENTRE

1. INTRODUCTION

112. Wat Ta Meak, which was located less than a kilometre from **Ao An**’s office, was a sector-level facility used as a detention and execution site throughout the period in which **Ao An** served as Sector 41 Secretary. Because of its size and proximity to **Ao An**’s office, it was also used extensively for meetings and training of cadres.
113. The ICIJ has charged **Ao An** with the crimes against humanity of imprisonment, murder, extermination, torture, other inhumane acts (inhumane conditions of detention, forced labour, and physical abuse of prisoners), and political persecution at the Wat Ta Meak Security Centre, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.³⁸⁰ The Co-Prosecutor seeks indictment for all of these crimes at this location

except for extermination, the other inhumane acts of forced labour and physical abuse of prisoners, and premeditated homicide.³⁸¹

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

114. Wat Ta Meak Pagoda was located approximately one kilometre from **Ao An**'s office and the sector compound at the Prey Toteung Market intersection,³⁸² in Chhrey Vien Commune, Prey Chhor District.³⁸³
115. Beginning shortly after the arrival of **Ao An** and the other Southwest Zone cadres in Sector 41 in early 1977, and continuing until the fall of the DK regime, it served as a sector-level³⁸⁴ detention office and security centre.³⁸⁵ In addition, the site was used as a venue for political rallies, meetings, study sessions, and re-education,³⁸⁶ and on at least one occasion it was the location at which a forced marriage took place.³⁸⁷
116. The Wat Ta Meak Pagoda complex is located approximately 200 metres north of National Road 7 and is accessed *via* a long driveway with residential dwellings on both sides.³⁸⁸ The site covers approximately three hectares.³⁸⁹
117. During the DK period, the buildings at the site included two open-sided shelters that were used for training sessions,³⁹⁰ a larger meeting hall that was used for sector meetings,³⁹¹ and a pagoda³⁹² and a house³⁹³ in which prisoners were detained.³⁹⁴ Execution sites and grave sites have been identified along the north, west and east sides of the pagoda compound.³⁹⁵
118. Since the fall of the DK regime, Wat Ta Meak has undergone extensive renovations and modifications.³⁹⁶ As a result, the buildings at the site today do not reflect the layout of the site during the DK period.³⁹⁷

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

119. Wat Ta Meak operated as a sector-level security office.³⁹⁸ As such, it was under the direct authority of **Ao An**.³⁹⁹ Aun, the head of **Ao An**'s Sector Office (and thus a direct subordinate of **Ao An**),⁴⁰⁰ also exercised authority at the site, officiating meetings and managing work.⁴⁰¹ Aun also gave orders for arrests and killings at the pagoda.⁴⁰² Sok, the head of **Ao An**'s defence unit,⁴⁰³ personally interrogated prisoners at Wat Ta Meak,⁴⁰⁴ and

another member of **Ao An**'s defence unit named **Run** was also involved in the interrogation, torture, and killing of prisoners there.⁴⁰⁵ The security centre was guarded by both zone- and sector-level personnel.⁴⁰⁶

120. Because of Wat Ta Meak's physical proximity to **Ao An**'s Sector 41 Office, and because the sector office was too small to accommodate large gatherings of cadres, Wat Ta Meak became an important assembly site for large meetings of cadres.⁴⁰⁷ **Ao An** attended meetings held at Wat Ta Meak on a regular basis.⁴⁰⁸ Some of these meetings were called and led by **Ao An**, including political training meetings, some of which lasted several days.⁴⁰⁹ The meetings dealt with a variety of topics: political training, construction projects, labour production, and the destruction of the enemies of the DK regime.⁴¹⁰ Zone Secretary **Ke Pauk** also attended and officiated at some of the meetings and training sessions held at Wat Ta Meak.⁴¹¹
121. Significantly, Wat Ta Meak was the location at which **Ao An** announced the existence of the purge to a large gathering of sector-level cadres in March 1977.⁴¹²

4. CRIMES

IMPRISONMENT

122. Prisoners were transported to Wat Ta Meak in trucks and on foot⁴¹³ in groups ranging in size from a few people to 'hundreds of families'.⁴¹⁴ Amongst those imprisoned were 'April 17 people' or 'new people',⁴¹⁵ base people,⁴¹⁶ purged CPK cadres and their families,⁴¹⁷ East Zone evacuees,⁴¹⁸ those accused of association with **Lon Nol**,⁴¹⁹ and ordinary people considered to be enemies of *Angkar*.⁴²⁰ On occasion, after being arrested, prisoners were first taken to the Sector Office for interrogation before being imprisoned at Wat Ta Meak.⁴²¹
123. Arrests of those imprisoned at Wat Ta Meak were sometimes facilitated by ruses: many cadres were sent to Wat Ta Meak having been informed that they would be attending a study session, and were then arrested or disappeared.⁴²² **Son Kann**, who worked at the sector logistics office, saw **Ao An**'s own soldiers arrest **Cheung Prey** District Committee Member **Soar** at Wat Ta Meak after the Southwest Zone cadres had arrived in Sector 41.⁴²³

124. Prisoners were detained at Wat Ta Meak for anywhere from a few days to a few months.⁴²⁴
125. Since prisoners were held at two different buildings at Wat Ta Meak,⁴²⁵ it is difficult for surviving witnesses to provide a complete account of the number of people detained at Wat Ta Meak at any specific time.⁴²⁶ One witness stated that while he was imprisoned at Wat Ta Meak, approximately 30 prisoners were being held there.⁴²⁷
126. No legal process was accorded to any of those detained at Wat Ta Meak Security Centre. There is no evidence whatsoever that arrests were conducted pursuant to warrants or validly issued court orders; that prisoners were informed of the reasons for their arrest or of legal charges against them or of evidence upon which any charges were based; that prisoners were provided with the assistance of counsel; that the legality of detentions was subject to review by any judicial officer; or that any trials or other determinations of guilt occurred.

OTHER INHUMANE ACTS

a) *Inhumane Conditions of Detention*

127. Imprisonment conditions at Wat Ta Meak were harsh and inhumane. Prisoners were often brought to the security centre tied together with rope or with their hands bound behind their backs, and were then sometimes chained and shackled to prevent freedom of movement.⁴²⁸ Some prisoners were not allowed to communicate with each other,⁴²⁹ and all detainees were watched and guarded by soldiers.⁴³⁰ Prisoners were given insufficient amounts of food.⁴³¹ Prisoners were also heard calling out for help and begging for water.⁴³²

TORTURE

128. Some prisoners who were detained at Wat Ta Meak were tortured by soldiers⁴³³ during interrogation in order to get information about their family members,⁴³⁴ to force Lon Nol soldiers to confess,⁴³⁵ and to punish enemies of *Angkar*.⁴³⁶ The torture was severe: prisoners were beaten up to four times a day with rods, chains, and iron plates, until they passed out and were revived again.⁴³⁷ For some prisoners, this severe torture was inflicted upon them every day until their detention ended or they were sent to be executed.⁴³⁸

MURDER

129. Being sent to Wat Ta Meak virtually guaranteed that a prisoner would be killed; releases were very uncommon.⁴³⁹ Many prisoners were taken from Wat Ta Meak to other locations to be executed.⁴⁴⁰ Others were killed on site.⁴⁴¹
130. **Ao An** personally gave orders to kill prisoners at Wat Ta Meak,⁴⁴² and the killings were sometimes carried out by members of his defence unit.⁴⁴³
131. In one instance, prisoners were beaten to death and thrown into a well.⁴⁴⁴ Another witness recalled that prisoners were killed by having their throats cut.⁴⁴⁵ At least two prisoners were transferred from the sector compound to Wat Ta Meak, where they were murdered and disembowelled; their killers then cooked and ate their livers.⁴⁴⁶
132. Other prisoners sent to Wat Ta Meak simply disappeared, leaving family members to assume that they had been killed.⁴⁴⁷ In some cases, the clothes of those who were sent to Wat Ta Meak and then disappeared were returned to villages or worksites and distributed to surviving workers.⁴⁴⁸
133. Graves and burial sites existed on the north and west sides of Wat Ta Meak Pagoda.⁴⁴⁹ Amongst seven pits on the north and west sides of the pagoda, one pit was found containing the skulls of many children.⁴⁵⁰
134. A second killing and burial site existed at Trapeang Lvea Village in Chrey Vien Commune, not far from Wat Ta Meak. The mass graves there consisted of approximately 130 pits with a capacity of 20 bodies per pit.⁴⁵¹ Although not all of the victims there came from Wat Ta Meak,⁴⁵² many did.⁴⁵³

PERSECUTION

a) Persecution on Political Grounds

135. The victims at Wat Ta Meak included many of the perceived internal enemies of the CPK, including new people,⁴⁵⁴ former Central Zone cadres, along with their families and subordinates,⁴⁵⁵ East Zone cadres,⁴⁵⁶ former Lon Nol soldiers and their families,⁴⁵⁷ and other “bad elements” and perceived internal enemies.⁴⁵⁸

B. KOR (MET SOP) SECURITY CENTRE

1. INTRODUCTION

136. Kor Security Centre was a sector-level prison in Sector 41 of the Central Zone during the DK regime.⁴⁵⁹ The security centre was also frequently called Met Sop after its original chairman, a cadre known as Sop.⁴⁶⁰ This name association lasted even after Sop was purged by Southwest cadres in 1977.⁴⁶¹ There are no known surviving prisoners from the period in which **Ao An** and the Southwest Zone cadres controlled the prison.
137. The ICIJ has charged **Ao An** with the crimes against humanity of imprisonment, murder, torture, other inhumane acts (physical abuse of prisoners, forced labour, and inhumane conditions of detention), and political persecution at the Kor Security Centre, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁴⁶² The Co-Prosecutor seeks indictment for all of these crimes at this location except the other inhumane acts of physical abuse of prisoners and forced labour, and premeditated homicide.⁴⁶³ In addition, the Co-Prosecutor seeks indictment for the crime against humanity of extermination, which has not been charged at this site.⁴⁶⁴

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

138. Kor Security Centre was situated in Kor Commune, Prey Chhor District, seven to ten kilometres north of Prey Toteung Village⁴⁶⁵ where **Ao An**'s office was located.⁴⁶⁶ The closest landmark was Kor Pagoda, which, as it was only 500 metres away, was frequently used to describe the location of the security centre.⁴⁶⁷
139. The site operated as a prison throughout DK regime,⁴⁶⁸ though the pace of arrests and killings increased dramatically after the arrival of the Southwest Zone cadres.⁴⁶⁹ The prison was known by a number of names, including: "Sector Security Office";⁴⁷⁰ "Sob/Sup/Sop's" "House/Office/Place";⁴⁷¹ "Security Office at Kor," "Kor Prison," "Prison Kor," or "Kor Office";⁴⁷² "Krouch Kor Prison/Security Office";⁴⁷³ and "Tuol Prey Mai Sak".⁴⁷⁴
140. Kor Security Centre operated at the site of a former school.⁴⁷⁵ The compound contained a hall and four wooden buildings where prisoners were detained and prison staff were lodged.⁴⁷⁶ A barbed wire fence marked the perimeter of the compound.⁴⁷⁷ Surrounding the

prison were rice fields and a forest,⁴⁷⁸ making Kor Security Centre physically isolated and inaccessible to people who lived nearby.⁴⁷⁹ An ox-cart path was the main point of entry, along which prisoners were transported to and from the prison.⁴⁸⁰

141. No visible trace of the security centre remains today.⁴⁸¹

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

142. Prior to the Southwest cadres' arrival in the Central Zone, the chairman of Kor Security Centre was Hakk or Hatt Bun Than alias Sop,⁴⁸² a former teacher.⁴⁸³ He and his deputy, Heng,⁴⁸⁴ supervised a number of guards at the site.⁴⁸⁵

143. With the arrival of the Southwest cadres in 1977, Sop was purged.⁴⁸⁶ Before his arrest, however, he assisted the newly arrived cadres in identifying "networks" of incumbent cadres throughout the sector.⁴⁸⁷ In May 1977, once he was no longer useful to the Southwest Zone cadres, Sop too was arrested, sent to S-21, and executed on 8 July 1977.⁴⁸⁸

144. After Sop's arrest, a Southwest cadre named Youk Ngov (hereafter "Ngov"), who was also a former teacher⁴⁸⁹ and today goes by the name Chom Vong,⁴⁹⁰ was appointed chairman of Kor Security Centre.⁴⁹¹ Although Ngov has been interviewed on multiple occasions and denies holding this position,⁴⁹² numerous witnesses identify Ngov as Sop's successor as chairman of Kor Security Centre from sometime in 1977, living onsite and overseeing its operation on a day-to-day basis.⁴⁹³ From their evidence it is clear that Ngov did in fact reside at and have control over Kor Security Centre from approximately May 1977 until the arrival of the Vietnamese in January 1979,⁴⁹⁴ when he fled to Kampong Thom.⁴⁹⁵

145. Ngov's subordinates included his deputy, Ke,⁴⁹⁶ and a company of approximately 30 soldiers.⁴⁹⁷ The soldiers oversaw the daily running of the prison and secured the compound,⁴⁹⁸ while guards were recruited from other districts.⁴⁹⁹ Comrade Sok, the chairman of the Sector 41 Military,⁵⁰⁰ also had a role in overseeing Kor Security Centre,⁵⁰¹ though Sok was based at the Sector 41 Office in Prey Toteung.⁵⁰²

146. Ngov has been interviewed a number of times by the Office of the Co-Investigating Judges and by DC-Cam.⁵⁰³ Unsurprisingly, he denied having any position of authority at Kor Security Centre and made a number of statements that minimised his time and role at the

prison.⁵⁰⁴ He also sought to distance himself from any direct participation in or knowledge of crimes, and he avoided betraying any first-hand knowledge by keeping his account of events to a superficial level. He claimed, for example, that he only ever “peered in” to the prison.⁵⁰⁵ At times, he also was resistant to answering questions and refused to verify information given in previous interviews.⁵⁰⁶

147. Ngov’s evidence therefore presents as a highly sanitised account of his time in the Central Zone and his own culpability. Most of it cannot be taken as truthful. When Ngov was not seeking to diminish his culpability, however, some of his evidence, especially that regarding communication protocols between the security centre and upper echelons, was detailed and consistent. Ngov explained that he prepared reports for the sector about once every seven days.⁵⁰⁷ The reports contained evaluations as to whether soldiers “properly implemented their work”, the number of new and old prisoners, including those “to be taken away”, the “living conditions of prisoners and staff”, and the labour performed by the prisoners.⁵⁰⁸ These reports were passed up the chain of command:⁵⁰⁹ Ngov reported to Aun,⁵¹⁰ who in turn reported to **Ao An** and the Sector Standing Committee.⁵¹¹
148. **Ao An** issued orders directly to Ngov.⁵¹² Ngov in turn frequently made the short journey to **Ao An**’s office to meet with **Ao An**.⁵¹³ **Ao An** also personally visited the prison at Kor on a regular basis.⁵¹⁴ On at least one occasion he went because, having given orders to kill prisoners, “he wanted to know whether his orders were fully implemented or not.”⁵¹⁵ He also personally attended at least one mass execution at the prison. Nhem Chen, who served as a bodyguard to **Ao An** and Sok, recalled attending a meeting with **Ao An** where prisoners were killed: “He [**Ao An**] went to a meeting [at Kor] one day where prisoners were being killed. I saw them with their hands tied and being walked to a square pit. I saw that. [...] Prisoners were hit with the back of hoes.”⁵¹⁶

4. CRIMES

IMPRISONMENT

149. Although the Kor Security Centre had been used as a prison prior to the arrival of the Southwest Zone cadres, following their arrival, arrests increased markedly.⁵¹⁷ At the peak of the purges, arrests were made up to “three to four times a day, both day and night” with

“two to ten people being taken away at a time.”⁵¹⁸ The surge in arrests meant that when Kor or other prisons in the sector were at capacity, surplus arrestees were redirected around the sector.⁵¹⁹ For example, prisoners were sent to and from Kor from prisons and execution sites at Wat Ta Meak,⁵²⁰ Wat Au Trakuon,⁵²¹ and Phnom Pros.⁵²² Estimates of the number of prisoners detained at any one time range from 20 to 50⁵²³ up to several hundred.⁵²⁴

150. **Ao An** and his office chairman, Aun, ordered the arrests of many of those who ended up at Kor Security Centre.⁵²⁵ The sector military, who were under the direct control of **Ao An**,⁵²⁶ carried out many of the arrests.⁵²⁷ However, district and sector level cadres,⁵²⁸ as well as village chiefs and militiamen,⁵²⁹ also made arrests at times.
151. Prisoners were rarely given a reason for their arrest. Instead, targets for arrest were typically invited to a location to attend a “study session” or “meeting” where they were arrested on arrival.⁵³⁰ Toy Meach, who worked at the sector logistics office for the entire DK regime, once witnessed **Ao An** order the arrest of Old North Zone cadres at his home. Those arrested had been lured there under the pretence of attending a meeting and some of those arrested were taken to Kor Security Centre afterwards.⁵³¹ Nhem Chen recalled that cadres were loaded onto trucks and taken to Kor Security Office where “they were called one by one to go inside a room and then tied up”.⁵³²
152. As a sector-level prison, Kor Security Centre detained prisoners from locations across Sector 41⁵³³ such as Skun, Cheung Prey, and Prey Chhor districts.⁵³⁴ Many of the prisoners were incumbent cadres being purged,⁵³⁵ but new people,⁵³⁶ base people,⁵³⁷ and other internal enemies and bad elements,⁵³⁸ such as Lon Nol soldiers⁵³⁹ and people who disobeyed *Angkar*,⁵⁴⁰ were also detained there.
153. A number of vehicles, all belonging to the DK administration, transported arrestees to Kor Security Centre. Trucks and lorries, which belonged to the sector and zone,⁵⁴¹ carried up to 50 people concealed by some sort of covering such as a tarpaulin, tent canvas, or sheet.⁵⁴² A military Jeep belonging to the sector office⁵⁴³ carried up to ten people at a time.⁵⁴⁴ And Aun’s own vehicle, which held from four to 15 prisoners, also transported prisoners to the prison every seven to ten days.⁵⁴⁵ An ox-cart was also used to transport prisoners to and from the site, at times coordinating with larger vehicles that transported prisoners around the sector.⁵⁴⁶

154. Prisoners were sometimes blindfolded⁵⁴⁷ and held at gunpoint⁵⁴⁸ at the time of their arrest. Some prisoners were held at the sector office briefly (typically a day or two) before being transferred to the Kor Security Centre.⁵⁴⁹
155. No legal process was accorded to any of those detained at Kor Security Centre. There is no evidence whatsoever that arrests were conducted pursuant to warrants or validly issued court orders; that prisoners were informed of the reasons for their arrest or of legal charges against them or of evidence upon which any charges were based; that prisoners were provided with the assistance of counsel; that the legality of detentions was subject to review by any judicial officer; or that any trials or other determinations of guilt occurred.

OTHER INHUMANE ACTS

a) Inhumane Conditions of Detention

156. Prisoners were shackled by their ankles in groups.⁵⁵⁰ Some prisoners developed wounds as a result of being permanently shackled.⁵⁵¹ Prisoners slept on the ground on wooden planks,⁵⁵² and the detention buildings were infested with bedbugs and fleas.⁵⁵³ Food rations were insufficient,⁵⁵⁴ and prisoners became emaciated.⁵⁵⁵ Some starved to death.⁵⁵⁶ Sanitation was also insufficient with prisoners forced to relieve themselves into a bucket kept in the room.⁵⁵⁷ Prisoners were also forced to exhume decomposed corpses and bury those who died or were killed at the site.⁵⁵⁸

TORTURE

157. Ngov acknowledged that prisoners at the Kor Security Centre were interrogated, but claimed that he “did not know what methods or torture they had used because [he] was not present during interrogations”.⁵⁵⁹ Witness Duong Sim, however, who worked as a cook in a cooperative in the village near the security centre, recalled hearing “people screaming from the centre”⁵⁶⁰ and when he visited the site after the fall of the regime, he saw “interrogation tools.”⁵⁶¹

MURDER AND EXTERMINATION

158. Although the exact number cannot be precisely determined, it is clear that a large number of prisoners at Kor Security Centre were killed. Killings took place inside the prison compound as well as at execution pits dug close to the site.⁵⁶² Prisoners were killed by being hit on the back of the head with hoes,⁵⁶³ or by being beaten with wooden sticks.⁵⁶⁴ Killings were often carried out at night.⁵⁶⁵ Some of the prisoners sent to Kor Security Centre were executed almost immediately after their arrival.⁵⁶⁶
159. Orders to execute at Kor were given directly and indirectly by **Ao An** to Ngov.⁵⁶⁷ Ngov then directed soldiers such as Ke and Sokh to carry out the executions.⁵⁶⁸ For example, on one occasion, Nhem Chen witnessed the transportation of a group of arrestees to Kor Security Centre with **Ao An** ordering Ngov to do “whatever necessary to do two trucks in one night.”⁵⁶⁹ It was understood that this order entailed transporting the cadres to Kor Security Centre and executing them upon arrival.⁵⁷⁰
160. In addition to giving orders to kill prisoners, **Ao An** was also personally present at the security centre on at least one occasion when prisoners were being killed.⁵⁷¹
161. At some point after the arrival of **Ao An** and the Southwest Zone cadres, there had been so many killings at the Kor Security Centre that there was temporarily “no more space left to bury” executed prisoners.⁵⁷²
162. The number of people killed at the Kor Security Centre cannot be precisely determined. Approximately 2,000 corpses have been found in the vicinity of the security centre and there is evidence that a significant number of other bodies were cremated.⁵⁷³ While persons died at the site from 1975, the instance of killings at Kor Security Centre increased significantly after the arrival of the Southwest cadres in 1977 and there are no accounts of prisoners being released during that period.⁵⁷⁴
163. Witnesses who had the opportunity to be in or near the security centre during or immediately after the DK regime reported large number of bodies strewn across and buried in the rice fields that surrounded the prison compound.⁵⁷⁵ Burials also occurred in nearby areas, including at Tuol Krasaing, Tnaot Chou, O Ta Kung and Tuol Daem Ampil.⁵⁷⁶ When the Vietnamese arrived in 1979, all remaining prisoners were executed.⁵⁷⁷ Corpses were

discovered lying with their faces to the ground with their arms tied,⁵⁷⁸ and there were “bodies all over the paddy fields.”⁵⁷⁹

PERSECUTION

a) Persecution on Political Grounds

164. Prisoners at Kor Security Centre were persecuted on political grounds, specifically targeted because of their membership, or imputed membership, of political groups deemed enemies of the DK regime. These include members of the CPK, namely, the Central (Old North) Zone cadres. Toy Meach recalled, because the Southwest cadres “smashed by network [...] [a]ll the leaders in the North Zone were taken away.”⁵⁸⁰ Other groups persecuted on political grounds at Kor Security Centre included “17 April People”, former Lon Nol soldiers, and other “bad elements” and “internal enemies”.⁵⁸¹

C. PHNOM PROS EXECUTION SITE

1. INTRODUCTION

165. The hill known as Phnom Pros, with a pagoda at its top, is a prominent landmark in Kampong Siem District that is visible from National Road 7.⁵⁸² After the Southwest Zone cadres arrived in the Central Zone, the Khmer Rouge used this hill and the area around it (for this Submission, collectively called “Phnom Pros”⁵⁸³) as a zone-level execution site. The site’s proximity to National Road 7 made it easily accessible to vehicles transporting prisoners, and the isolated terrain of the valley on the other side of the hill allowed killings to be conducted in relative secrecy. DK authorities therefore regularly sent prisoners from security centres and other locations across the zone, particularly Sector 41, to be executed at Phnom Pros.
166. The ICIJ has charged **Ao An** with the crimes against humanity of murder and extermination at the Phnom Pros Execution Site, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁵⁸⁴ The Co-Prosecutor seeks indictment for all of these crimes at this location except for premeditated homicide.⁵⁸⁵

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

167. Phnom Pros is located in Kralah Village, Krala Commune, Kampong Siem District.⁵⁸⁶ The site is located directly off of National Road 7, the main road that ran between the Central Zone Office in Kampong Cham town and the Sector 41 Office in Prey Toteung.⁵⁸⁷ Phnom Pros is approximately seven kilometres northwest of Kampong Cham provincial town⁵⁸⁸ and one kilometre west of the Kampong Cham airport, which is sometimes referred to as the Veal Vong airport.⁵⁸⁹ When killings began at Phnom Pros in 1977,⁵⁹⁰ general access to the site was strictly forbidden.⁵⁹¹ Executions stopped briefly in late 1977 and then continued until the Vietnamese arrived in early 1979.⁵⁹²
168. Phnom Pros hill is directly accessible by a turn-off from National Road 7.⁵⁹³ Near the entrance during the DK regime was a military barracks that housed Central Zone soldiers from 1977-1979.⁵⁹⁴ From the entrance, a long, straight road progresses up the gradually sloped hill.⁵⁹⁵ At the top of the hill is the temple, Wat Phnom Pros.⁵⁹⁶ On the opposite side of the temple, away from the road, steps lead down to the foot of the hill into a large valley where numerous statues, stupas, a library, and other buildings are now located.⁵⁹⁷ The valley is bordered on the east by Phnom Srei, another prominent hill which has a slightly higher elevation than Phnom Pros hill and is located in Ampil Commune.⁵⁹⁸ In the valley at the foot of Phnom Srei is a small village named Sralao, whose residents were evacuated prior to the area becoming an execution site.⁵⁹⁹ From the top of the two hills are wide-ranging views of Kampong Cham, while the valley below is hidden from National Road 7. The location and features of Phnom Pros made it possible for soldiers to close off access to the site and guard it when executions commenced in the valley in 1977.⁶⁰⁰

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

a) Above Phnom Pros

169. In 1977 when **Ao An** arrived in Sector 41 and until the end of the DK regime, Phnom Pros was controlled by the Central Zone.⁶⁰¹ As Deputy Secretary of the Central Zone, **Ao An** had responsibility for security throughout the zone.⁶⁰² Central Zone Secretary Ke Pauk shared authority over all zone military personnel stationed at the site.⁶⁰³ **Ao An**, as Deputy Zone Secretary, acted in his stead when Ke Pauk was absent.⁶⁰⁴

170. In addition to his role at the zone level, **Ao An**'s cooperation as Sector 41 Secretary was integral to the collection and transport of victims to Phnom Pros, who were fed into the site from locations across the zone, particularly Sector 41. **Ao An** authorised the use of sector vehicles to transport prisoners, including prisoners from the East Zone, to the Prey Toteung junction next to the Sector 41 Office.⁶⁰⁵ The junction served as a staging area where prisoners were gathered, loaded onto zone vehicles, and sent to Phnom Pros.⁶⁰⁶ Other prisoners detained at security centres located in Sector 41 were sent directly to Phnom Pros for execution.⁶⁰⁷ Drivers from the Sector 41 Office were sometimes used to transport victims to the site.⁶⁰⁸
171. During a confidential, high-level meeting chaired by Ke Pauk and attended by **Ao An** and Aun, **Ao An** discussed the transfer of senior-ranked cadres to Phnom Pros.⁶⁰⁹ When the number of people at Phnom Pros reached full capacity, **Ao An** ordered Aun, the Deputy Secretary of Sector 41, to send sector vehicles containing high-ranking cadres otherwise destined for Phnom Pros, to Kor Security Centre.⁶¹⁰ In addition, when shown a photo of **Ao An**, one witness recognised him as someone who had visited Phnom Pros at least twice.⁶¹¹
172. According to Ke Pauk's son, Ke Pich Vannak, **Ao An** gave direct orders to Reap (the military commander at Phnom Pros until September 1977⁶¹²) on at least one occasion to take people to Phnom Pros and kill them. Ke Pich Vannak told his father that while riding his motorbike, he had seen about ten military trucks fully loaded with people arrive at Phnom Pros.⁶¹³ Later, he witnessed the following conversation:
- My father then called Ta Vey Reap [...] in and asked him 'where those people were transported to?' Vey Reap, the new chairman of the division of the Central Zone replied 'brother An gives an order to transport those people to the new village'. My father asked further, 'where is this new village?'; Ta Reap replied 'in the Phnom Pros Phnom Srey area [...] brother An gives an order to transport those people there where they will be smashed.'⁶¹⁴
173. In a 2011 interview with DC-Cam, **Ao An** claimed that Phnom Pros was located in Chamkar Leu District in Sector 42 rather than in Kampong Siem District.⁶¹⁵ As already discussed, Phnom Pros is a very prominent site located on the main road between **Ao An**'s own office and Kampong Cham town where the Central Zone office was located.⁶¹⁶ Given that no one with **Ao An**'s level of authority and ability to travel in the area could be

mistaken about its location, his claim that the site was outside the sector he controlled suggests that he was aware of the crimes committed there and was trying to avoid his shared responsibility for them.

b) At Phnom Pros

174. Throughout the entire DK period, zone military personnel guarded Phnom Pros.⁶¹⁷ In early to mid 1977, a regiment of North Zone soldiers from Siem Reap arrived at Phnom Pros, led by a division commander named Re Sim alias Reap.⁶¹⁸ Upon the Siem Reap soldiers' arrival, the original company of Central Zone soldiers that had been stationed at the top of the hill were moved to the military barracks at its base.⁶¹⁹ These Central Zone soldiers continued to guard the hill and its surroundings, observing transport vehicles allowed into the site and ensuring that civilians did not approach the area.⁶²⁰ The soldiers from Siem Reap checked the vehicles entering the site⁶²¹ and conducted the executions.⁶²²
175. On 20 September 1977, Reap was arrested and taken to S-21.⁶²³ After Reap's arrest, the executions at Phnom Pros halted briefly for approximately one to two months as Reap's troops were sent to fight the Vietnamese.⁶²⁴ Phal, who was the head of Central Zone security, and a group of soldiers from Phnom Penh then replaced the Siem Reap soldiers and executions at Phnom Pros resumed.⁶²⁵
176. In mid to late 1977, Ke Pauk appointed Pror Nam alias Choeun as commander of the Central Zone military battalion stationed at Phnom Pros.⁶²⁶ Choeun was responsible for the security and management of Phnom Pros but did not personally conduct executions.⁶²⁷ Choeun lived with his bodyguards on top of the mountain⁶²⁸ and remained at Phnom Pros until the Vietnamese arrived in 1979.⁶²⁹

4. CRIMES

MURDER

a) Transport to the Site and Types of Victims

177. Executions at Phnom Pros began in early to mid 1977 after the cadres from the Southwest Zone arrived in the Central Zone.⁶³⁰ Victims were transferred to Phnom Pros from locations across Sector 41,⁶³¹ including Prey Toteung,⁶³² Wat Ta Meak,⁶³³ Tuol Beng,⁶³⁴

and Batheay District,⁶³⁵ as well as other parts of the Zone.⁶³⁶ Sector vehicles under **Ao An**'s authority transported the prisoners to the staging area at the Prey Toteung junction,⁶³⁷ while military trucks belonging to the Zone were used to transport the victims to Phnom Pros itself.⁶³⁸ Villagers were often taken to be killed at Phnom Pros under the pretence that they were being moved to a new place.⁶³⁹

178. The first groups of prisoners executed at Phnom Pros were primarily people affiliated with the Lon Nol regime⁶⁴⁰ or with former cadres who were purged after the Southwest Zone cadres arrived.⁶⁴¹ Other victims killed at Phnom Pros included "new people"⁶⁴² and Cham,⁶⁴³ but many were ordinary villagers.⁶⁴⁴ Even the drivers who transported victims to Phnom Pros were killed after they had made several trips, presumably to eliminate witnesses from talking about what occurred at the site.⁶⁴⁵
179. From late 1977 into 1978, people from the East Zone were taken to attend "study sessions" in Sector 41.⁶⁴⁶ Nhem Chen, a close protection bodyguard for **Ao An**, overheard **Ao An** say that East Zone cadres could be placed at his house and given food as a political ploy before they were sent for execution at Phnom Pros.⁶⁴⁷ Large boats carrying 20 to 50 or more people transported prisoners from the East Zone side of the Mekong River to the Central Zone side in Kang Meas District.⁶⁴⁸ At the riverbank, sector trucks collected the prisoners and transported them to Prey Toteung, where they were transferred to zone vehicles and taken to Phnom Pros.⁶⁴⁹ In April 1978, **Ao An** himself was seen travelling in front of a truck carrying about 20 East Zone prisoners in Kang Meas District.⁶⁵⁰

b) Killings

180. The organised transport of large numbers of prisoners to Phnom Pros and the systematic way in which they were brutally killed and buried over an almost two-year period demonstrates that the killings at Phnom Pros were carefully planned and part of an intentional campaign. Executions took place at two locations in the valley between the Phnom Pros hill and Phnom Srei: one at the foot of Phnom Pros hill and the other at the foot of Phnom Srei near Sralao Village.⁶⁵¹ Victims were killed immediately or soon after their arrival, often at night.⁶⁵² After disembarking from the trucks that brought them, victims were forced to remove their clothes and were then beaten to death and thrown into pits or nearby wells.⁶⁵³

181. Witnesses from a variety of vantage points gave evidence of killings at Phnom Pros. Sum Chanthol, a witness who ate rice with a cow herder near the Chup rubber plantation one day in 1977, was told by the cow herder that he had witnessed Cham people being killed at Phnom Pros.⁶⁵⁴ Leng Ra, a mobile unit worker, said some victims at Phnom Pros were put into kilns and burned alive, as she heard people screaming for help inside a kiln that was located close to the hall where her mobile unit stayed.⁶⁵⁵ She and other mobile unit workers were assigned to collect the ash from the cremation incinerator to be used as fertiliser in the rice fields, and she saw remnants of skulls and bones within the ash.⁶⁵⁶
182. Several witnesses recalled hearing people screaming as they were executed. Sat Sim, a witness who was stationed at nearby Kampong Cham airport until the rainy season of 1977, heard screaming at night and people crying near the place he stood guard.⁶⁵⁷ Vorng Sokun recalled that Choeun, the commander of the battalion stationed at Phnom Pros, explained the screams to her while she hid in the ceiling of his house:

I heard people screaming in pain. Choeun explained that those people screaming were prisoners who were being executed. They were brought from various places and killed in the valley nearby. Choeun asked us not to panic and insisted that we had to be cautious hiding ourselves because we, including him, could also [have] been killed.⁶⁵⁸

183. In late 1978, You Vann, the deputy chief of Ro'Ang Commune, was transplanting seedlings with Prak Yut in the foothills of Phnom Pros Mountain when she heard gunshots, shouts, and screams coming from the mountain.⁶⁵⁹
184. Numerous witnesses also described what happened to the discarded clothes that had belonged to people who had been killed at Phnom Pros. Some of the clothes were redistributed to the villages,⁶⁶⁰ others were ordered by Ke Pauk to be burned,⁶⁶¹ while still others were returned to the sector office.⁶⁶² A large number of clothing remnants were also found at Phnom Pros after the DK regime.⁶⁶³ Many remaining clothes and crutches from invalids were burned at the base of the mountain.⁶⁶⁴
185. Several witnesses gave evidence regarding fresh corpses. Orn Kim Eng recalled that on the day Ke Pauk visited Phnom Pros to appoint Choeun as battalion commander in late 1977, Ke Pauk ordered Choeun to bury corpses that were not completely covered.⁶⁶⁵ Expert Alexander Hinton wrote that Phal's soldiers brought in tractors to cover mass graves and

“[o]ccasionally extra dirt had to be piled on top of the graves because the corpses had swollen up in the heat, though the limbs of corpses could still sometimes be seen sticking out of the killing fields.”⁶⁶⁶

186. Large numbers of human remains were found in mass graves and wells when witnesses returned to the site after the regime fell.⁶⁶⁷ Witness Morn Mot described seeing skulls and bones “still red with rotting flesh” when he returned to Sralao Village in 1979.⁶⁶⁸ Due to the large number of corpses, Phnom Pros smelled of death. Tem Chheang recalled, “the stench at Phnom Pros Mountain lasted for five years.”⁶⁶⁹
187. Although it is not possible to identify most of those killed at Phnom Pros, numerous witnesses whose statements are on the Case File had relatives or knew of someone who was killed at Phnom Pros,⁶⁷⁰ including over 60 civil party applicants.⁶⁷¹ As Phnom Pros was not used for executions until after the Southwest cadres arrived in the Central Zone,⁶⁷² all of these intentional killings can be attributed to the time **Ao An** was Sector 41 Secretary and Deputy Secretary of the Central Zone.

EXTERMINATION

188. There is abundant evidence on the Case File of the mass scale of killings at Phnom Pros. For example, between its commencement as an execution site in 1977 until the end of the regime in 1979, Phnom Pros received an almost constant flow of prisoners.⁶⁷³ Witness accounts consistently describe truckloads of victims being brought to the site, but not one describes anyone leaving. During the few months in 1977 that **Reap** was stationed at Phnom Pros,⁶⁷⁴ between one and four truckloads of people were regularly brought to the site for execution.⁶⁷⁵ On one occasion during that period, **Ke Pauk**’s son, **Ke Pich Vannak**, saw 10 trucks transporting villagers to Phnom Pros and later learned that they were sent there to be smashed on **Ao An**’s orders.⁶⁷⁶ **Nhem Chen**, **Ao An**’s close protection bodyguard, estimated that at least 500 people were arrested from the East Zone and sent to Phnom Pros in military trucks over a period of about two and a half months in 1977.⁶⁷⁷ The scale of people sent to their deaths is further supported by the evidence of numerous other witnesses who saw prisoners being transported to Phnom Pros at different locations and times during that period.⁶⁷⁸ From the end of 1977 and throughout 1978, it is estimated that

Phal and his group killed as many people as their predecessor, Reap.⁶⁷⁹ The evidence establishes the intent to kill on a mass scale at Phnom Pros as all of these killings were related and part of the same criminal plan. All utilised the same basic *modus operandi* and furthered the Sector and higher leadership's campaign to kill all those it suspected of political disloyalty and labelled as "enemies,"

189. Mass graves found in 1979 also provide evidence of the large scale of killings at Phnom Pros. At the foot of the mountains and around the valley were over 40 large burial pits and many more small ones.⁶⁸⁰ In 1996, the Cambodian Genocide Mapping Team reported a "pattern of very large killing and burial sites along the Mekong and along [National Road] 7" that was likely due to the ease of mass transport of victims to these areas.⁶⁸¹ Clearly, the location of Phnom Pros off of National Road 7 fit into this pattern.
190. The mass graves at Phnom Pros contained the remains of thousands of victims. Unfortunately, an unknown portion of those remains were lost after the DK period due to a variety of factors such as decay and poor preservation. Bones were also scattered as the pits were excavated by people looking for valuables.⁶⁸² Witness Morn Mot described how dogs carried bones and skulls in their mouths through his village of Sralao.⁶⁸³ Niv Sun, a former mobile worker in Sector 41, noted that nearby wells were full of bodies and believed there were tens of thousands of bodies in the area based on the portion of Phnom Pros that he saw in 1980.⁶⁸⁴
191. In 1980, the government arranged for the human remains at Phnom Pros to be counted. More than 10,000 skulls were found at the site, which was later corroborated by DC-Cam.⁶⁸⁵ A booklet prepared by provincial authorities in 2007 documented the existence of 48 pits, three wells, clothes, equipment and 7,300 skulls that were discovered at Phnom Pros Phnom Srei after the Khmer Rouge period.⁶⁸⁶ Notably, the 7,300 figure does not account for the additional 10 pits that were found in Sralao Village, where more dead bodies (1,000 skulls) were located, nor does it include bones pulled out of the wells by animals.⁶⁸⁷ Residents of Sralao who lived in the village before it was evacuated confirmed that the burial pits were products of the Khmer Rouge period.⁶⁸⁸
192. Today, some of the remains of the Phnom Pros victims have been relocated to Wat No Kor in Ampil Commune,⁶⁸⁹ but a small number of bones and skulls can still be found in the

memorial stupa at Phnom Pros.⁶⁹⁰ The thousands of victims killed in the large valley between the two hills are wholly attributable to the time **Ao An** was Sector 41 Secretary and Deputy Secretary of the Central Zone, and he played a key role in their deaths.

D. TUOL BENG AND WAT ANGKUONH DEI SECURITY CENTRES

1. INTRODUCTION

193. The Tuol Beng and Wat Angkounh Dei Security Centres were district-level security facilities located in Krala Commune, Kampong Siem District. Both facilities were used by Kampong Siem District Secretary Prak Yut and her subordinates to carry out **Ao An**'s instructions regarding the purge of Kampong Siem District. The prisoners detained and executed at the two facilities were typical of the victims of the Sector 41 purge, including new people, former Lon Nol soldiers, old North Zone cadres perceived as enemies, Cham Muslims, and ordinary civilians deemed enemies because of minor infractions or suspected disloyalty.
194. The ICIJ has charged **Ao An** with the crimes against humanity of imprisonment, murder, extermination, other inhumane acts (inhumane conditions of detention), political persecution, and religious persecution at the Tuol Beng Security Centre and Wat Angkuonh Dei, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁶⁹¹ The Co-Prosecutor seeks indictment for all of these crimes at this location except premeditated homicide.⁶⁹²

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

a) Tuol Beng

195. The Tuol Beng Security Centre and its related execution site were located in Tuol Beng Village, Krala Commune, Kampong Siem District.⁶⁹³ Before the Southwest Zone cadres arrived in the area, Tuol Beng was used for a variety of purposes (including detention and execution of prisoners),⁶⁹⁴ but after the Southwest Zone cadres took control, new buildings were constructed⁶⁹⁵ and the pace of killing increased dramatically.⁶⁹⁶ The security centre

ceased operation as Vietnamese troops approached near the end of the DK regime, and the remaining prisoners were transported out of Tuol Beng to Prey Toteung, where they were killed.⁶⁹⁷

196. The site consisted of one or more simple wooden buildings used to detain prisoners⁶⁹⁸ and a large number of burial pits or mass graves.⁶⁹⁹ The prisoners were kept shackled within the buildings and guards were posted outside.⁷⁰⁰ The prison could accommodate approximately 50 to 60 people at any given time.⁷⁰¹ Today the site is used for agricultural purposes and no traces of the prison or burial pits remain.⁷⁰²

b) Wat Angkuonh Dei

197. The Wat Angkuonh Dei Security Centre was located in the Wat Angkuonh Dei pagoda compound in Angkuonh Dei village, Krala Commune, Kampong Siem District, approximately 1.5 kilometres east of Tuol Beng along National Road 7.⁷⁰³ The Krala Commune Office was located to the east of the pagoda on the same side of the national road.⁷⁰⁴ Across from the pagoda on the south side of the road was the Kampong Siem District Office where Prak Yut worked as District Secretary.⁷⁰⁵
198. Prior to the arrival of the Southwest Zone cadres, the Wat Angkuonh Dei Pagoda compound was used to rear pigs, provide medical treatment, and hold meetings.⁷⁰⁶ After their arrival in 1977, the Southwest Zone cadres used the facility as a detention office and killing site.⁷⁰⁷
199. The detention facility at the Wat Angkounh Dei pagoda compound consisted of an open area under a long tile-roofed shelter at the east of the pagoda compound where prisoners' legs were shackled to iron bars.⁷⁰⁸ While the pagoda compound is still intact, this shelter no longer exists.⁷⁰⁹

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

200. As Kampong Siem District Secretary,⁷¹⁰ Prak Yut had authority over the district-level facilities at Tuol Beng and Wat Angkuonh Dei.⁷¹¹ Prak Yut in turn reported to **Ao An**,⁷¹² who gave her detailed instructions about how to carry out the purge in Kampong Siem District.⁷¹³ Prak Yut herself has acknowledged that, in carrying out **Ao An**'s orders to

“arrest [and] smash” “those who opposed the revolution [...] and those who were not satisfied with their living conditions”,⁷¹⁴ she “would decide on a case-by-case basis [...] who could be kept and [...] who was to be sent to Tuol Beng”.⁷¹⁵

201. Communications between the district and the sector were conducted through **Ao An**’s visits to the district in person,⁷¹⁶ correspondence between **Ao An** and **Prak Yut**,⁷¹⁷ monthly meetings in the sector office,⁷¹⁸ and *via* the sector and district military.⁷¹⁹
202. **Prak Yut** was assisted in carrying out **Ao An**’s instructions by her deputy secretary, **Si**,⁷²⁰ and her district office chairman, **Nan**,⁷²¹ both of whom were also members of the Kampong Siem District Committee along with **Prak Yut**.⁷²² **Si** had a central role in the execution of arrest and killing orders passed down by **Prak Yut**.⁷²³ **Prak Yut**’s cousin **Pov Sarom** alias **Rom** served as the Secretary of **Krala Commune**⁷²⁴ and also played a key role in carrying out the purge.⁷²⁵
203. Below **Prak Yut** and **Si**, **Phon**, the chief of the district military,⁷²⁶ exercised authority at both **Tuol Beng**⁷²⁷ and **Wat Angkuonh Dei**.⁷²⁸ **Phon**’s deputy **Ny**⁷²⁹ also shared responsibility for district security.⁷³⁰ He was stationed at the security centre at **Wat Angkuonh Dei**⁷³¹ and also worked at **Tuol Beng**.⁷³² The district military reported directly or through the sector military to **Ao An**.⁷³³

4. CRIMES

IMPRISONMENT

204. After receiving arrest orders from **Ao An**, **Prak Yut** passed the orders on to her deputy **Si**⁷³⁴ or to the district military to conduct the arrests.⁷³⁵ The district military, led by **Phon**⁷³⁶ and **Ny**,⁷³⁷ then carried out many of the arrests.⁷³⁸ Other arrests were conducted by village and commune chiefs on their own initiative⁷³⁹ or pursuant to **Prak Yut**’s instructions.⁷⁴⁰ People who were arrested at lower levels were sent to the district security centres as well.⁷⁴¹
205. Arrests were frequently conducted under pretexts. **Nhim Kol** alias **Say**, who was **Rom**’s messenger and a member of the **Krala Commune Committee**,⁷⁴² recounted how old commune leaders were arrested while attending a “meeting” at the district office.⁷⁴³ He also stated that people were taken to be killed on the pretext of receiving foodstuff and

materials⁷⁴⁴ or going to work in a rubber plantation unit.⁷⁴⁵ Another witness recalled that a large number of Cham people disappeared after a “party” thrown by a village chief in 1978.⁷⁴⁶ Massive arrests of Cham families also took place under the pretext that the victims were moving to a new village; in at least one case, these Cham families were killed at Tuol Beng.⁷⁴⁷

206. The people sent to Tuol Beng and Wat Angkuonh Dei were usually arrested in groups, mostly in the evening or at night,⁷⁴⁸ but sometimes in the daytime as well.⁷⁴⁹ They were escorted by armed security guards, who were often identified as non-local.⁷⁵⁰ Sometimes the arrestees were transported in ox carts towards Tuol Beng,⁷⁵¹ and other times they had to walk in queues with their hands tied tightly behind their backs.⁷⁵² One witness described an incident in which Cham prisoners were bound and led by ropes passed through holes punched in the palms of their hands.⁷⁵³ Escorts kicked and beat the arrestees,⁷⁵⁴ sometimes with whips.⁷⁵⁵ Even a pregnant woman was seen to be beaten and mistreated during her arrest.⁷⁵⁶
207. Prisoners whom the sector had specifically identified for arrest were detained briefly at Tuol Beng⁷⁵⁷ before being transported to sector facilities by a sector vehicle.⁷⁵⁸ The prisoners who were not required to be sent to the sector were kept in the district.⁷⁵⁹

a) Tuol Beng

208. Many of those arrested in the purge of Kampong Siem District were detained at Tuol Beng Security Centre.⁷⁶⁰ The prisoners included former commune and village chairmen,⁷⁶¹ Cham people,⁷⁶² and “enemies of the revolution”—including 17 April People, the well-educated, Lon Nol soldiers, and former civil servants.⁷⁶³ Prisoners also included ordinary Khmer people who had Vietnamese wives⁷⁶⁴ and those who were accused of having committed moral misconduct or other offences.⁷⁶⁵ Children were also taken to Tuol Beng together with their families.⁷⁶⁶
209. The number of prisoners held at Tuol Beng at any given time varied based on the pace of arrests and executions. One witness described the prison as having the capacity to accommodate 50 to 60 people at any given time.⁷⁶⁷ Another witness saw about 20 to 30 prisoners at Tuol Beng in 1978, most of whom were men between the age of 40 and 50,⁷⁶⁸

while a third witness recalled seeing about 10 male prisoners and fewer than 10 female prisoners detained in the wooden buildings at Tuol Beng.⁷⁶⁹

b) Wat Angkuonh Dei

210. The detainees at Wat Angkuonh Dei included base leadership cadres,⁷⁷⁰ new people,⁷⁷¹ former Lon Nol soldiers and officials,⁷⁷² and people who were accused of having committed light offences.⁷⁷³ Prisoners included children as well: one witness heard screams from children who were rearrested when they tried to escape from Wat Angkuonh Dei at night.⁷⁷⁴
211. Wat Angkuonh Dei Security Centre was smaller than Tuol Beng and was mainly used for temporary detention.⁷⁷⁵ Prisoners detained there were often sent on to Tuol Beng or Kok Pring for execution, or to other locations, such as the Sector Security Centre.⁷⁷⁶ The number of prisoners detained at Wat Angkuonh Dei at any one time varied from one to around 10, with prisoners moved in and out every day.⁷⁷⁷
212. Once arrested, prisoners had very little chance of being set free. There was only one instance of release identified by Nhim Kol, in which two people were released.⁷⁷⁸
213. No legal process was accorded to any of those detained at Tuol Beng Security Centre and Execution Site or Wat Angkuonh Dei. There is no evidence whatsoever that arrests were conducted pursuant to warrants or validly issued court orders; that prisoners were informed of the reasons for their arrest or of legal charges against them or of evidence upon which any charges were based; that prisoners were provided with the assistance of counsel; that the legality of detentions was subject to review by any judicial officer; or that any trials or other determinations of guilt occurred.

OTHER INHUMANE ACTS

a) Inhumane Conditions of Detention: Tuol Beng

214. Prisoners at Tuol Beng were kept shackled within the wooden buildings.⁷⁷⁹ The prisoners were very thin,⁷⁸⁰ and a witness who worked nearby described them shouting for help and begging for leaves and beans to eat.⁷⁸¹

b) Inhumane Conditions of Detention: Wat Angkuonh Dei

215. Similar to the conditions at Tuol Beng, prisoners at Wat Angkuonh Dei were leg-shackled to iron bars in two queues under a long tile-roofed shelter.⁷⁸²

MURDER AND EXTERMINATION

a) Tuol Beng

216. Despite the fact that access to the location was heavily restricted,⁷⁸³ Tuol Beng was well known as an execution site.⁷⁸⁴ Prisoners taken to Tuol Beng were never heard from again.⁷⁸⁵
217. Witnesses and civil party applicants testified to a significant number of burial pits and mass graves at the site. Than Yang saw 20 pits located ten metres from the prison, each of which was five metres in width, seven metres in length, and 2.5 metres in depth; by the end of the DK period, these pits were “completely filled” and swarming with flies.⁷⁸⁶ Sbong Yann also reported about 20 pits, including one with approximately 50 corpses inside.⁷⁸⁷ Another witness came across a well and two pits full of swollen corpses when he was assigned to work in a rice field close to Tuol Beng.⁷⁸⁸ Some pits contained only severed heads, while some others contained only bodies.⁷⁸⁹
218. While the precise number of victims at Tuol Beng is unknown, the evidence shows that killing occurred on a massive scale. Thlang Pheng, who was present at the time the mass graves were being dug up after the collapse of the DK regime, said that “hundreds or up to thousands of skulls” were found in Tuol Beng village.⁷⁹⁰ Muok Sengly recounted 150 Cham people from Trapeang Russei Village being sent to be killed in Tuol Beng in a single incident in 1977.⁷⁹¹
219. Those executed at Tuol Beng included new people, educated people, former Lon Nol soldiers and civil servants, and Cham people.⁷⁹² Ordinary people were killed in Tuol Beng as well.⁷⁹³ Evidence also shows that entire families were executed if one family member had committed a minor wrongdoing: a pregnant woman and her husband were taken to be killed because she had secretly collected unhusked rice from the field,⁷⁹⁴ and a man and his family were killed because he had stolen yams to eat.⁷⁹⁵

220. At least some of the killings at Tuol Beng were carried out by sector soldiers.⁷⁹⁶

b) Wat Angkuonh Dei

221. People also disappeared after being sent to Wat Angkuonh Dei.⁷⁹⁷ One civil party applicant stated that she personally saw that three to five people were taken to be killed at Wat Angkuonh Dei and Phnom Pros every night in 1977.⁷⁹⁸

222. After killing orders were carried out at either Tuol Beng or Wat Angkuonh Dei, commune chiefs reported personally to Prak Yut.⁷⁹⁹ Prak Yut has stated that she in turn reported the killings to Ao An.⁸⁰⁰

PERSECUTION AND GENOCIDE

223. Kampong Siem District authorities gathered detailed information on the population's demographic characteristics, background, and affiliation,⁸⁰¹ and many of the victims at Wat Angkuonh Dei and Tuol Beng belonged to groups targeted for political or religious reasons by the Sector 41 authorities.

a) Political Persecution

224. New people and "17 April people" constituted a major part of the victims at Tuol Beng.⁸⁰² In addition, witnesses indicate that former Lon Nol soldiers in the district were taken to be detained and executed at Tuol Beng⁸⁰³ and Wat Angkuonh Dei.⁸⁰⁴ Finally, old North Zone cadres perceived as enemies were detained at Wat Angkuonh Dei⁸⁰⁵ before being taken to be killed at execution sites in the district, including Tuol Beng.⁸⁰⁶

b) Religious Persecution and Genocide: Tuol Beng

225. Massive executions of Cham people took place in Tuol Beng.⁸⁰⁷ Witnesses describe large numbers of ethnic Cham being taken to Tuol Beng never to be seen again.⁸⁰⁸ This included some 100 families from Trapeang Russei Village⁸⁰⁹ and eight families from Trapeang Tras Village.⁸¹⁰ Sbong Yann, who has been living in Tuol Beng village since 1975, witnessed groups of about 30 Cham people being taken to Tuol Beng Security Centre on multiple occasions.⁸¹¹ He indicated that no Cham remained by the end of 1977.⁸¹²

c) Religious Persecution and Genocide: Wat Angkuonh Dei

226. Cham families were also taken to Wat Angkuonh Dei.⁸¹³ One witness stated that her godfather, the head of the Cham religious community, was taken away from Kampong Tros village in mid-1977. He was detained at Angkuonh Dei School and then killed at Phnom Pros together with around 30 Cham people.⁸¹⁴

E. KOK PRING EXECUTION SITE

1. INTRODUCTION

227. The Kok Pring execution site was a large killing field located on the shores of a lake near Kdei Boeng Village, in Kampong Siem District, where hundreds of people were murdered during the time **Ao An** served as Sector 41 Secretary. Most of those killed were ordinary civilians suspected of disloyalty to the regime, as cadres and those with higher ranks from the former regime were usually sent to district or sector security centres. **Ao An** personally gave orders for killings at Kok Pring, instructing Prak Yut to determine which arrestees should be killed and which should be sent to a higher level. The killings were then carried out by Vihear Thom Commune Chief Chea and his subordinates, pursuant to instructions given by Prak Yut.

228. The ICIJ has charged **Ao An** with the crimes against humanity of murder, extermination, political persecution, and religious persecution at the Kok Pring Execution Site, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁸¹⁵ The Co-Prosecutor seeks indictment for all of these crimes at this location except premeditated homicide.⁸¹⁶

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

229. The Kok Pring execution site was located on the banks of Boeng Thom Lake, approximately one kilometre from Kdei Boeng Village in Vihear Thom Commune, Kampong Siem District.⁸¹⁷ Although some killings may have occurred at the site prior to 1977, the large-scale killings occurred in 1977 and 1978 following the arrival of **Ao An**

and his fellow Southwest Zone cadres.⁸¹⁸ Witnesses estimate that just under 1,000 people were taken to Kok Pring to be executed.⁸¹⁹

230. Although the site is now a rice field and no disturbances of the earth are visible,⁸²⁰ witnesses testify to having seen a large number of burial pits at Kok Pring and along the banks of Boeng Thom Lake during the time that **Ao An** and the other Southwest Zone cadres controlled the area.⁸²¹ The pits ranged in size from approximately five square metres up to 100 square metres each.⁸²² Witnesses estimate that each pit held between eight and 20 bodies.⁸²³

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

231. **Ao An** gave direct, explicit orders to Prak Yut to kill people at Kok Pring execution site. Specifically, **Ao An** ordered Prak Yut to “select and send important people to the sector level” and then “kill the rest at the execution site in [Kok] Pring”.⁸²⁴ Prak Yut passed these killing orders on to her deputy Si (who was also in charge of district security) and Vihear Thom Commune Chief Chea,⁸²⁵ who had authority over the unit chiefs who ultimately carried out the arrests and killings.⁸²⁶

4. CRIMES

MURDER AND EXTERMINATION

232. After receiving arrest and killing orders from Prak Yut, Chea passed the orders down to unit chiefs and village chiefs, often at meetings organised for that purpose.⁸²⁷ He also provided special militiamen who assisted in the arrests and executions.⁸²⁸
233. Following these meetings, the unit chiefs led militia and soldiers to arrest the victims, sometimes tying them up in the process.⁸²⁹ Arrests usually occurred in groups—witnesses recalled seeing groups of 10 to 50 prisoners being taken away at a time.⁸³⁰ Some arrests were facilitated by the pretence that the victims were being taken to attend a meeting or study session or were being moved to a new village across the lake.⁸³¹ Many arrests occurred at night,⁸³² and the victims came from across Kampong Siem District,⁸³³ targeted due to suspected disloyalty to the regime, which could arise from minor offences such as

complaining about food rations or stealing apples or chickens.⁸³⁴ Many other victims were family members or associates of higher-ranking prisoners taken to the district security offices at Tuol Beng and Wat Angkounh Dei.⁸³⁵

234. The militia and soldiers took bound victims to the Kok Pring execution site: multiple witnesses recalled seeing prisoners led in the direction of Kok Pring, and most of them recalled that no one ever returned.⁸³⁶ Those who were ill or otherwise unable to make the journey to Kok Pring were sometimes executed along the way.⁸³⁷
235. Once the victims arrived at Kok Pring, the cadres, militia, and soldiers stripped the victims of their clothes,⁸³⁸ led them to the edge of burial pits, and killed them by striking them at the base of the skull with wooden or metal rods and then cutting their throats.⁸³⁹ Children were sometimes thrown into the burial pits while still alive.⁸⁴⁰ In some cases, the cadres and soldiers raped women before killing them.⁸⁴¹
236. Although there were some attempts to keep the killings secret,⁸⁴² perpetrators sometimes celebrated after the killing sessions and boasted to each other about how many people they had killed.⁸⁴³ They also sometimes told others what they had done. One perpetrator, named Em, took civil party applicant Pin Dan to the mass graves shortly after a massacre and showed him the “swollen corpses cracking the ground above them.”⁸⁴⁴ Another perpetrator, named Khen, explained to witness Kak Sroeun how he and others clubbed victims to death and cut their throats and told him that the “dead bodies were lined up in graves like firewood.”⁸⁴⁵ Khen made this admission to Kak Sroeun before the end of the DK regime.⁸⁴⁶
237. At least six witnesses and civil party applicants reported having seen the corpses and burial pits resulting from these massacres.⁸⁴⁷ This grisly evidence of the killings was unmistakable: Bum Se reported having seen “legs and hands emerging from the pits” five days after one massacre.⁸⁴⁸ The arrests and killings continued until 1979, when the Vietnamese arrived.⁸⁴⁹ After the Vietnamese invasion in 1979, local residents began digging up the mass graves in search of gold and jewelry, and there were clothes, skulls, and bones strewn across the site.⁸⁵⁰ After each group of killings at Kok Pring was carried out, Chea reported on the completion of his assigned task to Prak Yut, who then reported onward to **Ao An**.⁸⁵¹

238. Because of the lack of surviving records, the number of victims at Kok Pring is impossible to calculate precisely, but the evidence shows it was a massive number. Witnesses' accounts of mass arrests, a large number of burial pits filled to capacity and beyond with dead bodies, and the lengthy period over which the site functioned all point to a very large number of victims. San Son estimated 800-900 were killed at the site.⁸⁵² Bum Se stated that after the Vietnamese invasion when locals were disinterring the corpses in the mass graves in search of jewelry and valuables, those present estimated that there were approximately 1,000 victims.⁸⁵³

PERSECUTION AND GENOCIDE

a) Political Persecution

239. Many of the victims killed at Kok Pring were 17 April people or new people targeted because of their perceived loyalty to the Lon Nol regime during the civil war.⁸⁵⁴ Former Lon Nol soldiers and people accused of having connections with the Lon Nol regime were also killed at Kok Pring.⁸⁵⁵

b) Religious Persecution and Genocide

240. Many Cham people and families were also executed at Kok Pring.⁸⁵⁶

F. WAT BATHEAY SECURITY CENTRE

1. INTRODUCTION

241. The area adjacent to the Wat Batheay Pagoda complex in Batheay District served as a district-level security centre used to detain, interrogate, and execute prisoners during the time **Ao An** served as the secretary of Sector 41. The evidence shows that cadres under **Ao An** killed thousands of people at this site. The prisoners detained and killed at the Wat Batheay Pagoda complex included ordinary civilians accused of offences, ex-cadres perceived as enemies, Cham, and people from the East Zone.

242. The ICJ has charged **Ao An** with the crimes against humanity of imprisonment, murder, extermination, torture, other inhumane acts (inhumane conditions of detention, forced labour, and physical abuse of prisoners), political persecution, and religious persecution at

the Wat Batheay Security Centre, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁸⁵⁷ The Co-Prosecutor seeks indictment for all of these crimes at this location except the other inhumane acts of forced labour and physical abuse of prisoners, and premeditated homicide.⁸⁵⁸

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

243. Wat Batheay Security Centre was located adjacent to the Wat Batheay Pagoda complex in Batheay Village and Commune in Batheay District.⁸⁵⁹ The location is approximately 60 kilometres north of Phnom Penh, on the south side of National Highway 6, near the place where the highway curves broadly to the east towards Kampong Cham.⁸⁶⁰ The Wat Batheay Security Centre was not situated within the pagoda compound but rather was located adjacent to the pagoda complex on the east side⁸⁶¹ and has since been destroyed.⁸⁶² However, the pagoda still exists and is surrounded by stupas, outbuildings and perimeter walls.⁸⁶³
244. Wat Batheay commenced operations as a security centre as early as 1975 and ceased to function at the time of the arrival of Vietnamese troops in January 1979.⁸⁶⁴
245. During the DK period, the security centre comprised a number of buildings. The security office was approximately four by five metres in size.⁸⁶⁵ There were also a number of buildings used to imprison detainees,⁸⁶⁶ an interrogation hall,⁸⁶⁷ and a cooking shack.⁸⁶⁸ Burial pits covered a large area to the south and east of the security centre buildings.⁸⁶⁹ Hundreds of pits of different dimensions were densely packed in this area.⁸⁷⁰ The area is now overgrown and there are no signs of human remains on the surface today.⁸⁷¹
246. The security centre and the burial pits were concealed from the National Highway by a grove of trees.⁸⁷² One witness said that anyone caught wandering in the area during the DK regime would be killed.⁸⁷³

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

247. A cadre named “Has” controlled the Wat Batheay Security Office until he was arrested and killed at some point in 1977.⁸⁷⁴ Following Has’s arrest, he was replaced by Pin Pov, who at

- the time was known as Khun Khim.⁸⁷⁵ Lim was the deputy chief of the prison⁸⁷⁶ and seven guards worked there.⁸⁷⁷
248. Above the security centre, a cadre named Phim (from the Southwest Zone)⁸⁷⁸ served as Secretary of Batheay District after his predecessor, Ta Sao, was arrested and sent to S-21 on 26 February 1977.⁸⁷⁹ Nang was the District Office Chairperson in Batheay District.⁸⁸⁰
249. District Secretary Phim ordered the arrests of those detained at the Wat Batheay Security Centre.⁸⁸¹ When speaking to witness Put Kol, Phim acknowledged the scale of the purge he was involved in and told Put Kol that “thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979.”⁸⁸² He also stated that the orders for the arrests and killings came to the districts *via* the sector level.⁸⁸³
250. Phim’s arrest orders were carried out by In (a.k.a. En),⁸⁸⁴ then Batheay District’s military commander who was also Phim’s confidant, bodyguard, and messenger.⁸⁸⁵ Arrests were also made by young commune militiamen.⁸⁸⁶
251. Once detainees arrived at Wat Batheay Security Centre, they were interrogated, and their interrogation reports were sent to District Secretary Phim,⁸⁸⁷ who then forwarded the reports to the sector authorities for decisions about which prisoners to kill.⁸⁸⁸ Once these decisions were made, Phim informed the cadres at the security centre of which prisoners should be killed and which could be released.⁸⁸⁹ After implementing Phim’s instructions, the chief of the security centre then informed Phim of the number of prisoners who were detained, executed, and released.⁸⁹⁰ As was the case with all security centres in Sector 41, **Ao An** received reports of these killings.⁸⁹¹
252. The head of **Ao An**’s personal defence unit (and Sector 41 military chief), Sok,⁸⁹² went to Wat Batheay on an occasion when prisoners “shackled and screaming for help” were taken out and killed.⁸⁹³ **Ao An** was himself personally present at Wat Batheay on at least one occasion for a meeting.⁸⁹⁴
253. Under this structure of authority, the Wat Batheay Security Centre served as a key location in the execution of the purge of the Central Zone.⁸⁹⁵

4. CRIMES

IMPRISONMENT

254. Thousands of people were detained and executed at Wat Batheay during the DK period,⁸⁹⁶ including women and children.⁸⁹⁷
255. Batheay District Secretary Phim issued arrest orders to district soldiers and militiamen, who then arrested the prisoners and brought them to Wat Batheay.⁸⁹⁸ Prisoners were usually transported to the security centre in large groups by truck.⁸⁹⁹ Some detainees were also brought on foot⁹⁰⁰ or by car.⁹⁰¹ The prison was sometimes used as a transit point for the passage of prisoners who were later transferred to other locations in the Central Zone, such as at Phnom Pros or rubber plantations.⁹⁰²
256. Upon their arrival at the security centre, prisoners were often taken to an interrogation room, where they were tortured to obtain confessions.⁹⁰³ Following this, they were either detained and forced to work, or executed.⁹⁰⁴
257. No legal process was accorded to any of those detained at Wat Batheay Security Centre. There is no evidence whatsoever that arrests were conducted pursuant to warrants or validly issued court orders; that prisoners were informed of the reasons for their arrest or of legal charges against them or of evidence upon which any charges were based; that prisoners were provided with the assistance of counsel; that the legality of detentions was subject to review by any judicial officer; or that any trials or other determinations of guilt occurred.

OTHER INHUMANE ACTS

a) Inhumane Conditions of Detention

258. Prisoners at Wat Batheay were subjected to inhumane conditions. Detainees were shackled⁹⁰⁵ and sometimes handcuffed⁹⁰⁶ and detained with large numbers of other prisoners.⁹⁰⁷
259. The food provided was inadequate in terms of both quantity and quality, leaving detainees starving and malnourished.⁹⁰⁸ One witness stated that prisoners were only given one meal per day, consisting of a spoon of rice⁹⁰⁹ and they were only allowed to drink once per

- day.⁹¹⁰ Some of the malnourished prisoners died.⁹¹¹ One witness said that detainees who were to be executed were starved to prevent any resistance.⁹¹²
260. Hygiene conditions at Wat Batheay were appalling and some prisoners fell gravely ill as a result.⁹¹³ Medical care was not available and detainees feared that revealing their illnesses would lead to their execution.⁹¹⁴ Some prisoners died of their illnesses.⁹¹⁵
261. Prisoners who were not immediately executed were assigned to supervised forced labour to provide support for the security centre and to benefit the regime.⁹¹⁶ The forms of labour required included carrying water,⁹¹⁷ clearing land,⁹¹⁸ planting yams,⁹¹⁹ making fertiliser⁹²⁰ and, most frequently, digging burial pits for prisoners who had been executed or became too weak to work.⁹²¹ Workers who did not work hard enough were beaten⁹²² or killed.⁹²³ Detainees at Wat Batheay believed that hard work was the only path to survival: “because [they] worked hard, [they were] not killed.”⁹²⁴

TORTURE

262. The former chief of Wat Batheay Security Centre acknowledged that torture was used there.⁹²⁵ Torture was frequently used to obtain confessions⁹²⁶ or punish detainees.⁹²⁷ Interrogations were often conducted as soon as the prisoner arrived in order to “find the network”.⁹²⁸
263. Beating with sticks or clubs was the predominant method of torture.⁹²⁹ Detainees were heard screaming in pain.⁹³⁰ Interrogators also sometimes bound prisoners in stress positions⁹³¹ or suffocated them with plastic bags.⁹³² A former prisoner who still has visible marks from being tortured in the security centre described how “both of his arms were bound firmly behind his back and he was then made to stand on one leg in the heat of the day”.⁹³³

MURDER AND EXTERMINATION

264. A DC-Cam report estimated 8,000 to 10,000 people were killed at the Wat Batheay Security Centre, and the former chief of the security centre acknowledged that thousands were killed.⁹³⁴ He also admitted that most of the prisoners brought there were killed and that releases were rare⁹³⁵ — a fact corroborated by a survivor who indicated that the only

people not executed were “the small group of people who did the work for them”.⁹³⁶ Though killings may have been committed there before, the number of killings at Wat Batheay increased “with the arrival of the South-west cadres in 1977” and with the arrival of prisoners from the East Zone.⁹³⁷ Killings took place daily⁹³⁸ until at least September of 1978.⁹³⁹

265. One witness testified to having personally seen thousands of executions at Wat Batheay.⁹⁴⁰ Former prisoners described how one to three trucks of prisoners were brought every day, or one or two days apart, with each truck containing around 20 people.⁹⁴¹ The number of executions and the size of the pits that detainees had to dig varied “depending on the number of people on the trucks”.⁹⁴² Similarly, a former detainee indicated that the number of pits he had to dig “depended on the number of people executed each day”, and that the size of the pit varied to accommodate “when they executed the children”.⁹⁴³ A total of 400 to 500 grave pits were discovered at the site after the end of the DK period.⁹⁴⁴
266. Killings usually occurred in the forest at the end of the day or at night⁹⁴⁵ and the methods of killings varied. Witnesses described how “children were killed with a bamboo stick”, whereas adults “were killed by stabbing their throats”.⁹⁴⁶ Another explained that “[w]omen’s bodies’ were cut open and their gallbladders taken out”⁹⁴⁷ and that the executioners would sometimes first undress female victims before killing them.⁹⁴⁸ A former prisoner witnessed detainees being first “hit with bamboo sticks”, before being “stabbed from shoulder to chest with bayonets”.⁹⁴⁹ One of these former prisoners reflected that there “were many ways to kill people”.⁹⁵⁰ Pin Pov admitted that the executioners were imaginative in the methods employed to kill prisoners.⁹⁵¹ A further prisoner saw detainees being “buried alive”.⁹⁵² A prisoner in charge of covering the pits with dirt noticed that the valuables were taken from the detainees before they were executed.⁹⁵³ Loud music was played during executions to drown out the noise of the killings.⁹⁵⁴
267. Certain groups of detainees were treated more harshly than others. Witnesses reported that once the Southwest Zone cadres arrived, people from the East Zone were transported to Wat Batheay in order to be executed.⁹⁵⁵ Victims from the East Zone were accused of being traitors and being subject to Vietnamese authority.⁹⁵⁶ Such prisoners were killed almost immediately after providing their personal biographies (rather than first being interrogated

like some of the other prisoners held at Wat Batheay),⁹⁵⁷ so that the regime was able to record the ages and hometowns of these prisoners from the east. They were sometimes killed in groups.⁹⁵⁸ A former prisoner at Wat Batheay recalled that this practice occurred daily for a period up to two months.⁹⁵⁹ A former officer at the prison reported that the East Zone people started to be detained at Wat Batheay after the arrival of the Southwest Zone cadres (i.e. once the sector was under **Ao An**'s supervision).⁹⁶⁰

268. The thousands of killings at the Wat Batheay Security Centre satisfy the element of mass scale required for the crime of extermination. In addition, the killings at the Wat Batheay Security Centre were committed intentionally, demonstrating the direct intent of the perpetrators.

PERSECUTION AND GENOCIDE

a) Persecution on Political Grounds

269. Wat Batheay's prisoners included CPK cadres or ex-cadres; ordinary people accused of being "bandits" or of having committed various crimes such as stealing or "moral offences"; and personnel from the East Zone accused of being traitors.⁹⁶¹ One former detainee reported that prisoners were selected due to their (perceived) disloyalty to the CPK; former local authorities were consequently replaced with people who would advance the Party line.⁹⁶²

b) Persecution on Religious Grounds and Genocide

270. The prisoners at the Wat Batheay Security Centre included "many Cham people".⁹⁶³ A former prisoner at Wat Batheay described one occasion on which two truckloads of Cham families—"old people, children, women, and men"—were brought to the prison, killed, and buried in three large burial pits.⁹⁶⁴ She also stated that Cham prisoners made up ten percent of the large group of victims who arrived from the East Zone.⁹⁶⁵

G. ANLONG CHREY DAM FORCED LABOUR SITE

1. INTRODUCTION

271. Anlong Chrey Dam was a sector-level worksite in Kampong Cham Province where thousands of labourers were forced to carry out a large-scale construction project in 1977-1978 under the direct control of Sector Secretary **Ao An**. Workers were confined to the site, working arduous hours and undertaking backbreaking labour in deplorable conditions. Arrests, disappearances, and killings were frequent punishments for those who did not meet the work quotas set by DK officials.
272. The ICIJ has charged **Ao An** with the crimes against humanity of murder, enslavement, and other inhumane acts (enforced disappearances, forced labour, and inhumane conditions of detention) at the Anlong Chrey Dam Forced Labour Site, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.⁹⁶⁶ The Co-Prosecutor seeks indictment for all of these crimes at this location except the other inhumane acts of forced labour and inhumane conditions of detention, and premeditated homicide.⁹⁶⁷

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

273. Anlong Chrey Dam is located in Kampong Cham Province, approximately four kilometres south of National Road 7, between the towns of Skun (to the west) and Kampong Cham (to the east).⁹⁶⁸ The dam construction site was located on the border of Prey Chhor and Cheung Prey districts in Sector 41 of the Central Zone.⁹⁶⁹
274. As a sector-level worksite, Anlong Chrey was often called the Sector Dam.⁹⁷⁰ Witnesses also referred to it as Tuol Kok Khou Dam, referencing the name of a hill located nearby.⁹⁷¹ **Ao An** told DC-Cam he “was in charge of construction” of the Anlong Chrey dam which he referred to as the “17 April Anniversary Dam”.⁹⁷²
275. Though some work may have occurred prior to the arrival of the Southwest Zone cadres,⁹⁷³ most of the construction work on the dam took place after their arrival, during the dry season of 1977-1978.⁹⁷⁴ In early 1978, **Ao An** chaired a large ceremony to officially open the worksite.⁹⁷⁵ The event was attended by the many thousands of labourers who had already begun constructing the dam.⁹⁷⁶ (One witness recalled that **Ao An** claimed that the

workforce numbered 20,000.)⁹⁷⁷ During the ceremony, **Ao An** and other cadres informed the attendees about the massive scale of the project and stressed the need for labourers to work hard in order to exceed the timetable set by *Angkar* for completion of the dam.⁹⁷⁸

276. While one witness stated that there was a closing ceremony for the construction site,⁹⁷⁹ the Anlong Chrey Dam was never completed to the point that it was operational.⁹⁸⁰ In fact, evidence indicates that all mobile units left the site during the 1978 rainy season because the weather made it impossible to continue the work,⁹⁸¹ which never resumed before the regime fell.⁹⁸²
277. Anlong Chrey Dam is a very large, mostly earthen structure.⁹⁸³ Its planned height varied between five and 15 metres depending on the local topography,⁹⁸⁴ and it was divided into four segments by three concrete sluice gate chutes.⁹⁸⁵ The reservoir enclosed by the dam is approximately four square kilometres in size,⁹⁸⁶ with the dam forming the southern perimeter of the reservoir⁹⁸⁷ and National Road 7 forming the northern perimeter.⁹⁸⁸ To the east and the west, the reservoir is enclosed by two roads that run southward from intersections with National Road 7.⁹⁸⁹ Because the gates for the sluice gate chutes were never installed, the reservoir has never been filled with water.⁹⁹⁰
278. At present, Anlong Chrey Dam and the eastern perimeter road are in a seriously degraded state.⁹⁹¹ The basic concrete sluice gate structures are intact, but the earthen embankment that during the DK regime reached the top of the sluice gates has been reduced to about two-thirds of its original height.⁹⁹²

3. AUTHORITY STRUCTURE

279. As a sector-level worksite,⁹⁹³ Anlong Chrey Dam fell under **Ao An**'s direct control⁹⁹⁴ and he frequently visited the site with his messengers or drivers and armed bodyguards.⁹⁹⁵ He also openly asserted his authority over the site by presiding over large meetings of workers at which he exhorted them to meet the goals set out by *Angkar* and informed them that those who failed to meet their quotas would be considered enemies.⁹⁹⁶ **Ao An** also spoke about the need to identify other perceived enemies of the regime, such as former government officials, capitalists, feudalists, and CIA or KGB agents.⁹⁹⁷ One worker

described **Ao An**'s power as "dictatorial" and said that when **Ao An** was at the site, "none of the workers dared to rest", fearing that they would be deemed lazy and killed.⁹⁹⁸

280. In addition to the large meetings with the workers, **Ao An** also sometimes held meetings with the mobile unit chairpersons during his visits to the site⁹⁹⁹ and personally inspected the progress of the work.¹⁰⁰⁰
281. **Ao An**'s subordinates also supervised the progress of the work at the site. Aun, who was **Ao An**'s deputy and in charge of the Sector 41 office, visited the worksite frequently.¹⁰⁰¹ During such visits he, like **Ao An**, inspected the work performed by the members of the various mobile units, held meetings, and underscored the need for the workers to work hard in order to achieve *Angkar*'s plans.¹⁰⁰² Various district-level representatives present at Anlong Chrey Dam also reported to Aun,¹⁰⁰³ ensuring that day-to-day operations were monitored and controlled by the sector-level authorities even in their absence.
282. Sum Pet, who was forced to work at Anlong Chrey Dam for five months, stated that each district maintained an office at the dam with a district representative and one or two messengers present.¹⁰⁰⁴ He also observed commune chiefs instructing mobile unit chiefs to obey the orders conveyed by the district representatives.¹⁰⁰⁵ Instructions from the sector level were thus disseminated through district representatives directly to the mobile unit chiefs, who then instructed the workers.¹⁰⁰⁶
283. The massive scale of the Anlong Chrey construction site made it difficult for many former workers to understand the organisational structure of the entire worksite. Thus the majority of statements from former workers focus primarily on the identity of the unit chiefs in charge of their daily work.¹⁰⁰⁷

4. CRIMES

ENSLAVEMENT

284. **Ao An** and his subordinates controlled every aspect of the lives of those who were forced to work at Anlong Chrey Dam. Victims were exploited for their labour and worked arduous hours.¹⁰⁰⁸ The Khmer Rouge dictated when, what and how much workers were permitted to eat, and the rations were woefully insufficient in light of the demands placed on the

workers.¹⁰⁰⁹ Movement was highly restricted, as workers were unable to leave the site without permission, even when their quotas were met.¹⁰¹⁰ Family and personal life was also at the complete discretion of the CPK, with cadres refusing to grant permission to workers to go see their families.¹⁰¹¹ Workers were also expected to respect collective property: if someone accidentally broke a tool in the course of performing their work, they were labelled an enemy.¹⁰¹²

285. The workforce at the dam was made up of thousands of people from various districts in the Central Zone who were organised into mobile units.¹⁰¹³ The primary task assigned to the dam workers was to carry heavy loads of earth which were used to construct the dam.¹⁰¹⁴ The physical toll of the work was exacerbated by the excessively long hours.¹⁰¹⁵
286. CPK officials set strict quotas, specifying the number of cubic metres of earth each member of a mobile unit had to carry per day.¹⁰¹⁶ Those unable to meet their quota were threatened, tortured, arrested, or disappeared.¹⁰¹⁷ Officials also punished the failure to meet quotas by reducing rations,¹⁰¹⁸ and increased quotas for those workers deemed to have committed moral misconduct such as falling in love or having sexual intercourse outside of the confines of marriage.¹⁰¹⁹
287. Workers were closely monitored and were reminded by CPK officials of the consequences of failing to meet their quotas.¹⁰²⁰ This climate of fear was compounded by Ao An's statement that those who did not meet their assigned targets would be considered "enemies".¹⁰²¹ To ensure their quotas were achieved, workers helped people they knew to meet their targets or worked into the night to finish the work they had been assigned.¹⁰²² However, accepting or offering help also risked punishment.¹⁰²³
288. In addition to the forced labour undertaken by workers to construct the dam, they were also expected to build the shelters in which they had to sleep.¹⁰²⁴ The shelters were packed with workers, with so little space that many had to sleep on the ground.¹⁰²⁵ These conditions made their few permitted hours of sleep uncomfortable and difficult, especially during the rainy season.¹⁰²⁶ For sanitation, workers dug holes in the ground when they had to relieve themselves.¹⁰²⁷

289. Workers at Anlong Chrey Dam were given an insufficient amount of food to eat.¹⁰²⁸ Generally, they were provided with only two meals a day that consisted of small amounts of watery gruel, cooked rice, rice porridge or soup.¹⁰²⁹
290. As a result of these factors, some workers at Anlong Chrey fell ill.¹⁰³⁰ But instead of allowing those who became ill to rest, or providing them with food and medical care, cadres accused them of feigning illness and being lazy.¹⁰³¹
291. Given his frequent visits to the worksite, **Ao An** was aware of the conditions under which people were forced to work at Anlong Chrey.¹⁰³² Both **Ao An** and his driver Im Pon state that **Ao An** sometimes carried earth alongside the workers at the site.¹⁰³³ This experience would have given him a clear understanding of the conditions the workers faced.

OTHER INHUMANE ACTS

a) Enforced Disappearances

292. Forced labourers at Anlong Chrey Dam were taken away (or arrested) and disappeared on an almost daily basis with no information provided by the authorities in regards to their whereabouts.¹⁰³⁴ In addition to ordinary workers, East Zone evacuees, Cham, and CPK cadres suspected of having betrayed *Angkar* were among those who disappeared.¹⁰³⁵
293. Besides membership in a specific group, there were various reasons people disappeared. Workers involved in disputes disappeared.¹⁰³⁶ Workers who failed to meet their quotas disappeared.¹⁰³⁷ Other workers were taken under the pretence of re-education or medical treatment at a hospital and never returned.¹⁰³⁸

MURDER

294. As noted above, during a meeting at Anlong Chrey attended by the workers, **Ao An** stressed the importance of identifying 'enemies' of the regime, such as former government officials, capitalists, feudalists, and CIA or KGB agents.¹⁰³⁹ This overarching policy to identify and eradicate enemies led to the extrajudicial killings of many workers at Anlong Chrey Dam for seemingly innocent behaviours, such as being Cham, making a mistake, falling sick, resting, or hiding food.¹⁰⁴⁰ People were taken to be killed almost every day¹⁰⁴¹

with no due process whatsoever. Grave pits containing clothes and human remains were found near the worksite immediately after the fall of the DK regime.¹⁰⁴²

295. In addition to the executions that were carried out at the Anlong Chrey Dam worksite, the failure to provide sufficient nourishment to workers, physical exhaustion from the work demands, poor medical care, and inhumane working conditions at the site contributed to the deaths of many workers.¹⁰⁴³

H. WAT AU TRAKUON SECURITY CENTRE

1. INTRODUCTION

296. Wat Au Trakuon Security Centre was one of the deadliest prisons in operation during the DK period. More than 20,000 people are estimated to have been killed there after being subjected to inhumane conditions, torture, and political and religious persecution. The site was also a key location at which the CPK pursued its policy to eliminate the Cham Muslim population. The crimes committed at Wat Au Trakuon demonstrate the breadth and brutality of the CPK's policies within Sector 41.
297. The ICIJ has charged **Ao An** with the crimes against humanity of imprisonment, murder, extermination, torture, other inhumane acts (enforced disappearances, physical abuse of prisoners, and inhumane conditions of detention), political persecution, and religious persecution at the Wat Au Trakuon Security Centre, as well as with premeditated homicide pursuant to the 1956 Cambodian Penal Code.¹⁰⁴⁴ The Co-Prosecutor seeks indictment for all of these crimes at this location except other inhumane acts of physical abuse of prisoners, and premeditated homicide.¹⁰⁴⁵

2. LOCATION, PERIOD OF OPERATION, AND SITE DESCRIPTION

298. Wat Au Trakuon was located in Sambaur Meas Village, Peam Chi Kang Commune, Kang Meas District, approximately two kilometres from the Kang Meas District office.¹⁰⁴⁶ The site operated as a pagoda until April 1976 when the CPK forced the Wat's Buddhist monks to disrobe.¹⁰⁴⁷ Soon thereafter, the pagoda was converted into a security centre¹⁰⁴⁸ that was officially named Mony Saravoan but was more widely known as Wat Au Trakuon.¹⁰⁴⁹ The

only security centre in Kang Meas District,¹⁰⁵⁰ Wat Au Trakuon was abandoned at the fall of the DK regime¹⁰⁵¹ and subsequently resumed operations as a pagoda.

299. During the DK period, the Wat Au Trakuon Security Centre compound measured 170 metres by 200 metres and its perimeter was marked by a high barbed wire fence.¹⁰⁵² The main entrance lay on the southern side of the compound and led directly to the main temple building, where prisoners were detained.¹⁰⁵³ Slightly east of the main entrance was the principal interrogation room in what was formerly a school building.¹⁰⁵⁴ Outside the fenced perimeter of the compound, a thickly vegetated area directly to the east was used as the primary execution and burial site.¹⁰⁵⁵ Diagrams and photographs on the Case File provide clear visual details of the site both during and after the DK regime.¹⁰⁵⁶

3. AUTHORITY STRUCTURE AND ROLE IN THE PURGE

a) Authority Structure

300. Wat Au Trakuon was a district-level security office under the authority of Kang Meas District Secretary Kan, who was sent to the area along with other Southwest Zone cadres.¹⁰⁵⁷ Kan appointed his wife, Pheap, as his deputy in the district and as Secretary of Peam Chi Kang Commune.¹⁰⁵⁸
301. The Chairman of Wat Au Trakuon was Horn, a Southwest Zone cadre who arrived in the Central Zone in early 1977 and also served as security chief for Kang Meas District.¹⁰⁵⁹ Horn commanded the commune militia and executioners based at the pagoda,¹⁰⁶⁰ and reported directly to District Secretary Kan.¹⁰⁶¹
302. The Deputy Chairman of Wat Au Trakuon was Bot, who also served as the interrogator at the prison until he was killed on Horn's orders.¹⁰⁶² After Bot was killed, Kuong took his place as Horn's deputy and interrogator.¹⁰⁶³ Other staff at the security centre included Muy Vanny, who was Horn's bodyguard and personal assistant, and three cooks.¹⁰⁶⁴
303. The guards at Wat Au Trakuon included members of the Peam Chi Kang Commune militia, which was more commonly known as the "Long Sword Militia"¹⁰⁶⁵ because its members could be identified by the long swords that they carried.¹⁰⁶⁶ The Long Sword Militia was

formed after the Southwest Zone cadres arrived in the Central Zone.¹⁰⁶⁷ The group's security unit arrested and transported prisoners to Wat Au Trakuon.¹⁰⁶⁸

304. The Long Sword Militia reported to and received instructions from Kan, Horn and Pheap.¹⁰⁶⁹ Horn acted as their direct supervisor at the security centre and communicated orders he had received from the district level.¹⁰⁷⁰ Pheap, the Commune Secretary and District Deputy Secretary, communicated orders and passed on arrest lists to the Long Sword Militia that had been issued by the District Committee for implementation.¹⁰⁷¹
305. The executioners at Wat Au Trakuon were 15 to 20-year-old boys and young men who were recruited and trained specifically to carry out executions.¹⁰⁷² Occasionally, two prisoners were ordered to assist in the task.¹⁰⁷³ The executioners reported to Horn.¹⁰⁷⁴

b) Role in the Purge

306. **Ao An** held meetings at Wat Au Trakuon and in Peam Chi Kang Commune at which he promoted CPK policy, telling civilians to work hard for *Angkar* and warning that there were enemies amongst them.¹⁰⁷⁵ As Seng Srun recalled:

An also told us not to be afraid because of the arrest and execution of the previous cadre, because they were enemies and disloyal to [Angkar]. The old cadre had been arrested and killed immediately when the Southwesterners arrived. An said that the prior cadre had been 'smashed' because they were disloyal to [Angkar] and the revolution.¹⁰⁷⁶

307. At these meetings, workers complained to **Ao An** that they were not receiving enough food, and he advised them to report the names of the unit chiefs responsible to District Secretary Kan; he also gave verbal permission for workers to grow and forage for their own food.¹⁰⁷⁷ However, workers who aired their grievances at the meeting or to Kan were subsequently arrested and taken to Wat Au Trakuon.¹⁰⁷⁸ Similarly, people who began to grow or forage for their own food following **Ao An**'s instructions were arrested, taken to Wat Au Trakuon, and executed.¹⁰⁷⁹
308. The arrests of various classes of prisoners that were brought to Wat Au Trakuon were the result of policies ordered by the upper echelon.¹⁰⁸⁰ **Ao An** had regular meetings with Zone Secretary and Central Committee Member Ke Pauk,¹⁰⁸¹ and according to a former commune chief, also had meetings with Ta Mok.¹⁰⁸² He then held meetings at his office in

Prey Chhor “once a month, every month”.¹⁰⁸³ During these monthly meetings—which all district secretaries, including Kan, attended—Ao An instructed that lists of certain classes of people, including Cham and former Lon Nol soldiers, be prepared and submitted to the sector.¹⁰⁸⁴ The lists were subsequently compiled at the commune and district levels and provided to Ao An,¹⁰⁸⁵ who then sent the lists back to the lower echelons with instructions for implementation.¹⁰⁸⁶ Ao An also personally told the district secretaries at the monthly meetings to “collect” Cham people and Lon Nol soldiers.¹⁰⁸⁷ The evidence demonstrates that these orders were passed down and carried out at Wat Au Trakuon.¹⁰⁸⁸ Moreover, Sor Chheang recalled that during his brief three-month imprisonment at Wat Au Trakuon in 1977, District Secretary Kan “paid visits to the security office many times” in order to issue orders and to follow up with the chairman of Wat Au Trakuon on their implementation.¹⁰⁸⁹

4. CRIMES

IMPRISONMENT

a) Unlawful Arrest and No Due Process

309. Prisoners at Wat Au Trakuon were arbitrarily deprived of their liberty. In many cases, people were deceptively told that they were going to study or to work elsewhere but were then taken to Wat Au Trakuon for imprisonment.¹⁰⁹⁰ Wives and children were arrested because their husband/father had been arrested, reflecting the CPK’s policy to “dig out the roots” of perceived enemies’ networks.¹⁰⁹¹ In most cases, the prisoners were never informed of any reason for their arrest or detention. One former Long Sword Militia member recalled, “We tied them up, and *it was not necessary to tell them any reason*. We took them straight to Wat Ou Trakuon Pagoda.”¹⁰⁹²

310. Prisoners were often beaten during the arrest process or *en route* to the prison.¹⁰⁹³ “Able-bodied” prisoners were often tied together or handcuffed.¹⁰⁹⁴ Sor Chheang recalled:

Because they tied my hands behind my back, my blood could not circulate well. My arms swelled. Then they carried me by a bicycle [...] to Wat Au Trakuon [...] my arms were so swollen.¹⁰⁹⁵

311. Upon their arrival at the site, women and men were separated in the pagoda.¹⁰⁹⁶ Prisoners were often shackled and forced to remain inside their cells at all times, though some

prisoners were temporarily unshackled so that they could work in the prison compound.¹⁰⁹⁷ Some detainees remained arbitrarily imprisoned at Wat Au Trakuon for more than a year.¹⁰⁹⁸

312. At no time were any of the prisoners at Wat Au Trakuon accorded any legal process. Not only were they not informed of the reasons for their arrest or legal charges against them, but they were never formally charged, informed of their procedural rights, or provided with the assistance of counsel. The legality of their detention was not subject to review by any judicial officer, nor were they ever tried for their offences. Instead, they were presumed and treated as if they were guilty simply by virtue of their arrest. *Angkar* never made mistakes.
313. Prisoners were so rarely released from Wat Au Trakuon that many believed no one ever made it out alive.¹⁰⁹⁹ Phann Chhan, who was held at Wat Au Trakuon for one year and *did* survive, described how a group of prisoners were shot and killed while attempting to escape, while Chea Maly recounted how a prisoner who had been released from Wat Au Trakuon was killed when he went back to thank the guards for releasing him.¹¹⁰⁰ A few prisoners *were* released for various reasons, sometimes because their offences were considered minor or because their family knew one of the guards.¹¹⁰¹

b) Number of prisoners

314. A number of witnesses have provided information about the frequency of prisoner arrivals and the volume of prisoners brought to Wat Au Trakuon, making it possible to estimate that thousands of people were wrongfully imprisoned at Wat Au Trakuon. Horn's former bodyguard and personal assistant, Muy Vanny, recalled that 50 to 100 prisoners were admitted to the prison on each intake while he was there in 1978, though he is unsure how regularly this occurred.¹¹⁰² Mat Toulouh transported various groups to Wat Au Trakuon by boat, including 22 group and village chiefs, 130 "17 April people" and 80 of their children, and 1,000 adolescent mobile unit workers.¹¹⁰³ Seng Srun recounted being assigned to lead 300 Cham to the site on foot in August 1977 and recalled seeing prisoners arrive at Wat Au Trakuon on a daily basis.¹¹⁰⁴ Thong Kim Khun recounted that on his way to work one day in 1978, he saw about 500 Cham people being led to Wat Au Trakuon from a boat anchored at the bank of the Mekong.¹¹⁰⁵ Moeng Peng Hao, who was held at the Wat overnight in mid-1977, described it as being "full of prisoners" who were detained in rows

and chained close to one another, though he did not provide an estimate of the total number of people imprisoned at that time.¹¹⁰⁶ Sor Chheang, who was detained at Wat Au Trakuon for three months in 1977, recalled:

I observed that more people, from 50 to 100 persons a day, were brought to be detained at the security office. [...] [W]hen the Khmer Rouge ran out of shackles to put on the prisoners they sent the prisoners, who had been detained earlier, to be killed in daytime before they accepted the new prisoners. When they were informed that new prisoners would be brought in they would sen[d] the current prisoners out to be killed.¹¹⁰⁷

315. As discussed below, estimates of the total number of prisoners *killed* at Wat Au Trakuon between 1976 and 1979 range between 20,000 and 39,008.¹¹⁰⁸ Witnesses reported that the number of arrests and the targeting of people to be taken to Wat Au Trakuon increased *significantly* after the arrival of the Southwest Zone cadres in early 1977.¹¹⁰⁹ It follows that the majority of prisoners detained at Wat Au Trakuon throughout the DK period were arrested after the arrival of **Ao An** and the Southwest group. While these numbers do not include the number of prisoners ultimately freed, releases were such a rare occurrence that the estimates provide a good indication that thousands of prisoners were arbitrarily imprisoned at Wat Au Trakuon during the time **Ao An** controlled the Sector.¹¹¹⁰

OTHER INHUMANE ACTS

a) Inhumane Conditions of Detention

316. Security forces at Wat Au Trakuon often subjected prisoners to physical violence as they entered the prison. Several witnesses recalled incidents where children, women and the elderly were ill-treated because they struggled to climb the stairs.¹¹¹¹ Male Cham prisoners were beaten with metal bars immediately before they entered the temple in order to make them more compliant.¹¹¹²
317. Prisoners were held in the main temple building, which was divided into two sections by a wooden wall, with male prisoners detained on one side and female prisoners on the other.¹¹¹³ At night, detainees “in a row of 30 to 40 or 50” were shackled side by side to long metal bars that had been secured between pillars.¹¹¹⁴

318. While former commune committee members and Lon Nol officers remained shackled inside during the day, some prisoners were forced to work “excessively” outside doing tasks such as digging burial pits in preparation for executions.¹¹¹⁵ Sor Chheang was forced to clear excrement from other prisoners’ cells during his three-month detainment at Wat Au Trakuon and suffered from disease during his incarceration.¹¹¹⁶ He recalled:

They shackled me day and night for about 20 days. At the time, my arms got swollen because the blood could not circulate well. Later on, they released me to work in [the] daytime. I was tasked with cleaning the excrement and carrying the prisoners’ waste. But they shackled my feet at night.¹¹¹⁷

319. The food rations at Wat Au Trakuon were grossly insufficient. Prisoners were given small amounts of corn or watery gruel to eat,¹¹¹⁸ and unwell or malnourished prisoners received no medical care.¹¹¹⁹ Moeng Peng Hao was held overnight at the prison and recalled that “[t]he prisoners I saw at O Trau Kuon were very skinny. They could only speak in whispers, and their faces looked like ghosts.”¹¹²⁰ The conditions were so unbearable that Sor Chheang longed for his own execution in 1977 after watching other prisoners starve:

During [the] three months whilst I was imprisoned there, I had very little to eat. I was emaciated. Because of what I saw with the starvation I wished the day they would take me to be killed [would] come soon because I did not want to live any longer. I even asked them when I would be taken to be killed. They said my turn did not arrive yet. Normally, people who have enough to eat are afraid of death. But having lived in such situation at the time I was not afraid of death anymore. I always wanted to die.¹¹²¹

b) Enforced Disappearances

320. Numerous witnesses recalled disappearances in Kang Meas District throughout the period of Wat Au Trakuon’s operation, saying that following arrests, many people were never seen again.¹¹²² As discussed in the *Imprisonment* section, people were arrested and taken to Wat Au Trakuon with no explanation as to the basis for their arrest and either no explanation or a deceptive story about where they were going.¹¹²³ They were never seen again by those left behind.

321. The immense scale of arrests and purges in Kang Meas District created a climate of fear that prevented the friends and families of disappeared persons from inquiring about the fate of their loved ones.¹¹²⁴ Him Man testified to the fear that pervaded his village:

Sometimes two or three people were taken at a time during the meal time and we were so scared [...] that some of us would be taken away at that time. In our tradition, of course, we have meal in order to live but under the Khmer Rouge regime, every time when it was the meal time, we were afraid that we would be taken away and killed and people were taken to the west and I presume they were taken to Au Trakuon pagoda.¹¹²⁵

322. The number of victims at Wat Au Trakuon strongly suggests that many of the people who disappeared in Kang Meas District were taken to Wat Au Trakuon and ultimately killed, which is further corroborated by the fact that those left behind never heard from them again. However, all they know for sure is that they disappeared, as they were given no definitive information at the time of the events or in the forty years since as to their ultimate fate. The agony of never knowing what happened to a friend or loved one is what makes this crime so grave.

TORTURE

323. Interrogations at Wat Au Trakuon were conducted in the former school building on the southern perimeter of the compound, directly to the right of the main entrance.¹¹²⁶ Horn's deputies, Bot and then Kuong, conducted the interrogations as part of their duties at Wat Au Trakuon.¹¹²⁷ The purpose of the interrogations was to elicit information and "confessions" about other members of the victims' allegedly traitorous network.¹¹²⁸
324. To obtain confessions, the interrogators used torture. Prisoners were beaten and electrocuted during interrogations, and Horn himself invited Mat Toulouh to help hit the detainees.¹¹²⁹ Former prisoner Sor Chheang recalled detainees being hung upside down by their feet¹¹³⁰ and was ordered to assist tortured prisoners to walk from the interrogation building back to their cells in the main temple, as their injuries were too severe to walk unaided.¹¹³¹ Torture sessions at Wat Au Trakuon were so brutal that a number of prisoners died from injuries inflicted during interrogations.¹¹³²

325. The Wat Au Trakuon interrogators took written notes of confessions¹¹³³ which have since been lost or destroyed. Sor Chheang stated that prisoners who cooperated during interrogations had a higher likelihood of being kept alive and were even given incentives such as food so that they would provide more names during interrogations that stretched for days.¹¹³⁴ Those who were named in confessions were subsequently arrested and executed.¹¹³⁵
326. In addition to torture inflicted during interrogations, prisoners at Wat Au Trakuon were subjected to severe physical and emotional suffering that satisfy the elements of torture. Pretty female prisoners at Wat Au Trakuon were raped before execution, doubly violated by captors who used and then killed them.¹¹³⁶ Despite music that was played over loudspeakers to conceal the sounds of executions, some Wat Au Trakuon prisoners still heard the screams of the victims being killed,¹¹³⁷ and the stench of rotting corpses emanating from the burial pits nearby was ever-present.¹¹³⁸

MURDER

327. Prisoners at Wat Au Trakuon were executed in a heavily vegetated area just outside of the pagoda compound.¹¹³⁹ The killings were premeditated and were ordered and conducted with the clear aim of causing deaths. Executions were conducted adjacent to pits that were dug in preparation for killing sessions, meaning corpses fell into the pits as prisoners were killed.¹¹⁴⁰
328. While working for Wat Au Trakuon Prison Chairman Horn in 1978, Muy Vanny witnessed “two or three” executions of “groups of about 10 people” and recalled that their faces were covered, their hands were tied behind their backs, and a cart axle was used to beat them to death, usually by hitting them on the back of the head.¹¹⁴¹
329. Him Man and his wife, Him Cheah, managed to escape from custody while they were being escorted to Wat Au Trakuon with other Cham people from Kang Meas in 1978.¹¹⁴² On the night of their escape, the couple hid about 100 metres from the execution site, and Him Man recalled:

We heard the sounds of the clubs, ‘phous, phous’, I did not see it with my own eyes, but I heard the screams. I heard my little brother scream. I

knew it was him. Before being killed the people screamed out to Allah for help, screamed for their mothers, all of this in Cham. And there were screams of pain. My mother and little brother were among those killed. Just before dawn, the killing was over.¹¹⁴³

330. Boat driver Mat Toulouh delivered 1,000 adolescent prisoners to Wat Au Trakuon after the Southwest cadres had arrived.¹¹⁴⁴ Before getting on the boats, the youths had been told in a meeting that trucks would be waiting upon their arrival to take them toward Prey Chhor, but when they arrived and there were no trucks, Mat Toulouh realised the young workers would be killed.¹¹⁴⁵ He recalled that the soldiers took 10 people off of the boat at a time “until they finished with them all.”¹¹⁴⁶
331. Seng Srun was told by his friend Moeun, a Wat Au Trakuon security guard and executioner, about a mass killing that demonstrates the brutality and scale of murders at Wat Au Trakuon. In this incident, young executioners vied for the position of unit chief by competing with each other to kill the most prisoners in one hour.¹¹⁴⁷ The victor of the murderous contest was a 20-year-old executioner who killed 70 prisoners during the 60-minute competition.¹¹⁴⁸
332. After Sreng Srun accompanied a group of 200-300 Cham to Wat Au Trakuon, Moeun later told him:
- [A]ll of them had been smashed and that the killing lasted until nearly 12 p.m. at night [...] I asked him if any people were spared. He told me that Cham people, all of them, had been killed and smashed and no one was left. I told you that there were about 200 or 300 Cham people put in the temple but later that night more Cham people were brought in from worksites [...] and smashed that same night.¹¹⁴⁹
333. Large numbers of children were also arrested and taken to Wat Au Trakuon to be executed with their parents, or following the arrest of their parents.¹¹⁵⁰ To kill the smaller children, executioners held them by the ankles and swung them against tree trunks, the temple building, or house pillars.¹¹⁵¹ Amin Maryam, who was detained at Wat Au Trakuon for one night in 1978, witnessed how executioners “tossed some children in the air and speared them with knives. Some were bashed against tree trunks and then thrown in pits on top of the piled bodies of adults.”¹¹⁵²

334. In addition to executions, some of the bodies buried around Wat Au Trakuon are believed to be prisoners who died of disease or starvation.¹¹⁵³ As discussed previously, hygiene and food rations at the prison were deplorable and no medical care was available to prisoners, so it is likely that some detainees died as a result of starvation or disease.¹¹⁵⁴ Prisoners at Wat Au Trakuon also died during interrogations as a result of severe physical torture.¹¹⁵⁵ These deaths would have been clearly foreseeable to the staff and supervisors of Wat Au Trakuon, given the blatant lack of hygiene and food and the brutality of interrogations. There is no evidence to suggest that measures were taken to improve these conditions.

EXTERMINATION

335. It will never be possible to establish the total number of victims killed at Wat Au Trakuon with precision. The site has not been formally excavated,¹¹⁵⁶ many of the remains were disturbed and/or compromised as people searched for gold and other valuables amongst the corpses after the DK regime collapsed,¹¹⁵⁷ and all documents from the security centre have either been lost or destroyed.¹¹⁵⁸
336. Nonetheless, ample evidence on the Case File indicates that killings occurred at Wat Au Trakuon on a massive scale. Prisoners were brought to the security centre on a regular basis, sometimes in great numbers, including 1,000 adolescents in one day.¹¹⁵⁹ The evidence also indicates that mass executions were conducted at Wat Au Trakuon to make room for incoming detainees.¹¹⁶⁰ Finally, few reports exist of people surviving Wat Au Trakuon—almost all prisoners were murdered there.¹¹⁶¹
337. The victims were buried in some 467 pits identified in the vegetated area outside of the Wat Au Trakuon compound.¹¹⁶² Each held between two to 100 bodies of former prisoners.¹¹⁶³ The area where the burial pits were found had previously been used as a plantation and had contained no bodies before the DK regime,¹¹⁶⁴ indicating that all of the corpses are of Khmer Rouge victims—and a great number of them from the time **Ao An** controlled Sector 41.¹¹⁶⁵
338. Estimates of the total number number of victims killed at Wat Au Trakuon range from 20,000 to 39,008. At the low end of the spectrum is the figure provided during interviews at the Kang Meas District Office. Tep Ream Mony, the Deputy Chief of the District Office at

the time of the interview, said there were more than 20,000 skulls collected between 1979 and 1982, which were counted and preserved in the stupa at the site.¹¹⁶⁶ Om Vantha, who was the first chief of Peam Chi Kang Commune in 1979 and was responsible for collecting the remains, said skulls were collected around the end of 1979 and there were more than 20,000. He recalled that originally there were two or three stupas housing the remains but now only one is left, and he believed that additional remains were never exhumed.¹¹⁶⁷

339. In the middle of the range of estimates is evidence from one witness who recalled that Cambodian authorities announced there were an estimated 30,000 victims detained and killed at Wat Au Trakuon,¹¹⁶⁸ which corresponds to a DC-Cam report citing a DHQ (District Headquarters) certified document stating that the estimated number of victims at the site was 32,690.¹¹⁶⁹ Finally, the highest estimate comes from Mao Huo, who tended cows in the district and told investigator Henri Locard that he had seen prison registers indicating there were actually 39,008 deaths.¹¹⁷⁰
340. Despite the discrepancy between the lowest and highest estimates, it is clear that tens of thousands of people were unlawfully killed at Wat Au Trakuon while **Ao An** was in charge of Sector 41, which satisfies the massive scale requirement for extermination.

PERSECUTION ON POLITICAL GROUNDS

a) 17 April People

341. After the Southwest Zone cadres arrived in the Central Zone, a policy was implemented to identify and arrest new people (17 April people) and take them to Wat Au Trakuon.¹¹⁷¹ Sok Meng Ly was one of the Long Sword Militia members sent to arrest new people whose names appeared on an arrest list. He told investigators:

Doeun, the Long Sword group chairman, received namelists of people to be arrested from the Commune Committee, who received them from the District Committee. At first, only the new people who had made mistakes were arrested. [...] I was assigned together with one or two other members to conduct the arrests of people. [...] When we arrived, we arrested only those that had to be arrested. [...] We took them straight to Wat Ou Trakuon Pagoda.¹¹⁷²

342. Seng Srun, a palm tree climber who lived just metres away from Wat Au Trakuon during the DK regime, stated that the majority of prisoners at Wat Au Trakuon were new people,

and recalled being told that if they “kept” the new people, who could have connections abroad, the new people might do a “revision” and come overthrow the Khmer Rouge regime.¹¹⁷³ He too recalled the involvement of the Long Sword unit in arresting the new people:

When there was a plan for the arrest of people, in particular the New People or those mobile unit workers, the Long Sword Group would be deployed. And usually when the Long Sword Group was present, a large arrest would be made – that is, for a group of people not just for one or two individuals.¹¹⁷⁴

343. Mat Toulouh, a boat driver who transported prisoners to Wat Au Trakuon on multiple occasions after the Southwest cadres arrived, recalled taking 130 people to Wat Au Trakuon, whom he identified as being mostly “17 April people”, and then transporting 80 children of those prisoners to Wat Au Trakuon the following week.¹¹⁷⁵ Hok Hoeun, who was a unit chief responsible for people in Sambaur Meas Village, said evacuees from Phnom Penh were instructed to go to Wat Au Trakuon to “study”, but were instead arrested and executed.¹¹⁷⁶
344. As discussed previously, once prisoners entered Wat Au Trakuon, few made it out alive.¹¹⁷⁷ Several witnesses gave direct evidence that the new people sent to Wat Au Trakuon were subsequently executed.¹¹⁷⁸ Finally, many bodies exhumed from the burial pits by local people were identified as new people based on the items of clothing they were wearing.¹¹⁷⁹

b) Former Lon Nol Soldiers

345. Former Lon Nol soldiers in the Central Zone were also targeted on **Ao An**’s orders. In a meeting with representatives from each district in Sector 41, **Ao An** ordered attendees to compile the names of former Lon Nol officers into lists.¹¹⁸⁰ In Kang Meas District, Seng Srun testified that along with new people, former Lon Nol soldiers were the number one target of the CPK.¹¹⁸¹ Former soldiers were identified through their biographies, arrested by the Long Sword Militia, and imprisoned and executed at Wat Au Trakuon.¹¹⁸²
346. In contrast to Cham prisoners who were often killed without being interrogated after arriving at Wat Au Trakuon, Civil Party Phann Chhan stated that former Lon Nol soldiers

and ex-commissioned officers were “always tortured” during interrogations at Wat Au Trakuon “to get the answer [about] who they worked for”.¹¹⁸³

c) Central (Old North) Zone Cadres and other “Bad Elements” and “Internal Enemies”

347. As for the treatment of Khmer Rouge cadres, Seng Srun described a meeting held at Wat Au Trakuon in which **Ao An** branded all old cadres as internal “enemies” and “traitors” to the DK regime and told people not to be scared by executions of the old cadres because “they were enemies and disloyal to Angkar”.¹¹⁸⁴ Samrit Muy also described a meeting held in early 1977 at Peam Stadium in Kang Meas District where **Ao An** and Kan told attendees that there were “enemies among the people” and afterward, arrests accelerated.¹¹⁸⁵
348. Many Old North Zone cadres in Kang Meas District who were replaced by those from the Southwest Zone were imprisoned and executed at Wat Au Trakuon.¹¹⁸⁶ Boat driver Mat Toulouh recalled delivering 22 detainees who were former “group chiefs and village chiefs” to the prison after the arrival of Kan and Pheap in Kang Meas; Horn and Dan personally told him that they were all killed.¹¹⁸⁷ Toy Meach, who worked at the Sector 41 Logistics Office during the DK period, described cadres being called to a purported meeting at **Ao An**’s house and being arrested once they arrived. According to him, some of the cadres from that group who lived in Kang Meas District were sent to Wat Au Trakuon.¹¹⁸⁸
349. People branded “bad elements” were also killed at Wat Au Trakuon. For example, the villagers who had trusted **Ao An** when he gave permission to grow and forage for their own food were arrested, taken to Wat Au Trakuon, and killed,¹¹⁸⁹ as were people identified as “capitalists” or “feudalists” or who made “mistakes” in the eyes of the Khmer Rouge.¹¹⁹⁰

GENOCIDE AND PERSECUTION ON RELIGIOUS GROUNDS – CHAM MUSLIMS

350. As discussed in the *Genocide of the Cham* section of this Submission, the plan to kill all the Cham was vigorously implemented throughout Sector 41 under **Ao An**’s supervision. This included Kang Meas District, where a huge number of Cham were arrested, briefly imprisoned, and killed at Wat Au Trakuon. The systematic nature and large scale of the effort made it evident that there was an intentional plan to eliminate the entire Cham

population, and, unfortunately, the plan was effectively implemented with very few survivors.¹¹⁹¹

351. The Cham in Sector 41 were arbitrarily arrested, often in large groups, and taken to security centres, including Wat Au Trakuon.¹¹⁹² **Ao An** hosted meetings with representatives from each district in the sector—including representatives from Kang Meas District—and instructed attendees to identify Cham persons within their districts.¹¹⁹³ After the meeting, Kang Meas District Secretary Kan issued orders to Peam Chi Kang Commune Secretary Pheap, who coordinated with her unit chairmen to make lists of the Cham in their work units.¹¹⁹⁴ The Cham were then systematically arrested in great numbers and taken to Wat Au Trakuon.¹¹⁹⁵ During the time that Muy Vanny worked for Horn at the prison in 1978, Cham prisoners vastly outnumbered non-Cham detainees.¹¹⁹⁶

352. Cham prisoners from areas within Kampong Cham Province were often brought to Wat Au Trakuon *via* boat. Thong Kim Khun, who was a worker in Peam Chi Kang Commune, witnessed 500 Cham people who had been transported *via* boat from the “upper areas” of Kampong Cham Province being led from the river towards Wat Au Trakuon.¹¹⁹⁷

353. As soon as they entered Wat Au Trakuon, Cham prisoners were physically abused:

Before they were instructed to go into the temple, each of them was beaten with a metal bar in order to break them up and not to let them resist or rebel. However, only men were beaten, but women were not beaten. For the young children who could not climb the temple stairs, they were pushed up by the security forces in Au Trakuon pagoda. So, some of the children actually stumbled and fell while others were crying in the temple and that’s what I saw. So they were instructed to enter the temple and the men were beaten. Each man was beaten at the door of the temple.¹¹⁹⁸

354. Once inside Wat Au Trakuon, all of the Cham prisoners, even the children, were shackled, unable to move freely.¹¹⁹⁹ According to a report by Henri Locard, one witness he interviewed estimated that nearly 10,000 Cham people were detained at the site in 1977.¹²⁰⁰ None received any due process.

355. Unlike other prisoners, Cham detainees at Wat Au Trakuon were not interrogated, “[t]hey were just brought up and then sent to the killings pits”.¹²⁰¹ Witnesses recall that most Cham prisoners were either killed immediately or were imprisoned for very short periods of time

before execution.¹²⁰² This practice supports the assertion that the Cham were arrested, imprisoned, and killed simply because they were Cham, not because they were part of a “traitorous network” or had committed any perceived infractions that would necessitate a “confession”.¹²⁰³

356. Numerous witnesses describe the killing of Cham prisoners at Wat Au Trakuon.¹²⁰⁴ Hok Hoeun was a unit chief responsible for people in Sambaur Meas Village and worked in and around Wat Au Trakuon. He heard members of the Long Sword Militia speak openly about executing Cham prisoners.¹²⁰⁵ Him Man heard the screams of Cham people, including his own family members, being executed in 1978. He recalled hiding near the killing site and described how the executions of his family and other Cham lasted from 7 p.m. until “just before dawn”.¹²⁰⁶ A number of witnesses describe Cham children being arrested and taken to Wat Au Trakuon to be killed with or after their parents.¹²⁰⁷
357. The Cham were killed on a massive scale at Wat Au Trakuon. The number of Cham executed there in mid-1977 was so high that some Cham victims had to be killed at the nearby riverbank because there was not enough room in the area to the east of the pagoda compound where killings normally occurred.¹²⁰⁸ Witnesses generally refer to the execution of “all” of the Cham.¹²⁰⁹ Although there are a handful of Wat Au Trakuon survivor accounts, Him Man and his wife Him Cheah, who escaped and hid in the swamp adjacent to the prison for almost four months, are frequently referred to as the only known Cham survivors,¹²¹⁰ and they never even entered the Wat’s premises. Seng Kuy, who was a farmer in nearby Angkor Ban Commune during the DK period, transported Cham women and children to Wat Au Trakuon *via* ox-cart in mid-1977 on the orders of his unit chief. He testified: “Since that time, [...] those Cham people who had been living in the same village as me. I have never seen even a single one [...] the Khmer Rouge purged the Cham people on a massive scale.”¹²¹¹

I. PERSECUTION AND GENOCIDE OF THE CHAM

358. The persecution and genocide committed against the Cham in the Central Zone was the culmination of a nationwide process of increasingly severe restriction of the rights of the Cham community and an increasing distrust of all Cham on the part of the CPK leadership.

The CPK leadership long spoke of its desire for a single “Kampuchean” race and made efforts to destroy Cham’s self-identity as a distinct religious and ethnic group. Even before coming to power in April 1975, the CPK implemented restrictions on religious practice and ethnic identification in Cham areas under its control. Following rebellions against increasingly severe restrictions in Kroach Chhmar District during Ramadan in October 1975, the CPK’s campaign of persecution against the Cham progressed to the breaking up and scattering of Cham communities. Eventually, in an effort to destroy the Cham as a distinct ethnic and religious group within DK, the CPK targeted the Cham leadership and instituted a campaign to annihilate the Cham through killings in the traditional Cham heartland along the Mekong River in Kampong Cham Province, an area critical to the long-term survival of the Cham as a distinct religious and ethnic group. In Sector 41, their annihilation was supervised by **Ao An** and carried out by his subordinates.

359. **Ao An** is charged with genocide of the Cham throughout the Central Zone.¹²¹² He is also charged with persecution of the Cham on religious grounds (through the underlying offences of murder, extermination, imprisonment, torture, and other inhumane acts) at four of the individual Sector 41 crime sites: Kok Pring, Tuol Beng and Wat Angkuonh Dei, Wat Batheay, and Wat Au Trakuon.¹²¹³
360. Where the evidence discussed in this section addresses events that occurred outside of the geographic area or temporal period of the charges against **Ao An**, it is submitted to show the requisite *mens rea* and to demonstrate the development of the common criminal plan shared by **Ao An**, which persisted through the time period relevant to the charges against him.

1. THE CHAM AS A DISTINCT RELIGIOUS AND ETHNIC GROUP

361. Before the DK regime, the Cham constituted Cambodia’s largest indigenous ethnic minority.¹²¹⁴ Descended from the people of the ancient Southeast Asian country of Champa, the Cham fled to Cambodia in 1471 to escape invading Vietnamese forces who claimed Champa as Vietnamese territory.¹²¹⁵ They settled predominantly in Kampong Cham Province but also in other parts of the country such as Kampong Chhnang, Pursat,

Kampot, and Takeo.¹²¹⁶ Prior to 1975, the total Cham population in Cambodia was estimated to be somewhere between 250,000 and 700,000.¹²¹⁷

362. The Cham lived a specific lifestyle dictated by their religious beliefs and cultural traditions, distinguishing them from their Khmer neighbours and from other Muslims living in Cambodia.¹²¹⁸ Predominantly orthodox Muslims, the Cambodian Cham abided by many precepts that they believed were reflective of their religious obligations (*vachip*),¹²¹⁹ including praying five times a day,¹²²⁰ fasting and paying charitable taxes during the month of Ramadan,¹²²¹ making the pilgrimage to Mecca if able,¹²²² conducting specific funeral rituals to ensure the body would be blessed,¹²²³ and avoiding prohibited (*haram*) acts such as eating or handling pork,¹²²⁴ disrespecting the Qur-an,¹²²⁵ and intermarrying with non-Muslims.¹²²⁶ Women also dressed in traditional, modest clothing and grew their hair long, often covering it.¹²²⁷ Men grew beards and wore white skullcaps while praying, whereas Cham religious leaders wore turbans.¹²²⁸
363. Familial ties were extremely important, as the oral history of the Cham was passed down from one generation to the next,¹²²⁹ and the *vachip* required parents to pass their faith on to their children.¹²³⁰ Parents also had to name their children using names that appeared in the Qur-an and other prayer books: as a result, Cham names were noticeably different from Khmer names.¹²³¹ Many Cambodian Cham primarily spoke the Cham language, some with little knowledge of Khmer. Those who did speak Khmer often did so with a discernable accent that further differentiated them from their ethnic Khmer neighbours.¹²³²
364. The Cham typically lived together in villages, forming tightly knit micro-societies¹²³³ near rivers or other waterways, as their main vocation was fishing.¹²³⁴ The villages centered around the mosque,¹²³⁵ and community life and leadership were structured in keeping with Islamic beliefs. *Imams* led daily prayers while the village *hakim* was responsible for maintaining religious observance in the community.¹²³⁶ Teaching was the responsibility of the *tuon*,¹²³⁷ and each village was divided into sub-groups of families who were represented by a leader called a *me chum-ah*.¹²³⁸ At the national level, the *Mufti* (supreme leader), assisted by two adjutants, presided over annual meetings of *imams*, *hakims* and other community leaders to address issues facing Muslims in Cambodia.¹²³⁹

365. Protecting their culture was exceptionally important to the Cham people. Sam Teimnah recalled, “When I was a child the people here strictly observed the traditions and culture [of the Cham] since we felt that if we lost those two things we would lose our entire race.”¹²⁴⁰
366. The portions of Kampong Cham Province adjacent to the Mekong formed the heartland of the Cham community in Cambodia.¹²⁴¹ This area contained a great concentration of mosques as well as one of the densest Cham populations in the country.¹²⁴² It was also home to many of the Cham religious leaders.¹²⁴³ For this reason, the destruction of the Cham population and in the parts of the Central and East Zones adjacent to the Mekong River was a key part of the DK plan to destroy the Cham as a distinct ethnic group in Cambodia.

EVOLUTION OF THE PERSECUTORY CAMPAIGN AGAINST THE CHAM

367. Khmer Rouge restrictions on the Cham began even before the DK period. Beginning in 1973 after the Khmer Rouge had established control over a greater part of Kampong Cham¹²⁴⁴ and had organised Cham communities into cooperatives,¹²⁴⁵ they began to tighten restrictions on the practice of Islam and expression of Cham identity.¹²⁴⁶ Arrests and executions of Cham leaders began and were soon followed by an increase in arrests of ordinary Cham.¹²⁴⁷
368. The Khmer Rouge already viewed the Cham population with suspicion and a degree of resentment even at this early stage. In April 1973, the CPK published a document entitled “Class Analysis and the Class Struggle” where they asserted that “All nationalities have labourers, like our Kampuchean nationality, except for Islamic Khmers, whose lives are not so difficult.”¹²⁴⁸ Then, in 1974, another CPK document stated: “Concerning fraternal Islamic Khmers, delay having them join cooperatives; ... organize them into mutual aid teams. ... However, it is necessary to break up this group to some extent; do not allow too many of them to concentrate in one area.”¹²⁴⁹
369. The treatment of the Cham, and restrictions on their practice of religion and culture, became noticeably more severe following the victory of the CPK on 17 April 1975.¹²⁵⁰ Across DK, the CPK prohibited Cham from practicing their religion, speaking their language, wearing their traditional dress, or otherwise expressing their culture, on pain of

- death,¹²⁵¹ thereby “forcing them to choose their faith and identity or the revolution and their lives.”¹²⁵² Those who resisted “would be considered enemies and taken away.”¹²⁵³
370. These restrictions and prohibitions had been passed down through the CPK hierarchy¹²⁵⁴ and were repeatedly announced in meetings.¹²⁵⁵ Witnesses in both the East Zone¹²⁵⁶ and Central Zone¹²⁵⁷ stated that policies regarding the Cham came from the “upper echelon” or “upper level,” and any who opposed the policy were considered “betraying Angkar.”¹²⁵⁸ No Sates testified that “[t]he meeting would take place once every month or even earlier than that and we were told not to speak Cham language. Our religion was abolished, we were prohibited from practising our religion and we were not allowed to do any prayers.”¹²⁵⁹
371. The practice of Islam was prohibited throughout the country¹²⁶⁰ and the Cham were told that “religion was considered reactionary.”¹²⁶¹ Those who persisted in practicing Islam were arrested and disappeared or were killed.¹²⁶² Religious practice was also suppressed by the arrest and killing of Cham religious and community leaders,¹²⁶³ by the confiscation and burning of Korans and other Islamic religious texts,¹²⁶⁴ by the closure and desecration of Mosques (including their use as pigsties),¹²⁶⁵ and by the prohibition of religious instruction.¹²⁶⁶ As many as 80 to 90 percent of the mosques in Cambodia were destroyed during the DK period.¹²⁶⁷
372. In addition to forbidding formal worship, the Khmer Rouge also forced Cham to violate other religious duties. The Cham were prohibited from fasting during Ramadan¹²⁶⁸ and from conducting religiously appropriate burials.¹²⁶⁹ They were forced to eat pork and other prohibited foods¹²⁷⁰ (causing some to cry or to vomit in disgust¹²⁷¹) even though pork was in short supply.¹²⁷² Those who refused were threatened, punished, or killed,¹²⁷³ one witness stated that she “was asked to choose between a bullet and pork.”¹²⁷⁴
373. The Khmer Rouge suppressed the Cham culture as thoroughly as the religion. The Cham language was “banned as ‘a foreign language,’”¹²⁷⁵ and Cham were forced to speak Khmer.¹²⁷⁶ Cham caught speaking their own language—including children—were punished or killed.¹²⁷⁷ Cham were prohibited from wearing their traditional clothes,¹²⁷⁸ including religiously-mandated headwear,¹²⁷⁹ and Cham women were forced to cut their hair.¹²⁸⁰

THE REBELLIONS AND THE CPK'S CHANGING PERCEPTIONS OF THE CHAM

374. Because of these restrictions, and because of increasingly frequent arrests of Cham religious leaders and ordinary civilians, two Cham villages in the East Zone rose up in resistance during the holy month of Ramadan, in September and October 1975.¹²⁸¹ The Cham villagers were armed almost exclusively with knives and swords, and the rebellions were quickly and brutally put down by hundreds of well-armed Khmer Rouge troops.¹²⁸² Many hundreds of Cham lost their lives, a huge proportion of the population of the relatively small villages.¹²⁸³ The survivors were expelled from their villages and dispersed to various areas across the country.¹²⁸⁴
375. These rebellions marked a turning point in the CPK's perception of the Cham in two important ways. First, as expert Alexander Hinton testified, the rebellions accentuated the DK leaders' perception of Cham as a separate, suspect, and potentially threatening group.¹²⁸⁵ Hinton explained to the Court that the CPK began to view the Cham as unreformable and therefore of no possible benefit to the revolution:

[T]he likelihood of them being able to fashion their consciousness over time was viewed to have diminished especially after the rebellions that took place. And at that point they seem to have been targeted because they were Chams and Chams as a group seemed unlikely to be able to reform their consciousness.¹²⁸⁶

376. Second, the rebellions highlighted the fact that Cham communities, with their independent community institutions and authority structures, retained a capacity for coordinated action. This made them (in the minds of CPK leaders) a threat to the CPK's monopoly on power and required that their communities be broken apart. Expert David Chandler explained to the Court:

The motive for breaking the Cham up [...] is simply [...] to break them up. These are autonomous systematic communities with patterns of authority, consistency of religion, a local — shared local history — exactly the sorts of nodules, if you like, that the regime wanted to break up, along with families, city dwellers, army people, Buddhist monks. They represented an implicit threat by just maintaining their collective identity, which of course they were very eager to maintain and continue to maintain until it was — until they were broken up.¹²⁸⁷

377. This view was communicated down the hierarchy into the districts and communes. Witness Nhim Kol told the OCIJ: “In district meetings, they said that the Cham were from different religion and were not considered Khmer, so the Khmer Rouge feared that they would rebel later.”¹²⁸⁸

INCREASED PERSECUTION AND DISPERSAL OF THE CHAM

378. These changing perceptions led the CPK to increase its suppression of Cham religion and culture and to begin a comprehensive program of breaking up and dispersing the Cham communities in the Central and East Zones.

379. Many witnesses provided evidence that the treatment of Cham became much harsher following the rebellions.¹²⁸⁹ Cham in communities across DK recall being summoned to meetings in the weeks after the rebellions where they were threatened and insulted by CPK cadres and warned against similar uprisings.¹²⁹⁰ Civil Party Him Man told the Court that in late 1975 or early 1976, the Cham in his village in Sector 41¹²⁹¹ were called to a meeting where the village chief told them:

That we, Cham ethnicity, were required to have our hair cut, not to cover our heads with krama and say daily prayers, but to eat pork at that time. Everything in relation to Islamic religion, we were prohibited from practicing the religion and at the time we were told that the wheel of history was moving and if we happened to put our hands in or put our legs [...] in to stop the wheel, we — our limbs would be cut by the speed of the wheel.¹²⁹²

380. Forced transfers of Cham had already begun but accelerated following the Koh Phal and Svay Khleang rebellions.¹²⁹³ As Stephen Heder stated, the decision to split up the Cham community “was justified [by the CPK] as a reasonable reaction to the unrest, which was characterized as resistance to the revolution” by Cham leaders.¹²⁹⁴ This resistance to CPK authority stigmatised all Cham “as at least as politically dangerous as new people, if not more so.”¹²⁹⁵ The CPK explicitly stated the purpose of the population transfers was “to disperse the Cham.”¹²⁹⁶

381. The forced transfers served to weaken and dilute Cham communities by fracturing the structures through which they maintained Cham customs, language, and religion.¹²⁹⁷ Tens if not hundreds of thousands¹²⁹⁸ of villagers from multiple Cham communities¹²⁹⁹ in the

East¹³⁰⁰ and Central Zones¹³⁰¹ and other zones¹³⁰² were ordered¹³⁰³ to relocate beginning in late 1975 within or between those zones, or to other zones.¹³⁰⁴ This included virtually the entire populations of the rebellious villages of Koh Phal¹³⁰⁵ and Svay Khleang¹³⁰⁶ as well as much of the Cham population of Kroch Chhmar District in the East Zone.¹³⁰⁷ By 1977, 80 to 85 percent of the Cham in Trea Commune had been transferred to the Central Zone.¹³⁰⁸

382. “[A]ll Cham communities, urban or rural, ‘new’ or ‘base,’ were dispersed. And Cham villages were not scattered willy-nilly, but deliberately broken up into small groups”.¹³⁰⁹ On arrival, they were told they could not congregate in groups greater than two or three.¹³¹⁰ Prak Yut testified that by the time she had arrived in Kampong Siem District in the Central Zone in early 1977, Cham “had no respective villages to live in. They were spread out throughout the district.”¹³¹¹
383. Transferred Cham were often placed to live in, or more frequently under, the houses of Khmer families or in rice storage huts.¹³¹² As a result of the conditions of life imposed on these Cham deportees, many died from disease or starvation.¹³¹³ Stephen Heder wrote that “[m]any died before they got where they were going, were not welcome where they were sent, were further dispersed upon arrival, and shortly succumbed either to disease or starvation.”¹³¹⁴ Sos Min testified that of the 20 Cham families that he travelled with to Dambae in the East Zone, all but seven died from starvation and malaria.¹³¹⁵
384. Most Cham had been living in Khmer Rouge occupied areas since the early 1970s,¹³¹⁶ and therefore should have been considered “Base People.” However, when transferred, the Cham were “stripped of their status as veteran people”¹³¹⁷ and considered “17 April” or “new people”¹³¹⁸ — or worse. Or Ho, a village chief in the (old) North/Central Zone from 1975-78,¹³¹⁹ stated that “[t]he ethnic Cham were considered to be even lower than the 17 April People.”¹³²⁰
385. While leaders were particular targets, all Cham were at risk in the CPK’s campaign to exterminate the Cham group. Witnesses reported arrests, disappearances, and killings in the East Zone.¹³²¹ One witness stated that arrests occurred “day and night” after the Koh Phal rebellion.¹³²² Likewise, in the Central Zone, there were multiple reports of arrests,

disappearances, and killings of Cham.¹³²³ The evidence shows that Cham were arrested and killed in other Zones as well.¹³²⁴

THE “NUMBER ONE ENEMY”

386. As the persecution intensified, CPK propaganda began to portray the Cham as “an enemy nationality.”¹³²⁵ In meetings, local officials announced that the “Cham was the first enemy,”¹³²⁶ that the “Cham people were their enemy — number one enemy,”¹³²⁷ and warned “[d]on’t trust Chams. They are like enemies whom we have defeated. It is normal that defeated enemies will not lie still. In their hearts they are still traitors to us.”¹³²⁸ The demonisation of Cham as an existential threat to the Khmer is a typical example of the kind of propaganda used as a prelude to genocide.¹³²⁹

FORCED ASSIMILATION

387. To eliminate this “number one enemy” group, the CPK first turned to a policy of forced assimilation, which was facilitated by the dispersal of the Cham among the Khmer majority. The Cham “were—like other groups—supposed by 1977 to have lost their national minority identity,”¹³³⁰ and witnesses recounted announcements by village leaders stating that they should not consider themselves Cham but instead part of “the Khmer nation.”¹³³¹ “[T]he policy was clearly one of assimilation of the Chams, who were no longer to be recognised or tolerated as a distinct national minority.”¹³³² Witness Or Ho, a village chief, heard a “mid-level *Angkar* representative, who said that in Kampuchea there would be only one single population — that is, Khmer. And there would be no Cambodians or no Cham, but one Khmer population.”¹³³³ Party officials announced: “Now we are in 1976, we have to go by a different plan. There are to be no Chams or Chinese or Vietnamese. Everyone is to join the same, single, Khmer nationality.”¹³³⁴ Witnesses told this Court that from their experiences they concluded that the CPK “wanted to make all of us into one flesh and one spirit. They wanted to convert the Cham into the Khmer.”¹³³⁵

2. GENOCIDE OF THE CHAM

388. The CPK policy to destroy the Cham as a distinct ethnic and religious group evolved from requiring Cham to assimilate (often enforced through killings) to a strategy of mass killings

in the traditional Cham heartland (including Sector 41 and the Central Zone) to ensure the inability of the Cham to survive as a distinct religious and ethnic group. An article in the April 1978 *Revolutionary Flag* shows how the CPK leadership had come to view its purges in explicitly race-based terms. After giving a summary history of some of the purges, the article then went on to describe their purpose:

We make our Army clean, our Party clean, our people clean, so that they can fight the enemy and defend Kampuchean territory, that is, defend the Kampuchean race. Otherwise our race will disappear. Do we want to lose our race?¹³³⁶

389. While the CPK had consistently killed Cham who were perceived to be resisting the abandonment of Cham identity by such transgressions as praying or speaking Cham, in 1977 and 1978 the CPK began targeting Cham for wholesale execution solely because of their ethnicity—an attempt to “eradicate Cham race from Cambodia.”¹³³⁷ Expert Ysa Osman testified:

The killing between 1977 to '78 was more serious and intensified. It means the killing was done discriminately, that meant whoever was considered Cham or Cham related was subject to be killed.¹³³⁸

390. The Party Centre entrusted the enactment of this most extreme version of their Cham policy to their most trusted enforcers, the Southwest Zone cadres, as they took control of various areas including the Central and Eastern Zones covering Kampong Cham.¹³³⁹ Although essentially all resistance within the Cham community to the elimination of their faith and culture had ceased at this point,¹³⁴⁰ Cham men, women, and children were nevertheless targeted for mass executions.¹³⁴¹ As one witness in the Central Zone testified: “after the arrival of the Southwest group in 1977, all of [the Cham] were rounded up and smashed.”¹³⁴²
391. The evidence on the Case File shows that in the traditional Cham heartland along the Mekong in the Central and Eastern Zones — an area essential to the survival of the unique cultural and religious identity of the Cham — the CPK’s policy evolved to a devastatingly simple strategy: kill them all. Kampong Siem District Secretary Prak Yut stated: “I would like to clarify once again that the orders I received were very clear: they stated that we must kill all the Cham. I had no choice other than to carry out orders.”¹³⁴³ Muok Sengly, a

Khmer villager in Kampong Siem District, was called to a meeting in that District after all of the Cham had been removed from his village. At that meeting he heard Prak Yut say: “The Cham are the enemy of *Angkar* because they plan to rebel, so *Angkar* has to smash them. ... If any Cham remain, this must be reported so they can be swept clean, because this is the plan of the upper-echelon.”¹³⁴⁴ Say Doeun, the head of a unit in Kang Meas District charged with arresting Cham, told the Court: “I heard of the plan that no Cham, no single Cham shall be spared.”¹³⁴⁵ Seng Kuy, a Khmer villager ordered to help transport arrested Cham women and children to their deaths at Wat Au Trakuon Security Centre, told the Court that while the arrests were taking place, he heard the chief of the commune security carrying out the arrests say: “We will kill all the Cham people and will not spare anyone.”¹³⁴⁶ Sos Romly worked as a clerk to a commune chief in Kroch Chhmar District, the traditional Cham heartland. He testified that in 1977, the Sector 21 security chief, on learning that 15 percent of the original Cham in that commune still remained, informed him: “in the future those Cham people would be smashed until no one was left.”¹³⁴⁷ Mui Vanny, the bodyguard and assistant to the chief of Wat Au Trakuon (Horn), heard¹³⁴⁸ that “there was a plan to exterminate all the Cham people.”¹³⁴⁹ Van Mat alias Sales Ahmat testified that he heard Central Zone Secretary Ke Pauk state at a meeting of commune, sector, and district chiefs in August 1978 that the Cham—as an explicit group, or as one group amongst a larger contingent of “enemies”—needed to be “smashed,”¹³⁵⁰ and exhorted them to return to their bases and “implement and achieve a hundred per cent of the *Angkar*’s policy.”¹³⁵¹ Sos Kamri, a worker in a mobile unit in Kampong Cham, confirmed before the Court that he saw a publication during the DK regime stating that “Cham is the biggest enemy who must be totally smashed before 1980.”¹³⁵² And a document seen by two witnesses in 1978 who were interviewed by Ben Kiernan stated that:

we will not spare the Chams, because if spared they will resist ... [T]he Cham race is not to be spared So we undertake a policy of discarding them (*leah bong*) now. ... [T]hey must all be killed off. ... [N]ow, they must be smashed to pieces (*komtech kaol*). Whatever department they are in, they must be smashed to pieces.¹³⁵³

392. Expert David Chandler testified: “By the end of 1978, the Khmer Rouge certainly had a policy of exterminating the Cham,”¹³⁵⁴ a policy that had a “very strong racist component.”¹³⁵⁵ Expert Alexander Hinton concurred that the Cham were:

targeted in part because of their religious beliefs which didn't accord with DK ideology, the notion of the uniform citizen, the pure revolutionary that needed to be forged, and were targeted because of that, because of their customs, because they rebelled, because they had a different language, because they dressed differently, a number of those other categories that anthropologists call ethnic markers as well.¹³⁵⁶

393. Even as the genocide was in progress, the CPK issued propaganda to the effect that the Cham race no longer existed as they had been exterminated centuries ago by the Vietnamese,¹³⁵⁷ demonstrating the leadership's awareness that the complete disappearance of the Cham would have to be explained.
394. In order to thoroughly carry out their extermination policy, the CPK began a rigorous process of identifying the Cham.¹³⁵⁸ These efforts were hindered by two factors of the CPK's prior policy. First, the previous years of forced homogenisation and movement had made Cham survivors more difficult to recognise.¹³⁵⁹ Cham no longer wore traditional dress and hairstyles, avoided speaking their language, and often sought to hide their identity. Second, many local cadres who would have known families' backgrounds had been killed in CPK purges and replaced by cadres from outside the area. Hence, as the CPK implemented the final solution, identifying who was Cham became a challenge. People were ordered to return to their home villages so that the CPK could see who resided in traditionally Cham villages,¹³⁶⁰ and lists of Cham were created.¹³⁶¹ Witness You Vann testified that at one point **Ao An** ordered district and commune secretaries to go directly to the villages themselves to compile further lists because the leadership did not believe that the prior lists created by village chiefs had fully identified all the Cham.¹³⁶² Some Cham were able to survive the purges because they hid their ethnicity when interrogated by CPK officials as to whether they were Khmer or Cham.¹³⁶³
395. These methods had their intended result of identifying Cham for mass executions. In "1977, the killing became intensified in Kampong Siem, Kang Meas, Stueng Trang and certain other locations as they conducted the purge. They actually rounded up the Cham people and they were taken away and killed *en masse*. No Cham people could survive the ordeal."¹³⁶⁴
396. Following the arrival of Southwest Zone forces in the Central and East Zones in 1977 and 1978, Cham men, women, and children were systematically targeted for mass

execution.¹³⁶⁵ “They said the Cham nationality was ‘rebellious’ and had to be ‘abolished’.”¹³⁶⁶ By this later period, it no longer mattered “whether they were women, whether they were children or whether they agreed to eat pork or whether they could no longer speak Cham;”¹³⁶⁷ the Cham were inherently enemies, and the CPK “killed without discrimination. They killed those who were Cham.”¹³⁶⁸ One witness gave evidence that he was accosted by cadres on suspicion of being Cham, but that then “they realized I was Khmer and they left”.¹³⁶⁹ He continued: “If they mistook me for a Cham person and arrested me I would have been killed. I would be killed if they thought I was Cham.”¹³⁷⁰ In Kampong Siem District, villagers frequently recounted that CPK forces killed “all the Cham”.¹³⁷¹ The evidence shows that the killing of Cham increased in other Zones as well in 1978.¹³⁷² The Cham generally were not detained for long, if at all, following their arrest, but were simply killed.¹³⁷³ The CPK saw no need to obtain a “confession” or to interrogate Cham to discover their “networks” as all Cham and all their families were deemed enemies simply because they were Cham.

IMPLEMENTATION OF THE GENOCIDE IN THE CENTRAL ZONE BY SOUTHWEST CADRES

397. Following the arrival of the Southwest Zone cadres in the Central Zone in early 1977,¹³⁷⁴ arrests, disappearances, and killings¹³⁷⁵ of Cham men, women, and children intensified dramatically.¹³⁷⁶ Expert Alexander Hinton testified that many of his interviewees in the Central Zone provided evidence regarding “Chams being killed *en masse*.”¹³⁷⁷ The orders for the arrests came down through the hierarchy. A commune militiaman in the Central Zone described how “[T]he Cham people were arrested with the order coming down from the sector and the provincial level. The commune chief went to receive those instructions, and when he returned to the commune, he implemented the instructions.”¹³⁷⁸
398. Prak Yut testified that when she arrived in Kampong Siem District “there were many Cham people”.¹³⁷⁹ Ao An ordered her and the other district secretaries to purge the Cham at a meeting in mid-to late 1977.¹³⁸⁰ She told the Court: “There was an order from the sector level to us to purge the Cham,”¹³⁸¹ later specifying: “I received an order either to smash or to kill the [Cham] people.”¹³⁸² Prak Yut stated that the district secretaries from all five districts in Sector 41 were at that meeting,¹³⁸³ including Kan, district secretary of Kang Meas District, where Wat Au Trakuon was located.¹³⁸⁴

399. In order to carry out this purge, **Ao An** instructed Prak Yut to identify and make a list of all Cham in her district.¹³⁸⁵ Included on the lists were “soldiers of Sihanouk regimes, the ethnic Cham people and the Vietnamese people.”¹³⁸⁶ The lists were compiled based on names passed up by village chiefs from the whole district,¹³⁸⁷ and You Vann then typed them up.¹³⁸⁸ You Vann explained that the Cham “lived mingled with the Khmer people and that was the reason Prak Yut wanted to have a list of who the Cham were and who the Khmer were.”¹³⁸⁹
400. Several witnesses corroborate Prak Yut’s evidence regarding the preparation of lists of Cham. Expert Alexander Hinton testified that the names of Cham were marked down in ledgers in Kampong Siem District,¹³⁹⁰ and Seng Srun stated that lists had also been compiled of Cham at worksites in Kang Meas District pursuant to orders of the “upper echelon”.¹³⁹¹ You Vann’s evidence regarding the making of lists of residents by ethnic group was also corroborated by Prak Yut’s cousin (and Krala Commune Secretary) Rom,¹³⁹² as was her evidence that many arrests followed the making of these lists.¹³⁹³ Nhim Kol also corroborated the creation of records of villagers’ “race” by commune and village authorities.¹³⁹⁴
401. Prak Yut testified that decisions on killing in Kampong Siem District were made by the “upper echelon.”¹³⁹⁵ She would relay orders from the upper level to her subordinates “[a]nd after people at the lower levels would carry out the order they reported to me that now those people have already been purged and then I reported back to Ta An.”¹³⁹⁶ Prak Yut delegated the purge to her deputy, Si,¹³⁹⁷ who then reported the results to her, which she passed on to the sector secretary, **Ao An**.¹³⁹⁸ “After the killings of the Cham people were completed, I received a report from ... the militia chief about the number of Cham they had killed. Then I sent that report to Ta An, who was at the sector level.”¹³⁹⁹ You Vann confirmed that the reports on the killings that were sent to the sector included the names and quantity of those killed, and “also detailed ethnicity or composition.”¹⁴⁰⁰ You Vann noticed there was “gradual disappearances of people” on the list after it was transmitted to **Ao An**¹⁴⁰¹ until they had all been arrested.¹⁴⁰² “I noticed many disappearances, especially the Cham.”¹⁴⁰³ While the lists only included the names of adults, their children were also

arrested.¹⁴⁰⁴ Nhim Kol, a cadre working in Kampong Siem District, explained to OCIJ that “when they arrested entire families such as the Cham ... they killed them at the base.”¹⁴⁰⁵

402. OCIJ calculated that about 1,800 Cham had been killed in just one of the communes in Kampong Siem District.¹⁴⁰⁶ Prak Yut testified that it was “true that Cham people had been purged. The upper echelon instructed me to identify all Cham people within that commune,”¹⁴⁰⁷ and that “I only knew that Cham people had been taken away and killed. I was told by [the Sector Secretary], based on the instructions from the upper echelon.”¹⁴⁰⁸

403. The order to purge was carried out throughout Sector 41.¹⁴⁰⁹ Prak Yut told OCIJ investigators: “I would like to clarify once again that the orders I received were very clear: they stated that we must kill all the Cham. I had no choice other than to carry out orders.”¹⁴¹⁰ Prak Yut told You Vann on multiple occasions that the district military had conducted arrests of Cham.¹⁴¹¹ Nhim Kol, who worked in the office of Krala Commune chief Rom, recalled: “During the dry season in late 1977, I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained Rom had to report that to Prak Yuth.”¹⁴¹² Two witnesses recalled that in 1978, all the Cham in Trapeang Ruessei Village, Krala Commune—consisting of about 100 families—were transported away in ox carts over a series of days and were not allowed to bring any possessions.¹⁴¹³ After they were taken away:

there was a big meeting attended by the children’s unit, mobile unit, and the ‘base’ people. Yeay Yuth, who was District Committee, said, ‘The Cham are the enemy of *Angkar* because they plan to rebel, so *Angkar* has to smash them.’ She said, ‘If any Cham remain, this must be reported so they can be swept clean, because this is the plan of upper-echelon.’ Yeay Yuth said, ‘Any base person hiding a Cham will also be considered an enemy.’¹⁴¹⁴

404. Khom, another of Prak Yut’s messengers who was based at the district level, told You Vann that the arrests of the people on the list were carried out by sector and district military working together.¹⁴¹⁵ The district security forces had an office at Tuol Beng Village and there was an associated detention centre and execution site.¹⁴¹⁶ Said one villager: “I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977. They were walked from Kampong Siem District Office towards Tuol Beng.”¹⁴¹⁷ Cham were detained at that detention centre and after a while “disappeared.”¹⁴¹⁸

Multiple mass graves were found in Tuol Beng after the DK regime fell.¹⁴¹⁹ You Vann also heard from Phon, the military commander of the district forces who was responsible for arresting the Cham and others on the lists,¹⁴²⁰ that the Cham had been purged.¹⁴²¹

405. Expert Alexander Hinton interviewed a former cadre who worked in Krala Commune who recalled receiving a written order to arrest ethnic Cham from Prak Yut.¹⁴²² The letter ordered the cadres to “smash internal enemies — Chams, Vietnamese, capitalists, former Lon Nol workers, intellectuals, and CIA agents.”¹⁴²³ This same individual stated that in fact that order was then carried out in regards to the Cham, who were arrested in large numbers and executed, and Alexander Hinton testified that this information was confirmed by numerous other villagers.¹⁴²⁴ A Khmer worker in Kampong Siem District told OCIJ that she “saw many ethnic Cham being arrested and walked in queues”¹⁴²⁵ toward Tuol Beng. “Their whole families were arrested.”¹⁴²⁶ Nhim Kol, a cadre in Kampong Siem District, recalled that “[a]ll the Cham Muslims in Kampong Siem District were also arrested and executed right in the district.”¹⁴²⁷ Observing the progress of the killing in Kang Meas District, it was obvious to one ordinary Khmer villager that that the CPK “did not want any Cham people or other ethnicities to live in the country,”¹⁴²⁸ but rather “they only wanted to have one pure race.”¹⁴²⁹
406. You Vann recalled an additional, subsequent meeting with **Ao An** once she became commune secretary that concerned preparing lists of persons in other districts. Also in attendance at that meeting were “persons responsible for lists and documentation in each district” throughout Sector 41, including Kang Meas District, and all the commune chiefs.¹⁴³⁰ At the meeting, **Ao An** explained the types of people that should be listed, including Cham.¹⁴³¹ This time, however, **Ao An** instructed the attendees to go directly to the villages to compile the lists rather than relying on the village chiefs to create them because they did not trust the village chiefs.¹⁴³² **Ao An** instructed them to then send the lists to the sector level.¹⁴³³ Using a microphone, **Ao An** and Ta Mok, who was also in attendance, “instructed us to purge the people. ... Those people who were linked to different ethnicities and affiliations.”¹⁴³⁴ You Vann claimed that those additional lists were not able to be compiled before the arrival of the Vietnamese¹⁴³⁵—thus showing that while

the genocide was still a work in progress when the Vietnamese arrived, **Ao An**'s specific intent to destroy the Cham remained firmly in place until the end of the regime.

407. Prak Yut's claim during her trial testimony that she ordered that only Cham who were "bad elements that caused problem" should be killed¹⁴³⁶ was clearly a fabrication in an attempt to diminish her own involvement in a genocidal plan. She never explained what "problems" had been caused by the thousands of villagers killed. Her attempt to minimise the killing policy is contradicted by her prior statements to OCIJ investigators and her testimony that she had no discretion to disobey the order from her superiors to purge all the Cham.¹⁴³⁷ Indeed, directly following this equivocation she reiterated that:

In the entire district, we purged based on the order from the upper echelon. I, myself, was also doubtful why the upper echelon instruct us to purge specifically the Cham people. ... When I received and saw the letter from the upper echelon, I was doubtful, but I still needed to follow the order. I had a feeling that the implementation of such an order was difficult, but when there is such an order and if I did not implement it, I would be in trouble.¹⁴³⁸

408. Prak Yut also recounted that when "there was an order from the upper echelon to purge Cham people,"¹⁴³⁹ the only way she was able to save her adopted daughter, Phea (or Pheap), who was Cham and whom she had raised since childhood, was by everyone in the district office "keep[ing] quiet on this matter."¹⁴⁴⁰ Indeed, in order to save Phea — clearly not someone she considered a "bad element" who was "causing problems" — Prak Yut stated she had to personally intervene with **Ao An** on Phea's behalf, and "Uncle An agreed not to have Pheap listed because she was the only Cham who worked and lived with me, *but he ordered me to list other Cham people. I agreed*".¹⁴⁴¹ Furthermore, Prak Yut admitted multiple times that Phea was the only Cham person she "decided to keep ... alive till today."¹⁴⁴² As Prak Yut explained, she "had a pity for Pheap, and her life was spared. However, *no other Cham people were spared*, nor did I ask to spare any other Cham to Ta An."¹⁴⁴³ She stated that she "could not save all the Cham people within the district"¹⁴⁴⁴ and that "[o]nly Pheap was spared".¹⁴⁴⁵ Another cadre in the district also confirmed: "No Cham Muslim was spared except for Phea, who was defended by Prak Yut."¹⁴⁴⁶

3. EFFECTS OF THE GENOCIDE ON THE CHAM

409. Evidence on the Case File shows the devastating effects that the CPK genocidal campaign had on the Cham community in the Central Zone and in Cambodia more generally. Many villages that had been primarily or completely Cham before the DK regime were almost or completely devoid of Cham after; losses totaling thousands of Cham on these accounts alone.¹⁴⁴⁷ For instance, Ben Kiernan estimated there would have been approximately 1,200 Cham families in just five villages in Kang Meas District in 1975, and according to a Muslim leader he interviewed, “Not a family survived, only one or two people.”¹⁴⁴⁸ “In some villages, people completely disappeared while in other villages, there were less than half of the villagers remained. There were many villages like that.”¹⁴⁴⁹ Based on interviews with villagers who had lived through the DK period, OCIJ estimated that in Trean Commune, just one of the 11 communes in Prak Yut’s Kampong Siem District, “close to 1800” Cham had been killed during the DK regime.¹⁴⁵⁰
410. In the annex to his book, *Oukoubah*, Ysa Osman listed seven villages that lost a total of 3,738 Cham families (over 18,000 people if families averaged five persons) and two others that had lost 2,131 individuals between 1975 and 1979.¹⁴⁵¹ He also listed ten other traditionally Cham villages that had lost virtually their entire Cham population—five of which were in Kampong Siem District.¹⁴⁵² Ysa Osman opined that 99 percent of the Cham population loss was due to death, either by execution, illness or starvation,¹⁴⁵³ because traditionally Cham would return to their home villages.¹⁴⁵⁴ Ysa Osman and Ben Kiernan also estimated that, in addition to the execution of the *Mufti* and his deputies, only 17 percent of *hakim*, 12 percent of *tuon*, and approximately three percent of *haji* survived the DK regime.¹⁴⁵⁵
411. Ben Kiernan, whose numbers demographer Ewa Tabeau found most convincing of those she reviewed,¹⁴⁵⁶ estimated an excess death toll of approximately 90,000 Cham during the DK regime, comprising about 36 percent of the 1975 Cham population of 250,000,¹⁴⁵⁷ “a percentage that is considerably higher than for other groups.”¹⁴⁵⁸ Kiernan’s estimate of the pre-1975 Cham population was based on extrapolations from a 1936 French census, and assumed that the census would have accurately counted a somewhat ostracised people,¹⁴⁵⁹ many of whom did not speak French or Khmer, and assumed the national growth-rate

applied equally to a rural Muslim minority that one can imagine likely averaged larger families. Cham themselves claim that their pre-DK numbers were much larger than Kiernan's estimate, and that a much greater percentage perished during the regime.¹⁴⁶⁰

412. Although the evidence is certainly not sufficient to determine exact death toll numbers, the enormity of the impact is evident. Entire Cham lineages were wiped out; entire Cham villages were irrevocably annihilated. "Many, many Cham people died"¹⁴⁶¹ and "even for the survivors, they were under severe trauma and depression, and this kind of feeling remains with them till today."¹⁴⁶²

J. FORCED MARRIAGE AND RAPE

1. INTRODUCTION

413. Although it is difficult to estimate the number of marriages arranged during the DK regime, the total is very likely in the hundreds of thousands.¹⁴⁶³ The vast majority of these unions occurred under coercive circumstances as the government and its agents used threats and punishments to force civilians to marry without their free consent. Further, authorities made it clear to couples that they were expected to consummate their marriages in an attempt to increase the population. In the prevailing atmosphere where ordinary people lived in extreme terror of falling into disfavour with the authorities, couples consummated these forced marriages often without the free consent of one or both partners. Such forced marriages and forced consummation caused trauma for both men and women at the time of the events and in the years thereafter, leaving many victims to deal with long-term psychological, social, and physical harms.
414. In Kampong Siem and Prey Chhor districts in Sector 41, **Ao An** and his subordinates fully took part in implementing the DK policies on marriage and consummation, including in the arrangement and notification of impending marriages, the wedding ceremonies themselves, and the monitoring of newlywed couples. The scale and incidence of these events and the similarities they shared with marriages across Democratic Kampuchea show that they were part of a well-organised central Party policy and were part of the DK regime's widespread or systematic attack on Cambodian civilians.¹⁴⁶⁴

415. The ICIJ has charged **Ao An** with the crimes against humanity of other inhumane acts through forced marriages and rape in Prey Chhor District and Kampong Siem District.¹⁴⁶⁵ The Co-Prosecutor seeks indictment for all of these crimes at these locations.¹⁴⁶⁶

2. POLITICAL BACKGROUND

CONCEPT OF FAMILY

416. The CPK first published its views on family building in a February 1974 issue of the *Revolutionary Youth* propaganda magazine. A mere six weeks after capturing Phnom Penh, the Party reprinted the document for wider circulation, reflecting the importance that it placed on the matter and its desire to ensure that all policies detailed in the document were fully implemented throughout the country.¹⁴⁶⁷
417. Central to this document and subsequent pronouncements of the Party's stance was the concept that a new form of family, the revolutionary family, was to replace the traditional one. The revolutionary family required absolute loyalty to *Angkar*, the population's new "parents", with all other familial ties rendered insignificant.¹⁴⁶⁸ The sole purpose of the revolutionary family was to advance the country's revolutionary goals.¹⁴⁶⁹ In serving the mission to rebuild the country, families no longer needed to live together and were typically separated, sent to different and sometimes distant worksites.¹⁴⁷⁰ Very young children were removed from their mothers so that the mothers could focus on work while the children were trained to be the progeny of *Angkar*.¹⁴⁷¹
418. Relationships with the opposite sex were also considered distractions from the all-important goal of rebuilding the nation.¹⁴⁷² Seeking spouses out of family interest or happiness was viewed as "private ownership" that contravened the collective interests of the country,¹⁴⁷³ and those who valued such interests were deemed to be deceiving and renouncing the revolution.¹⁴⁷⁴ In short, complete loyalty to *Angkar* left no room for anyone else. As journalist Elizabeth Becker explained: "the Khmer Rouge were threatened by all expressions of love—between husband and wife, parents and children, friends and colleagues. Everyone had to renounce personal intimacies."¹⁴⁷⁵

419. The CPK thereby took absolute control over “family building”. It implemented policies to strictly control marriages and prohibit all relationships not expressly authorised by *Angkar*.¹⁴⁷⁶ The central policy document pronounced:

In the matter of building a family, no matter the outcome of the Organization’s and the collective’s assessments and decisions, they must be absolutely respected. Do not have hard feelings. Do not be disappointed. This is because only the Organization and the collective are able to make a thorough assessment from every aspect.¹⁴⁷⁷

NEED FOR POPULATION GROWTH

420. With a population that was quickly dwindling due to executions and deaths from inhumane living and working conditions, and with relations with Vietnam further deteriorating, the leadership decided it had to stimulate population growth. This imperative was twofold: 1) the country needed more soldiers to defend its territory, and 2) the country needed workers to build the economy.¹⁴⁷⁸

421. CPK leaders publicly discussed such exigencies, announcing that Democratic Kampuchea required a population of 15 to 20 million within five to ten years to “meet the needs of [the] land.”¹⁴⁷⁹ Pol Pot himself explained that this goal was to be achieved through the organisation of marriages, and relevant instructions were passed down to cadres for implementation.¹⁴⁸⁰ As hostilities with Vietnam intensified, the matter became more urgent and the number of wedding ceremonies across the country increased accordingly.¹⁴⁸¹ In keeping with the goal of inflating the population, couples were typically monitored immediately after their weddings to ensure that the unions were consummated.¹⁴⁸²

422. At odds with the goal of population growth was the practice of sending spouses to different worksites in order to rebuild the country. To serve both objectives, separated couples were allowed periodic visitations.¹⁴⁸³ As Elizabeth Becker explained:

On the one hand they thought sex should be restricted because it took up too much time and detracted from the chores at hand, overnight industrialization and glorification of the motherland. Yet they also decided there should be many more Cambodians to carry out this program and ordered that the population double. The solution was no sex, no romance, but regular visitation rights for husband and wife.¹⁴⁸⁴

3. MARRIAGES BEFORE THE DK REGIME

423. Because **Ao An**'s Defence has asserted that forced marriage during the DK regime cannot be distinguished from the practice of arranged marriage in Cambodia,¹⁴⁸⁵ it is important to discuss the differences between marriages before Pol Pot came to power and after.
424. Before the CPK took control of the country, marriage in Cambodian society was anchored in rich tradition, entailing sacred rituals, the participation of a couple's family members, and, most crucially, the consent of both bride and groom.
425. From the outset, the families of the prospective couple managed the marriage process, carefully assessing a range of factors, including the economic situation and compatibility of the two individuals.¹⁴⁸⁶ Customarily, a potential groom or his parent, sometimes employing a "matchmaker" as an intermediary, expressed interest in a potential bride.¹⁴⁸⁷ The bride's family then investigated the background of the groom and consulted an *achar* (religious astrologer) for an auspicious time to marry.¹⁴⁸⁸
426. Upon the agreement of both parties, the groom presented the bride's family with gifts or money to seal the marriage.¹⁴⁸⁹ The subsequent wedding ceremony lasted multiple days,¹⁴⁹⁰ comprising numerous religious and cultural rituals and symbolising the union of the couple as well as the two families in the eyes of their communities.¹⁴⁹¹
427. While these marriages were often arranged by the couple's parents and based on practical considerations as discussed above, they also required consent from the bride and groom.¹⁴⁹² Cambodian Civil Code provisions in force before the DK period allowed either the man or the woman to break off an engagement and either spouse, once married, to annul the marriage if consent was vitiated by coercion.¹⁴⁹³

4. MARRIAGES DURING THE DK REGIME

NATIONAL IMPLEMENTATION OF THE MARRIAGE POLICY

a) Arrangement and Notification

428. Marriage practices in Cambodia changed drastically once the CPK came into power. Forced marriage victim Chea Dieb testified, "If you compare the marriage [that] took place

under the Khmer Rouge to the previous practice before and after the Khmer Rouge regime ... it's like you compare the earth to the sky.”¹⁴⁹⁴

429. While previously families were involved in marriages and wedding planning, in the DK regime, the State took complete control over all stages of the marriage process.¹⁴⁹⁵ This exercise of power resulted in two scenarios. Under the most common scenario, Khmer Rouge authorities excluded families from the practice of selecting a prospective spouse¹⁴⁹⁶ and matched couples in accordance with criteria such as political class, ethnicity, and background.¹⁴⁹⁷ Even CPK cadres and former soldiers were paired using this methodology,¹⁴⁹⁸ while disabled soldiers were often forcibly married as a “reward” for their sacrifice for the nation.¹⁴⁹⁹
430. Typically, on the day of the ceremony or shortly before, local officials informed individuals that they would be getting married and ordered them to report for the ceremony.¹⁵⁰⁰ Some people had no advance notice at all, arriving for what they thought would be a meeting and leaving with a new spouse¹⁵⁰¹ who was often a complete stranger.¹⁵⁰²
431. In the second, less typical scenario, men—particularly Khmer Rouge soldiers, officials, or others favoured by someone in authority—petitioned their local officials for permission to marry specific women.¹⁵⁰³ Even those who sought out marriages, however, had to await authorisation from the State, and many requests were denied despite the willingness of one or both partners.¹⁵⁰⁴

b) The Ceremony

432. As for the ceremony itself, gone were the sacred traditions and rituals intended to forge, celebrate, and bless the coming together of two families.¹⁵⁰⁵ Family members were generally excluded from participating in or even attending the wedding.¹⁵⁰⁶ Cadres and militiamen took their place,¹⁵⁰⁷ while CPK officials from all echelons arranged and presided over the nuptials.¹⁵⁰⁸
433. Couples were gathered *en masse* in austere hand-holding ceremonies that more closely resembled a meeting than a significant life event.¹⁵⁰⁹ The services were collective, short, and held after a full workday so as to avoid wasting any working hours.¹⁵¹⁰ Most frequently, the pairs were announced by name, or men and women were aligned in rows

facing each other, instructed to hold hands with the persons across from them.¹⁵¹¹ In some cases, because of the large number of couples, the rushed nature of the event, and the dimness of evening, individuals lost track of who they had been assigned to marry.¹⁵¹²

434. Matched couples were required to make a “resolution” to 1) serve *Angkar*—which encompassed a wide variety of promises, such as working hard, producing a certain quota of rice, and obeying *Angkar*—and 2) commit to their respective mates forever.¹⁵¹³ With regard to the second aspect of the resolution, cadres routinely instructed the couples to “love one another”, to get along, and to “have children for *Angkar*”.¹⁵¹⁴ Despite the different words used, the message was clear: the newlyweds were expected to consummate their marriages to increase the population.¹⁵¹⁵ Nget Chat remembered internally questioning the vows she was forced to make mere days after her first husband, a Khmer Krom, was taken to be killed, and she was directly told to consummate the union with her new husband:

I was told to consummate the marriage and that we had to commit to one another and to produce as many children as possible. And how could I do that because I was so skinny and I only had gruel to eat? I did not have any strength inside me. However, I did not dare to say anything. I just kept making commitment saying the words that I [was] told to say or to clap my hands.¹⁵¹⁶

c) Lack of Consent

435. In the coercive environment that prevailed during the DK regime, true consent to marriages arranged by DK authorities was not possible. Those who were instructed to marry feared that any refusal would brand them as enemies¹⁵¹⁷ and could result in re-education, execution, and the endangerment of their families.¹⁵¹⁸ As a result, many accepted *Angkar*'s instruction to marry without protest.¹⁵¹⁹ Kul Nem, a victim of forced marriage in the Northeast Zone, testified, “I did that in order to survive so that I could see the open sky again”.¹⁵²⁰
436. Those who hesitated or refused the order to marry were often threatened¹⁵²¹ or were punished with re-education,¹⁵²² physical violence,¹⁵²³ rape,¹⁵²⁴ and/or execution.¹⁵²⁵ In some cases, victims were forced to remarry shortly after their original spouses had been

killed and they did not refuse because they knew firsthand the consequence that could bring.¹⁵²⁶

437. Amidst the atmosphere of terror that prevailed during the DK regime, the majority of those who initially protested ultimately agreed to the marriages.¹⁵²⁷ Others chose to commit suicide rather than accept their assigned matches.¹⁵²⁸ While there is some evidence of men and women who were not punished for refusing to marry, such examples were the exception rather than the rule and varied by area.¹⁵²⁹ Even marriages sought out by one of the partners often lacked true consent of the other.¹⁵³⁰

d) Forced Consummation (Rape)

438. After the wedding ceremony, officials usually required newlyweds to spend several nights together to consummate the marriage before sending them back to their respective worksites.¹⁵³¹ In many cases, officials set up small huts for the purposes of consummation.¹⁵³² To ensure that intercourse occurred, militiamen were typically stationed in the vicinity of the huts to monitor the couple's night-time activities.¹⁵³³
439. Aware of the militiamen and fearing the consequences of refusal to consummate, newlyweds often felt compelled to have intercourse with the strangers they had just been paired with.¹⁵³⁴ In some cases, the groom forced his new wife to have sex if she refused, occasionally with the intervention of militiamen.¹⁵³⁵ While some couples successfully hid the fact that they had not consummated their marriages,¹⁵³⁶ those who were discovered were threatened by cadres,¹⁵³⁷ and/or harshly punished for their disobedience.¹⁵³⁸
440. Once a suitable period of time had passed for consummation to have been achieved in order to increase the population, newlyweds were sent back to work, often far from their respective spouses, to serve the other revolutionary goal of rebuilding the country.¹⁵³⁹ To fulfil both objectives, authorities arranged visits between couples, ordering or authorising them to see each other approximately once or twice a month, although implementation varied.¹⁵⁴⁰

IMPLEMENTATION OF THE POLICY IN THE CENTRAL ZONE

a) Communication of the Marriage Policy

441. When **Ao An** arrived in the Central Zone in early 1977, he ensured that the CPK's marriage policy was implemented in Sector 41 in accordance with Party directives. You Vann, who worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on a commune committee there, recalled that weddings in her area "started taking place" after **Ao An** delivered instructions on marriage to Prak Yut.¹⁵⁴¹
442. **Ao An** relayed such orders to local authorities throughout his sector. In late 1977, Prey Chhor cadre Sat Pheap attended meetings at which **Ao An** spoke about marriage planning and the impetus behind it, stating that he "planned to raise new forces [and] to increase the population".¹⁵⁴² Sat Pheap testified that **Ao An** "specifically mentioned" he would achieve this goal "[b]y marrying off workers from ministerial offices and cooperatives."¹⁵⁴³ Similar to events happening elsewhere in DK,¹⁵⁴⁴ **Ao An** instructed the lower echelons to match couples based on their backgrounds¹⁵⁴⁵ and imposed a rule mandating that spouses sleep together to "produce children" for the "progress and development of the nation."¹⁵⁴⁶

b) Arrangement and Notification

443. Pursuant to these orders, **Ao An**'s subordinates in Kampong Siem and Prey Chhor districts conducted research into the backgrounds of prospective couples, ensuring there was no "mixture" of social, political, and religious groups, and excluding families from the selection process.¹⁵⁴⁷ Cadres from all echelons, including unit chairpersons,¹⁵⁴⁸ commune chiefs,¹⁵⁴⁹ and district leaders,¹⁵⁵⁰ worked together to organise marriages following these guidelines.
444. **Ao An** also personally took part in arranging forced marriages. In Prey Chhor District, Toy Meach attended a ceremony where **Ao An** paired five female sector workers with disabled men and organised their wedding ceremony.¹⁵⁵¹ Touch Chamroeun recounted being arrested and brought to the sector office, where **Ao An** ordered him to marry the very next day.¹⁵⁵² In Kampong Siem District, Prak Yut's former messenger, You Vann, recalled that Prak Yut regularly made requests to **Ao An** to arrange marriages in the district and "Ta An always approved and allowed the marriages."¹⁵⁵³

445. Mirroring patterns that were playing out across the country,¹⁵⁵⁴ couples who were forcibly married in areas under **Ao An**'s control typically received little to no advance notice of their impending nuptials, sometimes not finding out about the marriage until the ceremony itself.¹⁵⁵⁵ Khauv Net, who was married in Prey Chhor District in 1978, described being invited to a "party" and discovering when she arrived that it was her wedding ceremony.¹⁵⁵⁶ As in other parts of DK, many of those forcibly married in Sector 41 did not know who they would be marrying and had never met their future spouses.¹⁵⁵⁷
446. Less commonly, some disabled soldiers were allowed to select their partners as a reward for their contributions to the revolution.¹⁵⁵⁸ Indeed, during a meeting held in Prey Chhor District, the Commerce Office Chairman and his deputy explained to disabled cadre Sat Pheap that "disabled veterans had the right and privilege to marry women of their choice."¹⁵⁵⁹
447. For all matches—from those sought after by one or both partners, to the many others that were the choice of neither partner—lower-level officials in Sector 41 were required to seek authorisation from the upper echelons.¹⁵⁶⁰ You Vann recalled that Prak Yut submitted regular "requests" to **Ao An** "to arrange marriages at the district depending on the number of couples."¹⁵⁶¹ Through such requests and reports sent up the chain of command, **Ao An** was kept apprised of the number of couples marrying in areas under his control.¹⁵⁶² As was the case nationwide,¹⁵⁶³ specific marriage requests could be denied despite the wishes of the couple.¹⁵⁶⁴

c) The Ceremony

448. In line with the experiences of victims throughout the country,¹⁵⁶⁵ witnesses from Kampong Siem and Prey Chhor districts recounted the drastic differences between weddings prior to and during the DK regime, including the elimination of spiritual and cultural rituals¹⁵⁶⁶ and lack of family involvement.¹⁵⁶⁷
449. DK cadres and militiamen attended the ceremonies,¹⁵⁶⁸ while authorities from various echelons presided over the nuptials, including unit chairpersons,¹⁵⁶⁹ cooperative and village chiefs,¹⁵⁷⁰ commune chiefs,¹⁵⁷¹ members of the district and sector committees,¹⁵⁷² and

Central Zone Secretary Ke Pauk.¹⁵⁷³ **Ao An** also personally attended and presided over weddings.¹⁵⁷⁴

450. Replicating the collective and impersonal nature of ceremonies taking place elsewhere in Democratic Kampuchea,¹⁵⁷⁵ couples in Kampong Siem and Prey Chhor districts were married *en masse* following **Ao An**'s arrival in Sector 41.¹⁵⁷⁶ Seven witnesses recalled ceremonies during **Ao An**'s tenure as Sector 41 Secretary in which more than 50 couples were married at the same time.¹⁵⁷⁷ One witness described being one of 150 couples forced to marry in Kampong Siem District near the end of the regime.¹⁵⁷⁸ According to You Vann, Prak Yut was in charge of ceremonies involving a small number of couples, whereas **Ao An** was present when there were more than five to 10 couples.¹⁵⁷⁹
451. Mass weddings were structured similarly to those occurring throughout the rest of the country.¹⁵⁸⁰ Men and women were typically seated in separate rows and notified of whom they would be marrying through the announcement of their names.¹⁵⁸¹ After the announced pairing, couples were instructed to hold hands and make vows which encompassed promises to work hard for *Angkar* and to commit to their new spouse.¹⁵⁸²
452. As was also the case nationwide,¹⁵⁸³ authorities took measures to ensure that wedding ceremonies would not disrupt working hours.¹⁵⁸⁴ Keo Theary, forcibly married in Kampong Siem District in 1977, recalled that after her wedding, she “continued to work until late afternoon.”¹⁵⁸⁵ To save time, those presiding over weddings sometimes designated representatives to make vows on behalf of all couples.¹⁵⁸⁶

d) Lack of Consent

453. Like thousands of other victims across the country,¹⁵⁸⁷ the men and women forced to marry in Kampong Siem and Prey Chhor districts did not truly consent to their marriages. Even in cases where individuals were not expressly threatened, the general atmosphere of terror made many believe that they would be punished for “disrespecting *Angkar*” if they refused and that they therefore had no choice but to accept the marriage.¹⁵⁸⁸ Some “agreed” to marry because they had witnessed or heard stories about punishments inflicted on those who objected.¹⁵⁸⁹ Others “agreed” after they were threatened with imprisonment,¹⁵⁹⁰ their own death, or the death of their family members.¹⁵⁹¹

454. Widespread fears regarding the consequences of refusal were not unfounded, as many who protested incurred harsh punishments.¹⁵⁹² Nhim Kol, a former member of the Krala Commune Committee in Kampong Siem District, explained that individuals who refused marriage proposals under **Ao An**'s authority were subject to harsher sanctions than those imposed by his predecessors: "Before the Southwest cadres arrived, they re-educated people by torturing them until they agreed to get married ... but starting with Yeay Yuth the killing began."¹⁵⁹³
455. Some women chose death rather than submitting to coerced marriages. Former cadre Sat Pheap testified that in Prey Chhor District, a woman intentionally overdosed on medicine a few days after being forced to marry a handicapped soldier.¹⁵⁹⁴ Similarly, Toy Meach recounted the suicide of two sector workers in Prey Chhor District who swallowed poison on their wedding nights after **Ao An** forced them to marry disabled men.¹⁵⁹⁵

e) Forced Consummation (Rape)

456. Also during **Ao An**'s tenure as Sector 41 Secretary, the CPK policy of forcing the victims of forced marriage to consummate their marriages without their free consent (rape) was thoroughly implemented in Kampong Siem and Prey Chhor districts. Local officials in charge of weddings ordered newlyweds to "get along" with their new partners, "live together as husband and wife", or produce children, which, as discussed in the national section,¹⁵⁹⁶ was understood to mean they were expected to have sexual intercourse.¹⁵⁹⁷ Nhim Kol recalled that at his wedding in Kampong Siem District in late 1978, "They did not say directly we had to have sex but, we all understood [w]hat they meant by that."¹⁵⁹⁸ Two witnesses recalled **Ao An** personally dispensing such advice when he presided over ceremonies.¹⁵⁹⁹ Pursuant to wedding day instructions, officials required newlyweds to stay together for several nights following the ceremony before sending them back to their respective worksites.¹⁶⁰⁰
457. As was the case throughout the DK,¹⁶⁰¹ **Ao An**'s subordinates employed a range of measures to force newlyweds to consummate their marriages, with the result that men and women generally believed they would be punished for "opposing Angkar" if they did not have sex.¹⁶⁰² In particular, the practice of monitoring the newlyweds' nighttime activities generated acute terror and drove many couples to have sexual intercourse against their

will.¹⁶⁰³ Sum Pet, who was forced to marry a woman he had never met before in Kampong Siem District in 1977, recalled the wedding night:

All of us felt frightened and awkward because we had not understood each others' feelings before. But in order to stop them from tracking us and so to avoid trouble, we had slept together ... as spouses that night. Furthermore, all of us knew that something wrong would happen to any couples whom *Angkar* regarded as not getting on well with each other.¹⁶⁰⁴

458. In some cases, local authorities used explicit threats of re-education and execution to coerce newlyweds into consummating their marriages.¹⁶⁰⁵ When Preap Sokhoeurn refused to have sex after her 1977 wedding in Prey Chhor District, she was “repeatedly” warned by local officials that she “would be killed” unless she complied with *Angkar*'s wishes.¹⁶⁰⁶ Than Yang, married in Kampong Siem District near the end of the regime, received similar warnings from her village chief, who told her she would be “taken away” if she did not sleep with her new husband.¹⁶⁰⁷
459. These were not empty threats. Authorities in Kampong Siem and Prey Chhor districts severely punished people who refused to consummate,¹⁶⁰⁸ and their examples were held up as cautionary tales against similar refusals.¹⁶⁰⁹ In some cases, the groom forced his new wife to have sexual intercourse when she refused to consummate.¹⁶¹⁰ This happened to Preap Sokhoeurn after she rejected her new husband's advances. Afterward, he told her he had to “follow *Angkar*'s instructions” or they would both be killed.¹⁶¹¹
460. In line with DK policy,¹⁶¹² once newly married couples in Kampong Siem and Prey Chhor districts had spent their first nights together, they were typically sent back to their respective workplaces.¹⁶¹³ To ensure that the goal of rebuilding the nation did not subsume the goal of population increase, authorities authorised conjugal visits on a monthly or bimonthly basis, but permission had to be sought.¹⁶¹⁴
461. As discussed in the *Law* section of this Submission, forcing individuals to engage in sexual relations in conditions where free consent is impossible has been recognised as rape. In the extremely coercive atmosphere of Democratic Kampuchea, which very much resembled an open-air prison camp, people did not feel free to refuse any directive from the authorities. Those who were victims of the CPK forced marriage population policy were also victims

of rape, as the man, the woman, or both, were compelled by DK authorities to engage in sexual relations without their free consent.

PHYSICAL AND MENTAL TRAUMA SUFFERED BY THE VICTIMS

462. Nationwide, the victims of forced marriage and consummation often suffered physical and mental trauma. For many men and women, the damage wrought during the DK regime has had long-term effects, continuing to impact their lives today and further demonstrating the gravity of the crime.
463. Several witnesses underwent physical distress at or immediately following their wedding ceremonies.¹⁶¹⁵ Say Naroen, who was forcibly married in the North Zone, testified that when she realised what was happening, her body went “cold” and felt “strange.”¹⁶¹⁶ Preap Sokhoeun and Om Yoeun, who were both forced to marry in the Central Zone, recalled being so upset by their marriages that they were unable to eat afterwards.¹⁶¹⁷
464. In addition to such physical reactions, victims frequently cried and experienced intense emotions, including sadness, anger, and fear.¹⁶¹⁸ Mom Vun noted that “all” of the 60 couples married at her ceremony in Siem Reap “stood together and wept.”¹⁶¹⁹ Mao Saroen, who was forcibly wed in the Central Zone, stated, “I felt as if I were being taken to be killed.”¹⁶²⁰ Some 40 years later, these painful memories still haunt the victims.¹⁶²¹
465. Witnesses forced to marry a stranger despite a prior commitment to another person described the conflict they felt between honouring their partners and staying alive.¹⁶²² Kul Nem, who was forced to wed a stranger in Monduliri, still feels “unsettl[ed]” about marrying a woman other than his former fiancée “in order to survive”.¹⁶²³ In some cases, victims’ original spouses were sent for re-education or executed immediately prior to their forced marriages.¹⁶²⁴ Northwest Zone victim Nget Chat recalled that just days after her Khmer Krom husband had been taken away, “I was still weeping at the loss of my husband, and I was sent to get married.”¹⁶²⁵
466. Victims often expressed regret that they were not married in accordance with Khmer cultural and religious traditions.¹⁶²⁶ The exclusion of family from the marriage process was likewise a source of anguish for many.¹⁶²⁷ Women in one study described their forced

marriages as “inferior marriages” because they lacked both “the permission of parents as well as the customary validation and legitimacy conferred by traditional ceremonies.”¹⁶²⁸

467. In addition to suffering caused by the marriage itself, Cambodian men and women were deeply traumatised by forced consummation. Numerous victims recounted the terror that pervaded their nights as newlyweds, and the pressure they felt to consummate the marriage, or to hide the fact that they had not had sexual intercourse.¹⁶²⁹ Some recalled trembling with fear.¹⁶³⁰ Va Limhun, a victim of forced marriage in Kampong Siem District, testified that all she could think of “was when [she] would be taken to be killed.”¹⁶³¹ Others described the emotional difficulty of being forced into conjugal relations with a person they did not love,¹⁶³² particularly given the absence of parental consent.¹⁶³³
468. When couples were forced to have sexual intercourse, the relationship was deeply affected and either one or both partners sustained physical and/or mental trauma.¹⁶³⁴ Preap Sokheourn, who was forcibly married in Prey Chhor District, testified:

First, it was the pain he inflicted upon me physically, and second, morally I was hurt[.] I did not intend to have a husband and wife relationship at all and there was nothing I could do besides weeping and I regretted for what happened. [...] I could not sleep and I could not eat and I became pale.¹⁶³⁵

469. The psychological and physical effects of forced marriage and forced consummation have been long-lasting. With respect to physical harms, a study conducted by the Transcultural Psychosocial Organisation (TPO) concluded that victims of the “abuse, beatings, and rapes” associated with DK unions often experience “negative sexual functioning”, which includes gynecological problems, and lost or lowered sexual interest.¹⁶³⁶ With respect to psychological harms, the TPO study found:

More than two-thirds of all respondents (70.2%) reported ongoing mental health problems, describing these in an open-ended question as ‘dissatisfied with life’ and grave disappointment from the forced marriage, especially when ‘attending wedding ceremonies or hearing traditional wedding songs.’ Some reported being quick to anger, others of panic attacks, and still others of lingering emotional trauma when they remember their forced wedding ceremonies. Symptoms described included ‘shaking inside,’ ‘sadness and suffering’ and recurring nightmares, particularly of spousal rape during the forced marriage.¹⁶³⁷

470. In particular, many victims of forced marriage and forced consummation have internalised a deep sense of shame and self-blame.¹⁶³⁸ In struggling with these feelings and harbouring fears of societal stigmatisation or of hurting their children, some have kept their experiences to themselves for decades.¹⁶³⁹ In certain cases, victims' fears of ostracisation have been realised, with communities "look[ing] down" upon victims and their families and excluding them from social events, especially from taking part in wedding ceremonies.¹⁶⁴⁰ A female respondent in the TPO study noted:

[My forced marriage] still impacts me now like I am wearing the 'torn pants'. I rarely go to other people's houses. I stay mostly at home. [...] I feel shame, so much shame, and I do not want anyone to know about my past.¹⁶⁴¹

471. For a variety of reasons, many couples forcibly married during the DK regime decided to stay together afterward: some grew to love the person with whom they had been matched and survived so much together, some felt obligated, some wanted to avoid stigma, and still others stayed for the sake of their children.¹⁶⁴² A number of victims remained in such relationships despite continued spousal abuse.¹⁶⁴³ The fact that some forced marriages endured past 1979 has no bearing on the fact that the crime of forced marriage was perpetrated at the DK government's behest and couples were forced to marry without their consent at the time.

5. CONCLUSION

472. The victims of the CPK's forced marriage and forced consummation policies paid a high cost for the regime to pursue its revolutionary goals. Many are still paying those costs some 40 years later. Forced marriage and the rapes committed (through the forced consummation of these marriages) by DK officials, including **Ao An** and his subordinates in Kampong Siem and Prey Chhor districts, were widespread, systematic, and of a gravity equal to other enumerated crimes against humanity.

VII. LAW

A. CRIMES

473. Articles 4 and 5 of the ECCC Law confer jurisdiction on the ECCC over genocide and crimes against humanity (“CAH”) respectively. The commission of any of these crimes may occur through act or omission¹⁶⁴⁴ and is not limited to direct physical perpetration.¹⁶⁴⁵

1. GENOCIDE

474. Article 4 of the ECCC Law confers jurisdiction on the Court over the crime of genocide as defined in the 1948 Genocide Convention. The *actus reus* of genocide consists of the commission¹⁶⁴⁶ of at least one of the listed categories of acts of genocide (detailed below).¹⁶⁴⁷ The *mens rea* comprises both the requisite intent to commit the listed act and the specific intent (*dolus specialis*) of genocide: “the intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such”.¹⁶⁴⁸

THE PROTECTED GROUP

475. Consistent with the Genocide Convention, the ECCC Law prescribes four categories of protected group: national, ethnical,¹⁶⁴⁹ racial, and religious. The protected group must be defined positively, by reference to a common identity, not negatively, by reference to its lack of any particular identity.¹⁶⁵⁰ Where more than one group is targeted, the elements of genocide must be considered in relation to each group separately.¹⁶⁵¹
476. Any attempt to differentiate each of the group categories on the basis of scientific criteria would be inconsistent with the object and purpose of the Genocide Convention.¹⁶⁵² In its Resolution 96(I), the UN General Assembly defined genocide as “a denial of the right of existence of entire *human groups*.”¹⁶⁵³ This was followed by the UN Secretariat (1948),¹⁶⁵⁴ and the ICJ (1951),¹⁶⁵⁵ and was later reconfirmed by the ICJ,¹⁶⁵⁶ ICTY,¹⁶⁵⁷ and ICTR.¹⁶⁵⁸ The ICTY Trial Chamber in *Krstić* noted:

The preparatory work of the Convention shows that setting out such a list was designed more to describe a single phenomenon, roughly corresponding to what was recognised, before the second world war, as

'national minorities', rather than to refer to several distinct prototypes of human groups.¹⁶⁵⁹

477. As such, tribunals and commissions implementing the Convention have largely avoided providing concrete definitions or delineating precise boundaries of the protected groups, and have emphasised their preference for a flexible interpretation of the categories. The ICTY,¹⁶⁶⁰ ICTR,¹⁶⁶¹ and Darfur Commission¹⁶⁶² have all confirmed that it falls within the Genocide Convention and Customary International Law ("CIL") to punish as genocide acts intended to destroy stable and permanent human groups, to which individuals belong regardless of their own desires, even if they do not fit neatly into one of the four group titles named in the Convention.
478. The determination of what constitutes a protected group in any given case is conducted on the basis of both objective and subjective criteria.¹⁶⁶³ The objective criteria include the relevant political, social, historical, and cultural context.¹⁶⁶⁴ The subjective criteria include the stigmatisation or singling out of a group by the perpetrator(s) on the basis of the group's perceived characteristics,¹⁶⁶⁵ including by the use of derogatory epithets.¹⁶⁶⁶ In some instances, the victim may perceive himself to belong to the group.¹⁶⁶⁷ As the ICTR pointed out in *Bagilishema*:

A group may not have precisely defined boundaries and there may be occasions when it is difficult to give a definitive answer as to whether or not a victim was a member of a protected group. Moreover, the perpetrators of genocide may characterize the targeted group in ways that do not fully correspond to conceptions of the group shared generally, or by other segments of society. In such a case, the Chamber is of the opinion that, on the evidence, if a victim was perceived by a perpetrator as belonging to a protected group, the victim could be considered by the Chamber as a member of the protected group, for the purposes of genocide.¹⁶⁶⁸

479. International courts have consistently adopted a flexible approach to fitting targeted populations into the Convention's four group categories. In *Akayesu*, the ICTR Trial Chamber defined a *national* group as "a collection of people who are perceived to share a legal bond based on common citizenship, coupled with reciprocity of rights and duties."¹⁶⁶⁹ However, the Co-Prosecutor submits that this definition is unduly narrow and incomplete. When espousing this jurisdictional definition, the ICTR expressly relied on a *dictum* of the

ICJ in the *Nottebohm* Judgment, yet in this context, the ICJ was interested in defining the meaning of “nationality” in the context of the right of a state to exercise diplomatic protection. It had no concern with the meaning of “national group” within the meaning of the Genocide Convention. “Nations” are not founded purely on common citizenship; nationality is not synonymous with a “national group”, some of whom may actually hold the nationality of another State or who may be stateless.¹⁶⁷⁰ As Oppenheim cautioned, “nationality” in the sense of citizenship of a state must not be confused with membership in a certain nation in the sense of “race”.¹⁶⁷¹

480. Indeed, the ICTY, when applying the “national group” concept in *Krstić* and later cases, has been reluctant to analyse group citizenship or clearly distinguish the targeted group’s nationality from other groups. Despite the lack of a unique citizenship, it held that the Bosnian Muslims were a “national group” based on their recognition as a “nation” by the Yugoslav Constitution of 1963, and the fact that the Bosnian Serb political and military authorities viewed the Bosnian Muslims as a specific national group.¹⁶⁷² The finding that the Bosnian Muslims constituted a “protected group” was then followed without further analysis in *Blagojević*,¹⁶⁷³ *Brđanin*,¹⁶⁷⁴ *Popović*,¹⁶⁷⁵ *Karadžić*,¹⁶⁷⁶ and *Tolimir*.¹⁶⁷⁷ In fact, in the majority of these subsequent cases, there is no reference to the “national group” designation made in *Krstić* and many of them devote more time discussing Bosnian Muslims, Bosnian Croats, and Bosnian Serbs in terms of distinct ethnicities.¹⁶⁷⁸ The ICJ also accepted Bosnian Muslims as a “targeted group” without confirming which, if any, of the four categories it considered them to fall into.¹⁶⁷⁹

481. An *ethnic* group has been characterised as one “whose members share a common language or culture.”¹⁶⁸⁰ However, in *Akayesu*, the same Trial Chamber that posited this definition found the Tutsi to be a distinct “ethnic group” even though the Tutsi and Hutu cannot be distinguished on the basis of either language or culture. It based its decision on identity cards referencing Rwandans’ ethnic group, various mentions of these ethnic groups in national and international instruments, and the fact that trial witnesses “answered spontaneously and without hesitation” regarding their ethnic identity (self-perception).¹⁶⁸¹ In the *Al Bashir* case, the ICC has found the Fur, Masalit, and Zaghawa to constitute

distinct ethnic groups for the purposes of the Genocide Convention, as each has its own language, tribal customs and traditional links to their lands.¹⁶⁸²

482. A *racial* group has been defined as being “based on the hereditary physical traits often identified with a geographical region, irrespective of linguistic, cultural, national or religious factors.”¹⁶⁸³ However, “race” has proved difficult to characterise. The IMT referred to the Jewish people as a “racial group” rather than a “religious group” without any meaningful analysis.¹⁶⁸⁴ Highlighting both this definitional challenge and the interrelationship between the protected groups, the International Convention on the Elimination of All Forms of Racial Discrimination (“ICEAFRD”) defines the term “racial” discrimination, partly in terms of other group designations, as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin”.¹⁶⁸⁵
483. A *religious* group is “one whose members share the same religion, denomination or mode of worship.”¹⁶⁸⁶ The recent Syria Commission Report classified the Yazidis as a religious group, based on both objective and subjective criteria.¹⁶⁸⁷

ACTUS REUS

484. Article 4 of the ECCC Law, reflecting the Genocide Convention, lists the following acts of genocide: (1) killing members of the group; (2) causing serious bodily or mental harm to members of the group; (3) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (4) imposing measures intended to prevent births within the group; and (5) forcibly transferring children from one group to another group. As only the first three are relevant to the *Ao An* case, the Co-Prosecutor confines his analysis accordingly.

1. Killing Members of the Group

485. The material elements of killing as an act of genocide are the same as those for murder as a CAH.¹⁶⁸⁸ Numeric assessment of the number of people killed is not required for the *actus reus* to be established.¹⁶⁸⁹ The victim must have belonged to a protected group,¹⁶⁹⁰ or the perpetrator of the crime believed that he did.¹⁶⁹¹ Killing in the context of genocide does not need to have been premeditated.¹⁶⁹²

2. Causing Serious Bodily or Mental Harm to Members of the Group

486. This category of genocidal acts covers the infliction of serious harm that does not necessarily result in the death of the victim¹⁶⁹³ or in an injury that is permanent or irremediable.¹⁶⁹⁴ However, the bodily or mental harm inflicted upon members of a targeted group “must be of such a serious nature as to threaten [the group’s] destruction in whole or in part.”¹⁶⁹⁵ Examples of serious bodily harm include “torture, rape, and non-fatal physical violence that causes disfigurement or serious injury to the external or internal organs.”¹⁶⁹⁶ Serious mental harm is a harm which causes serious injury to the victim’s mental state, and includes “more than minor or temporary impairment of mental faculties, such as the infliction of strong fear or terror, intimidation or threat”.¹⁶⁹⁷ Acts causing serious bodily and/or mental harm include “enslavement, starvation, deportation and persecution [...] and [...] detention in ghettos, transit camps and concentration camps in conditions which were designed to cause [the victims’] degradation, deprivation of their rights as human beings, and to suppress them and cause them inhumane suffering and torture”.¹⁶⁹⁸

3. Deliberately Inflicting on the Group Conditions of Life Calculated to Bring about its Physical Destruction in Whole or in Part

487. This category of genocidal act encompasses methods of destruction by which the perpetrator does not immediately kill the members of the group, but which, ultimately, seek their physical destruction.¹⁶⁹⁹ The perpetrator must be shown to have intended the conditions (as opposed to, for example, subsequent execution of the victims) to bring about the physical destruction of the targeted group in whole or in part.¹⁷⁰⁰ The specific types of conditions covered by this category of genocidal act include (1) lack of proper shelter, clothing, hygiene and medical care / reduction of essential medical services below minimum requirements, (2) excessive work or physical exertion, (3) rape, (4) starving people or subjecting them to a subsistence diet, and (5) systematic expulsion of people from their homes.¹⁷⁰¹ Proof of the actual physical destruction of the targeted group in whole or in part is not required.¹⁷⁰²

MENS REA

1. Intent to Destroy the Group “As Such”

488. It is the intent “to destroy, in whole or in part, a [protected group] as such”¹⁷⁰³ that distinguishes genocide from other crimes.¹⁷⁰⁴ As set out above,¹⁷⁰⁵ the Genocide Convention was enacted with the object and purpose of promoting the survival of human groups and punishing those who seek to eradicate them. The crime of genocide was not conceived because otherwise mistreatment or murders of members of a group would go unpunished – these crimes were already criminalised and punishable as murder, extermination and/or persecution. Rather, the Convention recognises the particular harm suffered when an entire group is targeted:

*the ultimate victim of genocide is the group, although its destruction necessarily requires the commission of crimes against its members, that is, against individuals belonging to that group.*¹⁷⁰⁶

489. Consonant with genocide’s underlying rationale, the requirement that the perpetrator intend to destroy a group “as such” means to destroy it as a “*separate and distinct entity*”,¹⁷⁰⁷ such that even where members of the group or their descendants live on, they cannot be identified and do not identify themselves as belonging to the group. It has been posited that the wording “as such” signifies the requirement that a prohibited act will only amount to genocide if it was committed against a victim “specifically because” of his membership in a protected group,¹⁷⁰⁸ with the “*effet utile* of drawing a clear distinction between mass murder and crimes in which the perpetrator targets a specific group because of its nationality, race, ethnicity or religion.”¹⁷⁰⁹ Yet this interpretation would render the wording “as such” otiose, since the intention to destroy the group in whole or in part already encompasses the notion of the victim’s perceived membership in the targeted group. At the same time, it falls short of capturing the essence of genocide. As the ICJ explained, the *mens rea* for genocide goes beyond the targeting of some individuals merely because of their membership in a particular group.¹⁷¹⁰ Such discriminatory intent suffices for the CAH of persecution, but not for genocide in which the perpetrator must seek to destroy the distinguishable community as such.¹⁷¹¹

490. The requirement of genocidal intent — to destroy the group in whole or in part as a separate and distinct entity — is analytically distinct from the requirement for an underlying prohibited act, or *actus reus*, of genocide.¹⁷¹² As Judge Shahabuddeen noted in *Krstić*, one must not “overlook a distinction between the nature of the listed ‘acts’ and the ‘intent’ with which they are done.”¹⁷¹³ Therefore, while the perpetrator’s “intent to destroy” the protected group will often be manifested through his participation in one of the listed acts constituting the *actus reus*, and indeed, participation in one of those acts is required in order to fulfil the material elements of genocide, nothing in the Convention requires the perpetrator to plan the destruction of the group, in whole or in part, solely through one or more of those acts.
491. Some international jurisprudence has found that the intended “destruction” of a group must be “physical or biological”.¹⁷¹⁴ Yet, a group’s existence is a separate issue from the mere survival of its individual members; a group is a unit, which exists both physically and socially. It is indeed comprised of its people, but also of, *inter alia*, its history, traditions, the relationship between its members, the relationship with other groups, and the relationship with the land that binds the individual members of the group.¹⁷¹⁵ The destruction of a group identifiable as a separate and distinct entity may thus take many other forms, which may involve neither the physical destruction (death) of its individual members, nor even of their individual ability to produce future generations. A group can be deprived of its existence through the destruction of its specific traits, or dispersal of its members, leading to the dissolution of its unity and/or collective identity in a fundamental and irremediable manner. Judge Shahabuddeen articulated this in *Krstić*:

The stress placed in the literature on the need for physical or biological destruction implies, correctly, that a group can be destroyed in non-physical or non-biological ways. It is not apparent why an intent to destroy a group in a non-physical or non-biological way should be outside the ordinary reach of the Convention [...], provided that that intent attached to a listed act [...].¹⁷¹⁶

It is the group which is protected. A group is constituted by characteristics – often intangible – binding together a collection of people as a social unit. If those characteristics have been destroyed in pursuance of the intent with which a listed act [...] was done, it is not convincing to say that the destruction, though effectively obliterating the

group, is not genocide because the obliteration was not physical or biological.¹⁷¹⁷

492. Indeed, the Convention itself reflects this viewpoint, given that the acts of genocide listed in the Convention do not themselves necessarily involve physical or biological destruction. For example, “forcibly transferring children of the group to another group” is considered a genocidal act.¹⁷¹⁸ Where the children are transferred without physical harm, and even where they are provided a higher standard of material life in the new group,¹⁷¹⁹ transferring children is an effective method to destroy the group characteristics “binding together a collection of people as a social unit.”¹⁷²⁰ If a government were to transfer all of the children from families belonging to an isolated minority group to state institutions or families outside the group, within a generation or two the group “as such” would disappear. Drafters of the Genocide Convention themselves acknowledged that forcibly indoctrinating children into the customs, language, religion, and values of a foreign group was “tantamount to the destruction of the [children’s] group, whose future depended on that generation of children.”¹⁷²¹ This is precisely what a recent report of the Commission of Inquiry on Syria warning of an ongoing genocide of Yazidis by ISIS has found is happening to the Yazidi children: by removing the children from their families, “ISIS intentionally seeks to destroy Yazidi children’s concept of themselves as Yazidi, erasing their attachment to the Yazidi religion. Whereas Yazidi girls are prevented from practising their religion, Yazidi boys are fully indoctrinated into ISIS ideology.”¹⁷²² So, while the transfer of children does nothing to “physically or biologically” destroy the group given that the children live on, it does destroy the group “as such” in that the transferred children will no longer identify themselves with the group.

493. Similarly, acts like deportation/forced transfer of a particular group, which does not fall within the listed acts constituting the *actus reus* of genocide, can bring about the destruction of the group “as such”, and therefore be probative of *mens rea*, demonstrating the perpetrator’s intent to destroy the group. As the *Blagojević* Trial Chamber explained:

physical or biological destruction of the group is the likely outcome of a forcible transfer of the population when this transfer is conducted in such a way that the group can no longer reconstitute itself — particularly when it involves the separation of its members. In such cases [...] the forcible transfer of individuals could lead to the material destruction of

the group, since the group ceases to exist as a group, or at least as the group it was.¹⁷²³

Here, the *Blagojević* Trial Chamber accepted prior ICTY jurisprudence that “physical or biological” destruction was required, but interpreted physical destruction to include situations where the members of the group live on but are so dispersed as to destroy the possibility of the continued existence of the group.

494. In this vein, the *Krstić* Appeals Chamber held that the transfer of women, children and elderly from the Srebrenica enclave to Bosnian government controlled territory unharmed “could be an additional means by which to ensure the physical destruction of the Bosnian Muslim community in Srebrenica” as it eliminated “even the residual possibility that the Muslim community in the area could reconstitute itself.”¹⁷²⁴ Indeed, before 1975, some States had listed the forced transfer of adults, in addition to children, as genocidal acts.¹⁷²⁵
495. Likewise, forced conversions, or forced renunciations of religion, demonstrate an intent to destroy the religious group “as such”. If no one practises a religion, the group ceases to exist as a religious group. The Syria Commission found that “Yazidi men and older boys were forced to convert or die, in either case leading to their destruction as Yazidis.”¹⁷²⁶ Of course, conversions through philosophical, moral or economic persuasion, or even through forms of discrimination outside of the listed genocidal acts, will not amount to genocide by itself. Genocide can only occur when the destruction of the group is undertaken, at least in part, through one of the five genocidal acts, the necessary *actus reus*. However, when the conversions are accomplished by, for example, killing those who refuse to convert, however few in number, with the intent to destroy the religious group, this is clearly genocide.
496. Additionally, non-listed acts may be considered evidence confirming the intent to destroy the group.¹⁷²⁷ As Judge Shahabuddeen noted, “[t]he destruction of cultural property may serve evidentially to confirm an intent, to be gathered from other circumstances, to destroy the group, as such”.¹⁷²⁸ The ICJ endorsed the *Krstić* Trial Judgment statement that “where there is physical or biological destruction there are often simultaneous attacks on the cultural and religious property and symbols of the targeted group as well, attacks which

may legitimately be considered as evidence of an intent to physically destroy the group.”¹⁷²⁹

497. In sum, the Genocide Convention and ECCC Law is to be read to mean that, provided that the perpetrator has committed a listed act (*actus reus*), the intent to destroy the group “as such” is capable of being proved by evidence of an intent to cause the destruction of the group through acts not listed in the Genocide Convention or ECCC Law. It therefore behoves the Court to look at the complete matrix of acts against the protected group in considering the accused’s *mens rea*. In this way, the transfer of women and children at Srebrenica could not be overlooked since it “was part – an integral part – of one single scheme to commit genocide, involving killings, forcible transfer and destruction of homes.”¹⁷³⁰

2. In Whole or in Part

498. A person committing a prohibited act will be guilty of genocide if he intended the destruction of the targeted group in whole, or in part. There is no numeric threshold of victims necessary to establish genocide.¹⁷³¹
499. As for the intent to destroy a group in part, the accused must be shown to have *intended* to destroy a *substantial* part of the protected group.¹⁷³² Numbers alone are “not in all cases the ending point of the inquiry”.¹⁷³³ The determination of whether the targeted part is substantial will depend on a number of quantitative and qualitative factors. Size should be assessed not only in absolute terms, but also relative to the total population of the group: if the part is sufficiently large in relative terms, is emblematic of or prominent in the group, or essential to its survival, it may be deemed a substantial part.¹⁷³⁴ These criteria are not exhaustive.¹⁷³⁵ The part must be significant enough that its destruction will have an impact on, or threaten, the survival of the group as a whole.¹⁷³⁶ This requirement may be established where, for example, the leadership of a group is targeted for destruction.¹⁷³⁷
500. The intent to destroy a group in part may extend only to a limited geographical area such as the region of a country or a municipality.¹⁷³⁸ The area of the perpetrators’ activity, control, and the possible extent of their reach are each factors relevant to the assessment of intent to

destroy a substantial part of a protected group.¹⁷³⁹ The applicability of these factors and their relative weight will vary depending on the circumstances of a particular case.¹⁷⁴⁰

3. Establishing Intent

501. In *Krstić*, the ICTY Appeals Chamber noted that genocidal intent is not usually susceptible to direct proof, but could often be inferred from the facts and circumstances of the case.¹⁷⁴¹ Such facts need not form part of the *actus reus* of the crime.¹⁷⁴²
502. Factors relevant to this analysis may include the general context; the perpetration of other culpable acts systematically directed against the same group (whether committed by the same offender or others); the scale of atrocities committed, the weapons employed and the extent of bodily injuries inflicted; the systematic targeting of victims on account of their membership of a particular group; the repetition of destructive and discriminatory acts, the use of derogatory language towards members of the targeted group; the methodical planning of systematic killings;¹⁷⁴³ speeches or projects laying the groundwork for and justifying the acts aimed at undermining the foundation of the targeted group;¹⁷⁴⁴ and the political doctrine which gave rise to the acts referred to.¹⁷⁴⁵ In assessing evidence of genocidal intent, the Court should consider whether all of the evidence, taken together, demonstrates a genocidal mental state, instead of considering separately whether an accused intended to destroy a protected group through each of the relevant acts of genocide.¹⁷⁴⁶
503. The crime of genocide does not require the existence of a policy or plan,¹⁷⁴⁷ although the existence of either may facilitate proof of intent and of the crime itself.¹⁷⁴⁸ Provided it can be shown that there was intent to destroy the group as such in whole or in part, the motive that led to the decision to commit the crime (such as political, military or economic gain, fear, hatred, or revenge) is irrelevant.¹⁷⁴⁹ Making exceptions for certain individuals or sub-populations within the protected group does not necessarily preclude the existence of genocidal intent, as long as the protected group is still targeted for destruction, in substantial part.¹⁷⁵⁰
504. The actual destruction of the group, or even of a large number of persons, is not a prerequisite to a finding of genocidal intent; a single killing, if committed with the requisite

intent to destroy the group in whole or in part, can amount to a genocidal act.¹⁷⁵¹ Similarly, a perpetrator's failure to implement his intent to the fullest, leaving the act of destruction incomplete, does not preclude a finding of genocidal intent.¹⁷⁵² There is no requirement that the perpetrator chose the most efficient method to accomplish the objective of destroying the targeted group or part thereof.¹⁷⁵³

4. Applicable Modes of Responsibility

505. Article 4 of the ECCC Law states that attempts and conspiracy to commit acts of genocide, as well as participation in acts of genocide may be punished at the ECCC. As neither attempts nor conspiracy have been charged in the Closing Order, the Co-Prosecutor confines his analysis to the meaning of "participation in acts of genocide".
506. Read together with article 29^{new} of the ECCC Law, the phrase "participation in acts of genocide" indicates that the common forms of criminal participation listed in article 29^{new} (committing, planning, instigating, ordering, aiding and abetting, and superior responsibility) are equally applicable to article 4.
507. The term "participation" is not a term of art; its ordinary meaning is "the act of taking part in something, such as [...] a crime".¹⁷⁵⁴ "Participation" has been used to refer collectively to the modes of liability of committing, planning, ordering, instigating, and aiding and abetting, including in relation to acts of genocide.¹⁷⁵⁵ Moreover, article 29^{new} of the ECCC Law expressly makes these forms of criminal participation applicable to the crime of genocide: "Any Suspect who planned, instigated, ordered, aided and abetted, or committed the crimes referred to in article [...] 4 [...] of this law shall be individually responsible for the crime."¹⁷⁵⁶ Under the same provision, an accused may be responsible as a superior for genocide.¹⁷⁵⁷
508. The statutes of the *ad hoc* tribunals similarly contain, in addition to a list of punishable acts in their genocide provisions (in the case of the ICTY, article 4(3)), forms of criminal participation similar to those found in article 29^{new} (ICTY Statute, articles 7(1) and 7(3)) which the ICTY Statute expressly states are applicable to genocide. In dealing with this "overlap," the ICTY Appeals Chamber has held that the "modes of participation" should be

“read into” the ICTY Statute’s genocide provision, “because the Statute must be interpreted with the utmost respect to the language used by the legislator”.¹⁷⁵⁸

509. Accordingly, **Ac An** may be responsible for genocide under all the modes of criminal participation listed in article 29~~new~~.¹⁷⁵⁹ The Co-Prosecutor notes that participation in a joint criminal enterprise (“JCE”) amounts to “commission” within the scope of article 29~~new~~ of the ECCC Law,¹⁷⁶⁰ and responsibility for participation in a JCE is a form of responsibility relevant to genocide.¹⁷⁶¹ Indeed, a number of ICTY and ICTR defendants have been convicted of genocide pursuant to the basic form, JCE I.¹⁷⁶²

2. CRIMES AGAINST HUMANITY

510. Article 5 of the ECCC Law confers jurisdiction on the ECCC over CAH. CAH formed part of CIL during the period of the ECCC’s temporal jurisdiction.¹⁷⁶³ The specific offences include murder, extermination, enslavement, imprisonment, torture, persecutions on political, racial and religious grounds, and other inhumane acts. The elements of each of these offences are discussed below.

GENERAL REQUIREMENTS

511. CAH under Article 5 of the ECCC Law are distinguished by the general requirement that they are committed “as part of a widespread or systematic attack directed against any civilian population, on national, political, ethnical, racial or religious grounds.”¹⁷⁶⁴ Under CIL in 1975, the definition of CAH did not require a nexus to an armed conflict, war crimes, or crimes against peace.¹⁷⁶⁵ The individual components of the *chapeau* requirement are addressed in turn below.

a) Attack

512. An “attack” is a course of conduct involving the multiple commission of acts of violence, or any mistreatment of the civilian population, including that reflected by the underlying offences in Article 5 of the ECCC Law.¹⁷⁶⁶ The acts which constitute an attack need not themselves be punishable as CAH, and are not limited to the use of armed force.¹⁷⁶⁷ Moreover, an “attack” on a civilian population is a separate concept from an armed

conflict. If there is an armed conflict, an attack may precede, outlast or continue through it, without necessarily being part of it.¹⁷⁶⁸

1. Widespread or Systematic

513. The attack must be widespread *or* systematic; either is sufficient.¹⁷⁶⁹ The term “widespread” refers to “the large-scale nature of the attack and the number of victims”¹⁷⁷⁰ and may be established by the “cumulative effect of a series of inhumane acts or the singular effect of an inhumane act of extraordinary magnitude.”¹⁷⁷¹ The term “systematic” does not require the attack to be large-scale but relates to the “organised nature of the acts of violence and the improbability of their random occurrence.”¹⁷⁷² Systematicity may be established by evidence of a “non-accidental repetition of similar criminal conduct.”¹⁷⁷³

2. Directed Against any Civilian Population

514. The attack must be “directed against any civilian population”. This requires that the civilian population be the primary object, rather than an incidental victim, of the attack.¹⁷⁷⁴

515. The notion of “civilian” for the purposes of this element refers to all persons who are not members of any enemy armed forces taking an active part in hostilities and therefore includes persons such as members of the armed forces who have laid down their arms and those persons placed *hors de combat* by sickness, wounds, detention or any other cause.¹⁷⁷⁵ As noted by the *Blaškić* Trial Chamber, “the specific situation of the victim at the moment the crimes were committed, rather than his status, must be taken into account in determining his standing as a civilian.”¹⁷⁷⁶ As the laws of war recognise the legitimacy of targeting one’s enemies in a conflict, it is logical that the lawful killing of enemy combatants who have not been rendered *hors de combat* is excluded from the scope of CAH. In all other instances, those entitled to protection should be regarded as “civilian” for the purposes of article 5. The Co-Prosecutor therefore respectfully disagrees with the jurisprudence of the Trial Chamber and SCC, which found that “civilian” should be defined so as to exclude soldiers *hors de combat*.¹⁷⁷⁷ The term “any” ensures that CAH are not restricted in their application to a particular group of civilians, distinguished by their nationality, ethnicity or any other factor.¹⁷⁷⁸

516. CAH may include a state's attack on its own population.¹⁷⁷⁹ This includes a state or organisation's *own* armed forces, who qualify as civilians for the purposes of CAH.¹⁷⁸⁰ This position accords with the pre-WWII evolution of CAH,¹⁷⁸¹ all post-WWII jurisprudence,¹⁷⁸² pre-1975 international instruments dealing with CAH,¹⁷⁸³ and pre-1975 international human rights norms protecting the same fundamental rights as CAH,¹⁷⁸⁴ which apply to all of a State's subjects, irrespective of their occupation.¹⁷⁸⁵ The result is a logical imperative. Where the victims belong to the perpetrator's own armed forces, their combatant quality is entirely irrelevant. The IHL definitions of "combatant" and "civilian" were written to regulate armed conflicts, whether international or non-international, between opposing forces to establish their rights and duties with regard to each other, primarily to determine which persons may be legitimately targeted and who must be protected. Where the perpetrators and victims are not engaged in armed conflict with each other, whether or not this takes place in the context of an armed conflict, mechanically transferring the terms "combatant" and "civilian" as they are defined in IHL into the law of CAH is wholly inapposite. Moreover, this approach would produce the absurd result of permitting a government or organisation to commit mass atrocities with impunity simply by conscripting those among its subjects it is targeting into its armed forces; it would also mean that armed civilian police would be protected, while unarmed soldiers would not.
517. It is not necessary to show that the entire population of the relevant geographical entity was subject to the attack. A "civilian population" may also include non-civilians without forfeiting its civilian character, as long as the population is predominantly civilian.¹⁷⁸⁶
518. Where it is established that a widespread or systematic attack on a civilian population has taken place, it is not necessary to show that individual victims of CAH themselves were "civilians".¹⁷⁸⁷ Soldiers *hors de combat* can also be victims of CAH.¹⁷⁸⁸

3. Jurisdictional Restriction

519. Article 5 of the ECCC Law requires that the attack against a civilian population be based on national, political, ethnical, racial or religious grounds.¹⁷⁸⁹ This requirement is a jurisdictional one that narrows the scope of the ECCC's jurisdiction over CAH when compared with CIL applicable between 1975 and 1979.¹⁷⁹⁰

4. Nexus between Acts of the Perpetrator and the Attack

520. The acts of the perpetrator must constitute part of the attack. The required nexus between the acts of the perpetrator and the attack consists of two elements: the commission of an act which, by its nature or consequences, is objectively part of the attack;¹⁷⁹¹ coupled with the knowledge on the part of the perpetrator that there is an attack on the civilian population and that his act is part thereof.¹⁷⁹²
521. In relation to the first element, the act need not be committed in the midst of the attack to be sufficiently connected to it. An act committed before or after the main attack, or away from it, could still, if sufficiently connected, be considered to be part of it. The crime must not, however, be an isolated act. A crime would be regarded as an isolated act when it is so far removed from that attack that, having considered the context and circumstances in which it was committed, it cannot reasonably be said to have been part of the attack.¹⁷⁹³ The acts of the accused persons – even where they are not the direct perpetrators — must form part of the attack.¹⁷⁹⁴
522. As for the second element, knowledge of the details of the attack is not required;¹⁷⁹⁵ it is sufficient that the perpetrator knows of the overall context within which his acts take place.¹⁷⁹⁶ The motive of the perpetrator is irrelevant,¹⁷⁹⁷ and it is not necessary for the perpetrator to share the purpose or goal behind the attack.¹⁷⁹⁸ It is also irrelevant whether the perpetrator intends his acts to be directed against the targeted population or merely against his victim.¹⁷⁹⁹

SPECIFIC OFFENCES

1. Murder

523. Murder was well-established as a CAH under CIL by 1975.¹⁸⁰⁰ Moreover, it was foreseeable and accessible to Ao An that he could be prosecuted for murder as a CAH.¹⁸⁰¹
524. The *actus reus* of murder as a CAH requires proof of two elements: (1) the death of the victim and (2) that the death was caused by an act or omission of the perpetrator.¹⁸⁰² The victim's body is not required as evidence to prove death.¹⁸⁰³ With regard to the causation requirement, the specification that the victim's death was "caused by" the perpetrator's act

or omission does not mean that it needs to be the sole cause of death; it is sufficient that the perpetrator's conduct contributed substantially to the death of the person.¹⁸⁰⁴ Both the fact of the victim's death and the causation element may be inferred from the circumstances of the case, provided it is established that the only reasonable inference is that the victim is dead as a result of acts or omissions of the perpetrator.¹⁸⁰⁵ A conviction for murder is not precluded because of the impossibility to accurately establish the total number of deaths or to identify, case-by-case, the direct perpetrators and their victims.¹⁸⁰⁶ The suicide of a person may amount to his murder where the perpetrator's acts or omissions "induced the victim to take action which resulted in his death".¹⁸⁰⁷

525. Execution without legal process or compliance with due process guarantees constitutes murder, not capital punishment.¹⁸⁰⁸ The right not to be arbitrarily deprived of one's life may not be derogated from in any circumstances, including national emergency,¹⁸⁰⁹ and may never be imposed to effect genocide.¹⁸¹⁰
526. As to *mens rea*, there is no requirement that the killing be premeditated.¹⁸¹¹ The mental element includes direct intent to kill as well as killing with *dolus eventualis*.¹⁸¹²

2. Extermination

527. Extermination was recognised as a CAH by 1975.¹⁸¹³ It was foreseeable and accessible to **Ao An** that he could be prosecuted for extermination as a CAH.¹⁸¹⁴
528. The crime of extermination is the act of killing on a large scale.¹⁸¹⁵ The *actus reus* of extermination as a CAH consists of an act or omission, or a combination of each, which contributes to the death of persons on a massive scale.¹⁸¹⁶ The perpetrator's role may be remote or indirect,¹⁸¹⁷ and may include creating conditions of life aimed at destroying part of a population, such as withholding food or medicine.¹⁸¹⁸ There is no requirement that the victims "must have been subjected to conditions *inevitably leading to death*".¹⁸¹⁹
529. A conviction for extermination requires satisfaction beyond reasonable doubt of the occurrence of mass killings.¹⁸²⁰ There is no requirement that each individual killing be proved beyond reasonable doubt, so long as on the totality of the evidence it is established beyond a reasonable doubt that killing on a massive scale took place.¹⁸²¹ Precise identification, description or designation by name of the victims is not an element of the

crime of extermination.¹⁸²² As the *Ntakirutimana* Appeals Chamber pointed out, “[t]o require greater identification of those victims would [...] increase the burden of proof to such an extent that it hinders a large number of prosecutions for extermination.” Nor is a determination of the specific number of deaths required.¹⁸²³

530. There is no minimum number of victims required to satisfy the requirement that the scale of deaths must be “massive”.¹⁸²⁴ While extermination as a CAH has been found in relation to the killing of thousands,¹⁸²⁵ it has also been found in relation to fewer killings.¹⁸²⁶ A particularly large number of victims can be an aggravating circumstance in relation to the sentence if the extent of the killings exceeds that required for extermination.¹⁸²⁷ The existence of a “vast murderous enterprise” is not an element of extermination.¹⁸²⁸
531. The requirement of scale must be assessed on a case-by-case basis taking into account the circumstances in which the killings occurred.¹⁸²⁹ Relevant factors include, *inter alia*, the time and place of the killings,¹⁸³⁰ the selection of the victims and the manner in which they were targeted,¹⁸³¹ and whether the killings were aimed at the collective group rather than victims in their individual capacity.¹⁸³² However, there is no requirement that the group or (part of the) population of people killed share any common characteristics,¹⁸³³ or that the perpetrator intend to destroy a group or part of a group to which the victims belong.¹⁸³⁴ The preparation and organisation of the crime may also be considered when determining the *actus reus* of extermination.¹⁸³⁵
532. The scale element of the crime of extermination may be established on an aggregated basis, so long as the killings derive from the same course of conduct of the accused,¹⁸³⁶ such as killings taking place in a system of state-run security centres. Where killings on a large scale are the result of a single policy, devised and co-ordinated from central government, by the same individuals, who intended that killings take place on a massive scale, it would be absurd to determine that those individuals were not responsible for extermination, simply because the killings took place at multiple sites.
533. According to the SCC, the *mens rea* consists of the intent to kill persons on a large scale or to create conditions of life calculated to bring about the death of a large number of people.¹⁸³⁷ Knowledge of certain death is not required.¹⁸³⁸ Neither intent to kill a certain

threshold number of victims,¹⁸³⁹ nor knowledge of a “vast murderous enterprise”¹⁸⁴⁰ are elements of extermination.

3. Enslavement

534. It is undisputed that enslavement was recognised under CIL as a CAH by 1975.¹⁸⁴¹ Moreover, it was foreseeable and accessible to **Ao An** that he could be prosecuted for enslavement as a CAH.¹⁸⁴²
535. Enslavement is defined as the exercise over a person of any or all powers attaching to the right of ownership.¹⁸⁴³ Indicia of enslavement include: “the control of someone’s movement, control of physical environment, psychological control, measures taken to prevent or deter escape, force, threat of force or coercion, duration, assertion of exclusivity, subjection to cruel treatment and abuse, control of sexuality and forced labour.”¹⁸⁴⁴ The elements of enslavement may be satisfied without evidence of additional ill-treatment.¹⁸⁴⁵
536. In examining these indicia, one must above all identify the indicia of “ownership”,¹⁸⁴⁶ that is, facts pointing to the victim being reduced to a commodity, such that the person is an object of “enjoyment of possession”; that he or she can be used (for example, for sexual or other purposes), economically exploited, and/or ultimately disposed of.¹⁸⁴⁷ Implicit in the ownership powers is an effort to accrue some gain through the exercise of those powers, though this is not an additional element of the crime.¹⁸⁴⁸ The period of duration of enslavement is not an element of the crime, but duration may be relevant in determining the nature of the relationship.¹⁸⁴⁹
537. Forced or involuntary labour may also constitute enslavement.¹⁸⁵⁰ It must be established that the relevant person had no real choice as to whether they would work, which is a factual determination that must be made in light of the indicia of enslavement identified.¹⁸⁵¹ The absence of remuneration is not an element of enslavement, but may constitute a relevant evidentiary factor in determining whether the labour was forced.¹⁸⁵²
538. Lack of consent is also not an element of the crime of enslavement, as enslavement is characterised by the perpetrator’s exercise of power, but it may be evidentially relevant to proof of the exercise of powers of ownership.¹⁸⁵³ The absence of consent may be presumed where the expression of consent is impossible,¹⁸⁵⁴ such as where victims live in “a climate

of fear”.¹⁸⁵⁵ In these circumstances, lack of resistance or the absence of clear and constant lack of consent will not be interpreted as a sign of consent.¹⁸⁵⁶ It has been found that severely overcrowded conditions, deplorable sanitation, lack of sleep, insufficient food, locked doors, frequent beatings, psychological abuse and brutal living conditions rendered it impossible for detainees to consent to work and that their labour was forced.¹⁸⁵⁷

539. As to the *mens rea*, it must be shown that the perpetrator intentionally exercised any or all of the powers attaching to the right of ownership.¹⁸⁵⁸

4. Imprisonment

540. Imprisonment was recognised as a CAH by CIL by 1975.¹⁸⁵⁹ Moreover, it was foreseeable and accessible to **Ao An** that he could be prosecuted for imprisonment as a CAH.¹⁸⁶⁰
541. The *actus reus* of imprisonment¹⁸⁶¹ requires that an individual be deprived of his or her liberty arbitrarily, *i.e.* without a justifiable legal basis and without due process of law.¹⁸⁶² If national law is relied upon, the relevant provisions must not violate international law.¹⁸⁶³ In determining whether the grounds and procedure for the initial deprivation of liberty were lawful, the Court may take into account factors including whether: (i) the arrest was based on a valid warrant;¹⁸⁶⁴ (ii) the detainee was informed at the time of the arrest of the reasons for the arrest;¹⁸⁶⁵ (iii) the detainee was promptly informed, in detail, of any charges against him and/or formally charged;¹⁸⁶⁶ (iv) the detainee was informed of his procedural rights,¹⁸⁶⁷ including access to legal counsel;¹⁸⁶⁸ and (v) the detainee was brought promptly before a person authorised by law to exercise judicial power (and that person was independent, impartial and objective).¹⁸⁶⁹ The detainee is entitled to proceedings by which the lawfulness of his detention is decided speedily by a court, and to release if the detention is found to be unlawful.¹⁸⁷⁰ He is also entitled to a fair and public trial within a reasonable time, or to release;¹⁸⁷¹ and to the presumption of innocence until proven guilty.¹⁸⁷² Therefore, mere “suspicion” that a person may be involved in treason is insufficient as a legal basis to justify detaining individuals without due process – without charges, with no judicial review of evidence, no defence counsel, and with no right to any trial.

542. As to *mens rea*, it must be shown that the perpetrator intended to arbitrarily deprive the individual of liberty, or that he acted in the reasonable knowledge that his actions were likely to cause the arbitrary deprivation of physical liberty.¹⁸⁷³

5. Torture

543. The crime of torture was recognised as a CAH by 1975,¹⁸⁷⁴ and was also a crime under Cambodian law at that time.¹⁸⁷⁵ It was foreseeable and accessible to **Ao An** that he could be prosecuted for torture as a CAH.¹⁸⁷⁶

544. Both the PTC and SCC have determined that the definition and elements of torture contained in the 1975 Declaration on Torture reflected CIL in 1975.¹⁸⁷⁷ Moreover, by 1975, the prohibition on torture was a norm of *jus cogens*,¹⁸⁷⁸ from which derogations were therefore not permitted under any circumstances, including public emergency or in the name of national security.¹⁸⁷⁹

545. The *actus reus* of torture requires an act or omission inflicting severe pain or suffering, whether physical or mental.¹⁸⁸⁰ In determining whether an act or omission constitutes severe pain or suffering, it is necessary to consider all subjective and objective factors.¹⁸⁸¹ Objective factors include the severity of the harm inflicted. Subjective criteria may include the age, sex, state of health of the victim, or the physical or mental effect of treatment on a particular victim.¹⁸⁸² In addition, the nature and context of the infliction of pain, the premeditation and institutionalisation of the ill-treatment, the physical condition of the victim, the manner and method used, and the position of inferiority of the victim are all relevant factors.¹⁸⁸³ To the extent that an individual has been mistreated over a prolonged period of time, or that he has been subjected to repeated or various forms of mistreatment, the severity of the acts should be assessed as a whole.¹⁸⁸⁴

546. There is no exhaustive classification of the acts that may constitute torture.¹⁸⁸⁵ The consequences of the act or omission need not be visible on the victim,¹⁸⁸⁶ there is no minimum level of pain that must be inflicted,¹⁸⁸⁷ nor is there a requirement that the injury be permanent.¹⁸⁸⁸

547. Acts that are sufficiently severe to constitute torture may arise from conditions imposed upon prisoners and have included beating, sexual violence, prolonged denial of sleep, food,

hygiene and medical assistance, being kept in constant uncertainty, simulated executions, and threats to torture, to rape, or to kill relatives.¹⁸⁸⁹ Living in a constant state of anxiety and uncertainty as a result of physical abuse and confinement constitutes mental suffering amounting to torture.¹⁸⁹⁰ Similarly, the credible threat of physical torture constitutes psychological torture.¹⁸⁹¹ Moreover, a person may suffer serious mental harm by witnessing acts against others.¹⁸⁹² Certain acts are considered by their nature to constitute severe pain and suffering. These include rape,¹⁸⁹³ sexual violence,¹⁸⁹⁴ and mutilation of body parts.¹⁸⁹⁵

548. Although under ICTY/ICTR jurisprudence, the perpetrator need not have acted in an official capacity,¹⁸⁹⁶ the SCC has found the definition of torture found in the 1975 Declaration on Torture, including the public official requirement, to be declarative of CIL in 1975.¹⁸⁹⁷ Pursuant to that definition, the act or omission must have been carried out “by or at the instigation of a public official”.¹⁸⁹⁸
549. As regards *mens rea*, the pain and suffering amounting to torture must be inflicted intentionally.¹⁸⁹⁹ The act or omission must also have been done or made in order to attain a certain result or purpose. Such purposes include obtaining information or a confession, punishment, coercion or intimidation, or discriminating, on any ground, against the victim or a third person.¹⁹⁰⁰ These purposes do not constitute an exhaustive list under CIL and are instead representative.¹⁹⁰¹ There is no requirement that the act is committed exclusively for a particular prohibited purpose: that purpose must be “part of the motivation behind the conduct, and it need not be the predominant or sole purpose”.¹⁹⁰²

6. Persecution on Political, Racial or Religious Grounds

550. Persecution as a CAH existed under CIL by 1975.¹⁹⁰³ It was foreseeable and accessible to **Ao An** that he could be prosecuted for persecution as a CAH.¹⁹⁰⁴
551. The *actus reus* of persecution is an act or omission which discriminates in fact and which denies or infringes upon a fundamental right laid down in international customary or treaty law.¹⁹⁰⁵

a) *An Act or Omission that Denies or Infringes upon a Fundamental Right*

552. “Persecutory acts” can include the other underlying offences for CAH, as well as other acts or omissions that are of equal gravity or seriousness, whether in isolation or in conjunction with other acts.¹⁹⁰⁶ These other acts or omissions may be,¹⁹⁰⁷ but need not necessarily be¹⁹⁰⁸ international crimes in and of themselves. Whether the acts actually constitute persecution is a fact-specific inquiry.¹⁹⁰⁹
553. The context in which an act or omission takes place is important for the purpose of assessing its gravity or severity.¹⁹¹⁰ Other factors that should be considered in that assessment include (i) whether it was committed in the context of, or as part of a chain of events in a larger persecutory campaign, the ultimate goal and end result of which was extremely grave, resulting in gross violation of fundamental rights;¹⁹¹¹ and (ii) the discriminatory effect it seeks to encourage within the general populace against a targeted group.¹⁹¹²
554. Following an extensive review of jurisprudence from the IMT and tribunals acting pursuant to CCL 10, the SCC held that “the other acts not found in the instruments constituted a broad range of breaches of individual rights including rights to property, a fair trial, equal protection of the law, citizenship, work, education, marriage, privacy and freedom of movement”.¹⁹¹³ In the same vein, the following acts not explicitly listed in article 5 of the ECCC Law have been considered acts of persecution at the ICTY and ICTR:¹⁹¹⁴ the destruction of religious buildings;¹⁹¹⁵ acts of harassment, humiliation, degradation and psychological abuse, including forcing a victim to witness or hear torture, interrogation and random brutality in a prison camp,¹⁹¹⁶ wanton destruction of private and public property, including cultural monuments and sacred sites,¹⁹¹⁷ forced labour,¹⁹¹⁸ forced displacement,¹⁹¹⁹ inhumane living conditions,¹⁹²⁰ enforced disappearances;¹⁹²¹ the denial of the rights to employment, freedom of movement, proper judicial process and proper medical care;¹⁹²² and hate speech and calls to violence.¹⁹²³ Denying the practice of religion would clearly violate the fundamental right to freedom of thought, conscience, and religion.¹⁹²⁴

b) Discrimination in Fact

555. The act or omission must “discriminate in fact”,¹⁹²⁵ that is, it must have actual discriminatory consequences.¹⁹²⁶ The SCC has held that “discrimination in fact” occurs where a victim is targeted because of his real or perceived membership in a group *defined by the perpetrator* on specific grounds, namely on a political, racial or religious basis,¹⁹²⁷ and the victim belongs to a sufficiently discernible political, racial or religious group.¹⁹²⁸ The group may be defined broadly by the perpetrator. This can be in negative terms and can include affiliates and sympathisers as well as suspects.¹⁹²⁹ Persecution might target aggregated groups without any common identity or agenda.¹⁹³⁰
556. With regard to persecution on political grounds, there is no requirement that the targeted group actually hold a particular political view at all.¹⁹³¹ Political persecution may occur where the discrimination is effected according to political motivations or agenda *against* a group based on a subjective assessment as to the group’s political threat or danger to the perpetrator.¹⁹³² The group or groups persecuted on political grounds may include various categories of persons, such as: officials and political activists; persons of certain opinions, convictions or beliefs; persons of certain ethnicity or nationality; or persons representing certain social strata (e.g. “intelligentsia”, clergy or bourgeoisie).¹⁹³³

c) Mens Rea

557. As to *mens rea*, persecution requires deliberate perpetration of an act or omission with the specific intent to discriminate on political, racial or religious grounds.¹⁹³⁴ Discriminatory intent requires that the perpetrator acted with the specific intent to harm the victim because he belongs to a particular community or group.¹⁹³⁵ There is no requirement that the perpetrator possess a persecutory intent — that is, intent to remove targeted persons from society or humanity — over and above a discriminatory intent.¹⁹³⁶
558. Intent has been inferred “through a perpetrator’s knowing participation in a system or enterprise that discriminated on political, racial or religious grounds.”¹⁹³⁷ However, the existence of a discriminatory policy is not a requirement for proving persecution.¹⁹³⁸ Evidence of some affiliations between the perpetrator and the target group does not

necessarily preclude a trier of fact from reasonably finding the requisite intent to commit persecution.¹⁹³⁹

7. Other Inhumane Acts

559. “Other inhumane acts” was established as a CAH under CIL before 1975.¹⁹⁴⁰ Moreover, it was foreseeable and accessible to **Ao An** that conduct rising to the level of “other inhumane acts” could be prosecuted as a CAH.¹⁹⁴¹ “Other inhumane acts” is *in itself* a crime under international law.¹⁹⁴² There is no requirement that each sub-category be criminalised as a distinct CAH from 1975-1979. To require this would be to render the category of “other inhumane acts” meaningless.¹⁹⁴³ Rather, “other inhumane acts” is a residual category of CAH that criminalises conduct which meets the criteria of a CAH but does not fit within one of the other specified underlying crimes.¹⁹⁴⁴ The act or omission must be sufficiently similar in nature and gravity to other enumerated CAH.¹⁹⁴⁵
560. The SCC has recently held that to qualify as an other inhumane act, the following elements must be satisfied: (i) there was an act or omission of similar seriousness to the other acts enumerated as [CAH]; (ii) the act or omission caused serious mental or physical suffering or injury or constituted a serious attack on human dignity; and (iii) the act or omission was performed intentionally.¹⁹⁴⁶
561. Whether conduct meets the criteria for characterisation as an “other inhumane act” is therefore a mixed question of law and fact.¹⁹⁴⁷ The seriousness of the act is to be assessed on a case-by-case basis, taking account of the individual circumstances of the case,¹⁹⁴⁸ and the facts must be assessed for their gravity holistically.¹⁹⁴⁹ The individual circumstances may include the nature of the act or omission; the context in which it occurred; the personal circumstances of the victim including age, sex and health; and the physical, mental and moral effects of the act upon the victim.¹⁹⁵⁰ There is no requirement that the victim suffer long-term effects, although this may be relevant to the seriousness of the acts.¹⁹⁵¹ The gravity requirement can be fulfilled by showing that analogous rights and prohibitions were contained in international human rights instruments applicable at the relevant time.¹⁹⁵² The emergence, after 1975, of new, more specific human rights norms, including those of international criminal law, may serve to provide additional confirmation of the

unlawfulness of the prior specific conduct charged as “other inhumane acts” and be used as a tool to assess whether the conduct in question reaches the requisite level of gravity.¹⁹⁵³

562. The underlying acts do not therefore require “specific *legal* definitions and elements”.¹⁹⁵⁴ The SCC recently explained that “the guiding issue [...] was whether the conduct in question, in light of all the specific circumstances of the case at hand, actually fulfilled the definition of other inhumane acts.”¹⁹⁵⁵ It is therefore not necessary to test the facts against purported elements of crimes underlying other inhumane acts, but solely whether the facts taken together in their “nature and gravity [were] similar to that of enumerated crimes against humanity.”¹⁹⁵⁶
563. In addition to the acts surveyed in more detail below, “other inhumane acts” have been found to include: cruel, humiliating, inhumane or degrading treatment;¹⁹⁵⁷ forced prostitution;¹⁹⁵⁸ serious physical and mental injury;¹⁹⁵⁹ mutilation, beatings and other types of severe bodily harm;¹⁹⁶⁰ deplorable detention conditions;¹⁹⁶¹ sexual violence;¹⁹⁶² using detainees as human shields;¹⁹⁶³ the witnessing of criminal acts against family or friends;¹⁹⁶⁴ forcible circumcision or castration;¹⁹⁶⁵ killings in front of children;¹⁹⁶⁶ injuries to demonstrators;¹⁹⁶⁷ and forced nudity.¹⁹⁶⁸
564. At his Further Appearance, **Ao An** was charged with Other Inhumane Acts based on enforced disappearances, forced marriages and rapes that occurred as the authorities required consummation of those marriages, inhumane conditions of detention, physical abuse of prisoners, and forced labour.¹⁹⁶⁹ How the conduct involved in each of these satisfies the legal elements of “other inhumane acts” as a CAH is discussed below.

a) Attacks against Human Dignity - Inhumane Conditions of Detention

565. Attacks against human dignity resulted from deprivations of adequate food, water, shelter, medical assistance and minimum sanitary conditions. The Trial Chamber has held that such deprivations may, depending on the facts, be of similar gravity to the enumerated CAH and thus fall within the ambit of “other inhumane acts”.¹⁹⁷⁰ According to ECCC and international jurisprudence, similar deprivations in the context of detention can constitute other inhumane acts as CAH.¹⁹⁷¹ They have been found to rise to the level of gravity of the other crimes enumerated in Article 5 of the ECCC Law and amount to persecution as a

CAH,¹⁹⁷² as well as constituting the offence of cruel treatment as a violation of the laws or customs of war under the ICTY Statute.¹⁹⁷³ In the context of genocide, the same deprivations have been considered to evidence conditions of life that would bring about a group's physical destruction.¹⁹⁷⁴

566. Such deprivations may therefore be of similar gravity to the enumerated CAH and thus may fall within the ambit of "other inhumane acts".

b) Forced Marriage

567. The OCIJ and SCSL have recognised that forced marriage may be of similar gravity to the enumerated CAH and thus fall within the purview of "other inhumane acts".¹⁹⁷⁵ The right to be free of a coerced marriage is so fundamental that it was recognised in the Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948.¹⁹⁷⁶ Numerous other instruments in place by 1975 also recognise the importance of consent before entering into marriage.¹⁹⁷⁷

568. Forced marriage occurs when the perpetrator compels a person by force, threat of force, or coercion to serve as a conjugal partner.¹⁹⁷⁸ 'Marriage' implies a relationship of exclusivity between the 'husband' and 'wife'.¹⁹⁷⁹ The 'marriage' may, depending on the circumstances, involve a variety of duties such as sexual intercourse, domestic labour, enduring pregnancy and caring for the children of the 'marriage',¹⁹⁸⁰ and may involve the commission of one or more international crimes such as enslavement, rape, sexual assault or sexual slavery, among others.¹⁹⁸¹ However, forced marriage is not predominantly a sexual crime, and forced marriage occurs regardless of whether the 'husband' and 'wife' engage in sexual relations.¹⁹⁸²

569. Force used to compel a person to marry is not limited to physical force, but includes the threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking advantage of a coercive environment.¹⁹⁸³ Where it is shown that the environment is so coercive that the free exercise of choice is impossible, the parties cannot have consented to a marriage. Circumstances prevailing in most cases charged as war crimes or CAH "will be almost universally coercive," thus rendering genuine consent impossible.¹⁹⁸⁴ Similarly, a climate

of fear¹⁹⁸⁵ or situations of captivity or detention¹⁹⁸⁶ have been recognised as vitiating genuine consent. In an environment of coercion, any relative benefits that victims of forced marriage may receive from perpetrators neither signifies consent to the forced conjugal association, nor vitiates the criminal nature of the perpetrator's conduct.¹⁹⁸⁷

c) *Rape*

570. Although rape is enumerated as a CAH in its own right under article 5 of the ECCC Law, both the PTC and SCC have held that rape was not a distinct CAH during the ECCC's temporal jurisdiction.¹⁹⁸⁸ However, the PTC has confirmed that facts characterised as CAH in the form of rape can additionally be categorised as the CAH of "other inhumane acts".¹⁹⁸⁹ Moreover, the ICTY, ICTR, SCSL, and ICC have all recognised rape as a discrete CAH.¹⁹⁹⁰ Rape may also constitute torture where the elements of torture are established.¹⁹⁹¹ The gravity requirement for classification of facts constituting rape as "other inhumane acts" is therefore clearly met.
571. As to what is meant by "rape", there has been some divergence in its definition among the ECCC Chambers and international tribunals. In the Case 002 Closing Order, the OCIJ largely adopted the broad definition adopted by the ICTR Trial Chamber in *Akayesu*,¹⁹⁹² finding that "by imposing the consummation of forced marriages,¹⁹⁹³ the perpetrators committed a physical invasion of a sexual nature against a victim in coercive circumstances in which the consent of the victim was absent."¹⁹⁹⁴ Both men and women can be subject to physical invasion,¹⁹⁹⁵ and *Ao An* is charged with acts of sexual violence constituting rape, through enforced consummation of forced marriage, against both men and women.
572. Other narrower definitions of rape have been posited. In Case 001, the Trial Chamber followed the ICTY in defining the physical element more narrowly as the sexual penetration, however slight of: (a) the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or (b) the mouth of the victim by the penis of the perpetrator; where such sexual penetration occurs without the consent of the victim.¹⁹⁹⁶ The ICC definition falls between the two, requiring that "the perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body."¹⁹⁹⁷

573. The Co-Prosecutor submits that the definitions used at the ICTY, ICC, and by the Trial Chamber in Case 001 are unduly narrow as they were written to fit the specific facts where a perpetrator was penetrating, or (at the ICC only) was being penetrated by, a body part of the victim without the victim's consent. A more enlightened, inclusive, and gender-neutral definition of rape would require the penetration, however slight, of the vagina or anus of one individual by any object or a body part of another person, or any touching of a sexual organ of a person by any part of the mouth of another person, without the consent of either one or both participants in the sexual act. In any event, regardless of whether or not it fits prior legal definitions of the crime of rape, forcing any person or couple to engage in sexual relations without their consent is clearly a crime of equal seriousness to other CAH.¹⁹⁹⁸ This conduct manifestly fits within the definition of "other inhumane acts" as a CAH, having caused serious mental or physical suffering to the victim and constituted a serious attack on his and/or her human dignity.
574. Consent for this purpose must be given voluntarily, as a result of the victim's free will, assessed in the context of the surrounding circumstances.¹⁹⁹⁹ Force, or threat of force, may provide evidence of non-consent, but force is not an element of rape, and there are factors other than force which would render an act of sexual penetration non-consensual or non-voluntary on the part of the victim.²⁰⁰⁰ Proof of resistance (or continuous resistance) by the victim is also not required.²⁰⁰¹ A person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.²⁰⁰² The circumstances prevailing in most cases charged as war crimes or CAH "will be almost universally coercive," thus rendering genuine consent impossible.²⁰⁰³ Circumstantial evidence may be used to demonstrate rape.²⁰⁰⁴

d) Enforced Disappearances

575. The OCIJ, the ECCC Trial Chamber, the ICTY, and the SCSL have all recognised that enforced disappearance may be of the requisite gravity to constitute "other inhumane acts", all other conditions being satisfied.²⁰⁰⁵ The ICC also recognises enforced disappearance as a discrete crime underlying CAH.²⁰⁰⁶
576. Enforced disappearance has been found to occur when (i) an individual is deprived of his liberty, such as through arrest, detention or abduction; and (ii) the deprivation of liberty is

accompanied or followed by the refusal to disclose information regarding the fate or whereabouts of the person concerned, or to acknowledge the deprivation of liberty, and thereby deny the individual recourse to the applicable legal remedies and procedural guarantees; and (iii) the first and second elements were carried out by state agents, or with the authorisation, support or acquiescence of a State or political organisation.²⁰⁰⁷

e) Physical Abuse of Prisoners

577. According to ECCC and international jurisprudence, physical abuse of prisoners may be of requisite gravity to constitute other inhumane acts as a CAH.²⁰⁰⁸ The crime has also been found to rise to the level of gravity of the other crimes enumerated in Article 5 of the ECCC Law and can amount to persecution as a CAH²⁰⁰⁹ as well as constitute the offence of cruel treatment as a violation of the laws or customs of war.²⁰¹⁰
578. Physical abuse of prisoners has been found to occur when a prisoner is subjected to beatings or other acts of violence which are considered to be of similar gravity to the enumerated CAH.²⁰¹¹ The assessment of the relevant acts is therefore related to whether they reach the required level of severity, not just whether they can be described as, for example, “beatings”.²⁰¹²

f) Forced Labour

579. International law prohibits forced or involuntary labour.²⁰¹³ Whether labour was forced is a factual determination which has to be considered in light of all relevant circumstances on a case-by-case basis.²⁰¹⁴ In short, it must be established that the victims had no real choice as to whether or not they would work.²⁰¹⁵ Coercive circumstances may render true consent to work impossible, but the subjective belief of labourers that they were forced to work must also be supported by objective evidence in order to establish lack of consent.²⁰¹⁶ Other factors considered in the determination have been lack of compensation, the vulnerable position of the workers, consequences that would allegedly befall those who were unable or unwilling to work, claims of longer term consequences of the labour, the fact that workers were detainees, and inhumane conditions present in the detention centre.²⁰¹⁷ Two chambers also considered the *Pohl* case from World War II to be relevant, which found that even if

victims were otherwise treated well, compulsory uncompensated labour was still slavery.²⁰¹⁸

580. As discussed above, forced labour may constitute enslavement when accompanied by indicia of ownership.²⁰¹⁹ Acts of forced labour that were imposed with discriminatory intent and which had a cumulative effect that rises to the level of gravity of the crimes enumerated in Article 5 of the ECCC Law have been found to constitute persecution as a CAH.²⁰²⁰ Outside of these specific contexts, acts of forced labour which (i) are of similar seriousness to the other enumerated CAH, (ii) caused serious mental or physical suffering or injury or constituted a serious attack on human dignity; and (iii) were performed intentionally, may constitute other inhumane acts.²⁰²¹

B. MODES OF RESPONSIBILITY

581. Article 29^{new} of the ECCC Law provides for individual criminal liability of accused who: 1) planned, instigated, ordered, aided and abetted, or committed crimes within the jurisdiction of the ECCC; and 2) superiors who failed to prevent or punish the commission of crimes enumerated in the ECCC Law by their subordinates. These forms of criminal responsibility are described in more detail below.

1. INDIVIDUAL CRIMINAL RESPONSIBILITY

COMMITTED

Joint Criminal Enterprise

582. JCE is a mode of responsibility that imposes criminal responsibility on individuals for actions perpetrated by a group of persons in furtherance of a common criminal design. Participation in a JCE amounts to commission within the scope of article 29^{new} of the ECCC Law.²⁰²² International jurisprudence has identified three different but interrelated forms of JCE: the *Basic* form (“JCE I”) where all participants act pursuant to a common criminal purpose, and share the necessary intent for a crime within the ECCC’s jurisdiction when doing so,²⁰²³ the *Systematic* form (“JCE II”) which is a variant of the basic form, characterised by the existence of an organised system of ill-treatment, such as internment

or concentration camps;²⁰²⁴ and the *Extended* form (“JCE III”) which has been held to be inapplicable to ECCC proceedings.

583. The SCC, PTC, and TC have all found that, by 1975, both JCE I and JCE II were recognised as modes of responsibility under CIL,²⁰²⁵ and that criminal responsibility pursuant to these modes was both foreseeable and accessible.²⁰²⁶ The same chambers have held that JCE III did not exist in CIL by 1975.²⁰²⁷

a) *Actus Reus*

584. JCE I squarely fits the facts of Case 004/2. The *actus reus* is comprised of three elements. First, a “plurality of persons” is required.²⁰²⁸ The group of people need not be organised in a military, political, or administrative structure.²⁰²⁹ Whilst it is necessary to identify the plurality of persons participating in the JCE, the participants may be identified by category and need not be named individually.²⁰³⁰

585. Second, there must be a common²⁰³¹ purpose that amounts to²⁰³² or involves²⁰³³ the commission of a crime over which the ECCC has jurisdiction.²⁰³⁴ The SCC recently held that

it is not necessary that those who agree on the common purpose actually *desire* that the crime be committed, as long as they recognise that the crime is to be committed to achieve an ulterior objective. This may include crimes that are foreseen as means to achieve a given common purpose, *even if their commission is not certain*. [...] Thus, if attaining the objective of the common purpose may bring about the commission of crimes, but it is agreed to pursue this objective regardless, these crimes are encompassed by the common purpose because, even though they are not directly intended, they are contemplated by it. Whether a crime was contemplated by the common purpose is primarily a question of fact that – absent an express agreement – has to be assessed taking into account all relevant circumstances, including the overall objective of the common purpose and the likelihood that it may be attained only at the cost of the commission of crimes. What is of note is that the common purpose may encompass crimes in which the commission is neither desired nor certain [...].²⁰³⁵

What deserves emphasising is that in all the scenarios described above, there is a meeting of minds – express or implicit – in respect of this of those who agree on the common purpose. *Thus, the members of the JCE must accept the commission of the crime either as a goal, as an*

*inevitable consequence of the primary purpose or as an eventuality treated with indifference.*²⁰³⁶

586. It is therefore not necessary that the ultimate objective of the common plan be a crime, as long as the participants anticipate that the plan will be implemented through criminal means; both the objective and means contemplated to achieve the objective constitute the common design or plan.²⁰³⁷ A common purpose will thus be criminal where it was intrinsically linked to policies the implementation of which amount to the commission of crimes.²⁰³⁸ There is no limit to the scope of a JCE, geographically or otherwise; an accused's liability "may be as narrow or as broad as the plan in which he willingly participated".²⁰³⁹ Finally, the purpose need not have been previously arranged or formulated. It may materialise extemporaneously and be inferred from the facts.²⁰⁴⁰
587. Third, the accused must participate in the common purpose.²⁰⁴¹ The accused need not have been involved in the formulation of the common plan²⁰⁴² or the commission of a crime.²⁰⁴³ Neither the accused's position of authority,²⁰⁴⁴ nor his presence at the time when a crime is committed,²⁰⁴⁵ are required. Moreover, the fact that the accused's participation amounted to no more than his "routine duties" will not exculpate him.²⁰⁴⁶ All that is required is that he participate in some way in the furtherance of the common purpose,²⁰⁴⁷ which in turn has a direct or indirect effect on the commission of the crimes.²⁰⁴⁸ That contribution may be in whole or in part by way of omission.²⁰⁴⁹ As the SCSL Appeals Chamber explained, "the manner in which the members of the JCE interact and cooperate can take as many forms as conceived by the participants to pursue the realisation of their shared common criminal purpose."²⁰⁵⁰
588. The accused's contribution must be significant,²⁰⁵¹ but it is not required to be necessary or substantial.²⁰⁵² As such, it need not be a *sine qua non* for the commission of any crime.²⁰⁵³ The significance of the contribution to the JCE is to be determined on a case-by-case basis, taking into account a variety of factors, including: the size, seriousness and scope of the criminal plan and crimes committed; the *de jure* or *de facto* position of the accused; the level and efficiency of his participation; any relevant public comments made by him; and any efforts to prevent crimes.²⁰⁵⁴ In making this assessment, a Chamber should consider the totality of the accused's activities; particular contributions should not be assessed in

isolation.²⁰⁵⁵ The contribution must be made to the commission of crimes, but need only further and support the commission of those crimes *indirectly*. As such, even activities that are on their face unrelated to the commission of crimes may be taken into account when determining whether the accused made a significant contribution thereto.²⁰⁵⁶

589. The SCC has held²⁰⁵⁷ the following types of conduct to constitute significant contributions to a JCE:

(a) Formulating, initiating, promoting, participating in, and/or encouraging the development and implementation of [...] governmental policies intended to advance the objective of the joint criminal enterprise;

(b) Participating in the establishment, support or maintenance of [...] government bodies at the [national], regional, municipal, and local levels [...] through which [he] could implement the objective of the joint criminal enterprise;

(c) Supporting, encouraging, facilitating or participating in the dissemination of information to [...] win support for and participation in achieving the objective of the joint criminal enterprise;

(d) Directing, instigating, encouraging and authorizing [...] [f]orces to carry out acts in order to further the objective of the joint criminal enterprise;

[...]

(f) Engaging in, supporting or facilitating efforts directed at representatives of the international community, non-governmental organizations and the public denying or providing misleading information about crimes.

590. Participants in a JCE can incur liability for crimes committed by direct perpetrators who were not JCE members, provided that it has been established that the crimes can be imputed to at least one JCE participant, and that this participant, when using a direct perpetrator, acted to further the common purpose.²⁰⁵⁸ The establishment of the link between the crime in question and the JCE member is to be assessed on a case-by-case basis.²⁰⁵⁹ The link may be established on showing that the JCE member (i) closely cooperated with the physical perpetrator or intermediary perpetrator in order to further the common purpose,²⁰⁶⁰ (ii) explicitly or implicitly requested the non-JCE member to commit a crime,²⁰⁶¹ or (iii)

instigated, ordered, encouraged, or otherwise availed himself of the non-JCE member to commit the crime.²⁰⁶² It may also be relevant whether the crimes were committed by forces under the control of the JCE member,²⁰⁶³ or acting in coordination with forces under the control of the JCE member.²⁰⁶⁴

591. It is, however, not required that the JCE member exercised effective control,²⁰⁶⁵ or indeed any “control and influence”²⁰⁶⁶ over the perpetrator. Nor do the perpetrator of the crime and the accused need to have an express understanding or agreement between them as regards the commission of the crime.²⁰⁶⁷ The relevant question in the context of JCE I liability is whether the JCE member used the non-JCE member to commit the *actus reus* of the crime forming part of the common purpose. The SCC has characterised this as a form of delegated authority for the direct perpetrator to make a decision as to the ultimate implementation of the *actus reus*, noting that this bears resemblance to the concept of *dolus eventualis*.²⁰⁶⁸ It is not determinative whether the non-JCE member shared the *mens rea* of the JCE member, or that he knew of the existence of the JCE.²⁰⁶⁹ For example, it is not necessary for the direct perpetrators of the crime to possess genocidal intent in order for members of the JCE linked to the crime who do have such intent to be held responsible for genocide.²⁰⁷⁰

592. Conflicts among leaders in a large organisation do not impact on the question of criminal responsibility under JCE as long as all elements for this mode of liability have been established.²⁰⁷¹ It is inherent in the very notion of JCE that its members make various contributions to the implementation of the common purpose; the fact that some members have a degree of autonomy as to the implementation of aspects of the common purpose does not extinguish the responsibility of other members of the JCE.²⁰⁷²

b) *Mens Rea*

593. To incur responsibility pursuant to JCE I, the accused must share with the other JCE participants both the relevant *mens rea* to commit the crimes within the common purpose²⁰⁷³ at the time of their commission,²⁰⁷⁴ and the intent to participate in a common plan aimed at its commission.²⁰⁷⁵ For specific intent crimes such as persecution or genocide, the accused must also share the relevant specific intent.²⁰⁷⁶ Shared criminal intent does not require the accused’s personal satisfaction or enthusiasm or his personal initiative

in contributing to the JCE.²⁰⁷⁷ Moreover, the accused is not required to know about the specific criminal incidents in question.²⁰⁷⁸ Intent can be inferred from a person's knowledge, combined with continuing participation in the crimes.²⁰⁷⁹ The significance and scope of the material participation of an individual in a JCE may also be relevant in determining whether that individual possessed the requisite *mens rea*.²⁰⁸⁰

PLANNED

594. The *actus reus* of “planning” requires that one or more persons participate in the design of an act or omission and thereby have a substantial effect on the commission of a crime that is in fact perpetrated.²⁰⁸¹ An accused need not therefore design the conduct alone.²⁰⁸² Nor need he be the originator of the design or plan;²⁰⁸³ it is sufficient to endorse a plan proposed by another.²⁰⁸⁴ Circumstantial evidence may provide proof of the existence of the plan.²⁰⁸⁵ A conviction for planning does not require a finding of a position of authority.²⁰⁸⁶
595. The plan must precede and substantially contribute to the criminal conduct.²⁰⁸⁷ Whether particular acts amount to a substantial contribution is to be assessed on a case-by-case basis in light of the evidence as a whole.²⁰⁸⁸
596. As to the content of the plan, it need not necessarily devise the commission of a particular crime; the planning can be of an objective that is to be achieved by the commission of crimes. As such, the legitimate character of an operation does not exclude an accused's criminal responsibility for planning crimes committed in its course if the goal is to be achieved by the commission of crimes.²⁰⁸⁹ Where an accused plans conduct that has the predominant purpose of indiscriminately attacking civilians, he plans conduct that constitutes crimes.²⁰⁹⁰
597. As to *mens rea*, the accused must intend, or be aware of the substantial likelihood of, the commission of a crime upon the execution of the plan.²⁰⁹¹ The accused's *mens rea* may be inferred from the circumstances.²⁰⁹² Where it has been determined that the principal perpetrators were aware of the factual circumstances establishing the status of the victims (e.g. civilian, soldiers *hors de combat*, etc.), such findings are not necessary for a conviction for planning.²⁰⁹³

INSTIGATED

598. To be held responsible for instigating, an accused must, by way of an act or omission, prompt another person to act in particular way that has a substantial effect on the commission of the crime.²⁰⁹⁴ This mode of liability has also been described as “urging or encouraging.”²⁰⁹⁵ There is no requirement for the instigation to be “direct and public”.²⁰⁹⁶ Both positive acts and omissions can constitute instigation,²⁰⁹⁷ which may ensue through implicit, written, or other non-verbal prompting by the accused.²⁰⁹⁸ It is not necessary to prove the exact instigating language or conduct used by an accused.²⁰⁹⁹
599. For an accused to be criminally liable on the basis of instigation, a crime must be shown to have actually been committed,²¹⁰⁰ although the specific identification of the principal perpetrators of the particular crime is not required.²¹⁰¹ Further, the act of instigation must precede and substantially contribute to the commission of the crime.²¹⁰² However, it is not necessary to prove that the crime would not have occurred without the accused’s involvement.²¹⁰³ Indeed, the accused need only prompt another to act in a particular way, and not necessarily to commit a crime or underlying offence *per se*.²¹⁰⁴
600. The *mens rea* for responsibility on the basis of instigation is intent to instigate the commission of the crime, or awareness of the substantial likelihood that the crime will be committed as a result of the instigation.²¹⁰⁵ Where it has been determined that the principal perpetrators were aware of the status of the victims (e.g. civilian, soldiers *hors de combat*, etc.), such findings are not necessary for a conviction for instigating.²¹⁰⁶

ORDERED

601. The act of ordering occurs when a person in a position of authority instructs another person to carry out an act or engage in an omission that has a substantial effect on the commission of the crime.²¹⁰⁷ There is no requirement that the person issuing the order and the direct perpetrator be in a formal superior-subordinate relationship,²¹⁰⁸ or that the accused exercise effective control over him,²¹⁰⁹ but there must be proof of a position of authority on the part of the accused in law or in fact that would compel another person to commit a crime.²¹¹⁰ That authority may be informal or of a purely temporary nature.²¹¹¹

602. The order need not be given in writing or in a particular form.²¹¹² The order can be either explicit or implicit, and can be proved circumstantially.²¹¹³ The existence of an order may be inferred from a variety of factors, including the number of illegal acts, the number and type of personnel involved, the effective control and command exerted over these personnel, the logistics involved, the widespread occurrence of similar illegal acts, the tactical tempo of operations, the *modus operandi* of similar acts, the location of the superior at the time, and his knowledge of criminal acts committed under his command.²¹¹⁴
603. The accused need not give the order directly to the physical perpetrator. Liability for ordering may ensue where the accused issues, passes down, or otherwise transmits the order, including through intermediaries.²¹¹⁵ The order must precede and substantially contribute to the commission of a crime that is later perpetrated.²¹¹⁶ But it is not necessary to prove that the crime or underlying offence would not have been perpetrated but for the accused's order.²¹¹⁷
604. As to the content of the order, it need only order an act or omission; it is not necessary to prove that the order was illegal on its face,²¹¹⁸ or explicit in relation to the consequences it would have.²¹¹⁹ The legitimate character of an operation does not exclude an accused's criminal responsibility for ordering crimes committed in the course of that operation if the goal is to be achieved by the commission of crimes.²¹²⁰
605. As to *mens rea*, the accused must intend, or be aware of the substantial likelihood, that the execution or implementation of the order will result in the commission of the crime.²¹²¹

AIDED AND ABETTED

606. Aiding and abetting²¹²² consists of practical assistance, encouragement, or moral support that has a substantial effect on the commission of the perpetrated crime.²¹²³ 'Specific direction' is not an element of aiding and abetting liability under CIL.²¹²⁴
607. An aiding and abetting conviction does not require proof that the perpetrator of the crime has been tried or even identified.²¹²⁵ No plan or agreement between the aider and abettor and the principal perpetrator is required for responsibility on the basis of aiding and abetting.²¹²⁶ indeed, it is unnecessary for a principal perpetrator to even be aware of the aider and abettor's contribution.²¹²⁷

608. Although the aiding and abetting must have a substantial effect on the commission of the crime,²¹²⁸ there is no requirement for a cause and effect relationship, or that such conduct was a condition precedent to the commission of the crime.²¹²⁹ Whether a particular contribution qualifies as “substantial” is a fact-based inquiry.²¹³⁰ The conduct constituting aiding and abetting can occur before, during or after²¹³¹ the commission of the crime, and in a different place from the crime.²¹³²
609. An individual can be found liable for aiding and abetting a crime when it is established that his conduct amounted to tacit approval and encouragement of the crime and that such conduct substantially contributed to the crime.²¹³³ While in such cases the authority of the accused is a factor,²¹³⁴ it is not otherwise necessary to show the accused had authority over the direct perpetrator.²¹³⁵
610. An accused may also aid and abet by omission, in which case, the *actus reus* and *mens rea* requirements are the same as for aiding and abetting by a positive act.²¹³⁶ It must be demonstrated that the accused has “the ability to act, or in other words, that there were means available to the accused to fulfil this duty”.²¹³⁷ This aspect of aiding and abetting by omission has been interpreted to mean that had the accused acted, the commission of the crime would have been substantially less likely.²¹³⁸
611. As to *mens rea*, an accused must know, at the time he provides the assistance,²¹³⁹ that a crime will probably be committed, and that his conduct assists or facilitates the commission of a crime.²¹⁴⁰ It is unnecessary for the aider and abettor to know the precise crime to be committed by the principal. It suffices that he is aware that one of a number of crimes will probably be committed, and one of those crimes is in fact committed.²¹⁴¹ The accused must also be aware of the essential elements of the crime, including the perpetrator’s state of mind, but need not share the perpetrator’s intent to commit the crime.²¹⁴² Specific intent crimes, such as persecution or genocide, require that the aider and abettor must know of, but need not share, the principal perpetrator’s specific intent.²¹⁴³ This knowledge can be inferred from the circumstances.²¹⁴⁴

2. SUPERIOR RESPONSIBILITY

612. Superior responsibility, applicable to both military and civilian superiors, was recognised in CIL by 1975.²¹⁴⁵ Under article 29~~new~~ of the ECCC Law and CIL, superior responsibility is based on the existence of the following three elements:

(1) a superior-subordinate relationship between the accused and the person who committed the crime. The superior must have had effective control over the subordinate,²¹⁴⁶

(2) that the superior knew, or had reason to know, that the subordinate had committed or was about to commit a crime; and

(3) that the superior failed to take the necessary and reasonable measures to prevent the commission of the crime or to punish the perpetrators.²¹⁴⁷

SUPERIOR-SUBORDINATE RELATIONSHIP

613. Regardless of whether an accused is a civilian or military superior,²¹⁴⁸ the superior-subordinate relationship between the accused and the perpetrator of the crime can exist either formally or informally, i.e. *de jure* or *de facto*.²¹⁴⁹ It must be shown that the superior had “effective control” over his subordinate,²¹⁵⁰ or in other words, the “material ability” to prevent or punish the subordinate’s commission of a crime.²¹⁵¹ The superior-subordinate relationship can be direct or indirect, and need not be exclusive.

614. The test of effective control is the same for both military and civilian superiors.²¹⁵² When superior responsibility is applied to a civilian, there is no requirement that the control exercised by him be of the same nature as that exercised by a military commander; it need only be of the same degree.²¹⁵³

615. The indicators of effective control are a question more of fact than of law, and should be assessed on a case-by-case basis.²¹⁵⁴ Factors that would demonstrate that an accused exercised effective control over a subordinate include: the nature of the accused’s position, including his position within the military or political structure,²¹⁵⁵ the procedure for appointment and the actual tasks performed,²¹⁵⁶ the accused’s capacity to issue orders and whether or not such orders are actually executed,²¹⁵⁷ the authority to invoke disciplinary measures,²¹⁵⁸ and the authority to release or transfer prisoners.²¹⁵⁹ The concept of material

ability necessarily also takes into account all factors that might impede a superior's ability to prevent and punish.²¹⁶⁰

KNEW OR HAD REASON TO KNOW

616. As for the knowledge requirement, the term “knew” refers to actual knowledge that the relevant crimes had been committed or were about to be committed, which may be established through direct or circumstantial evidence.²¹⁶¹ A superior need not know the precise identity of the subordinates who perpetrate(d) the crimes.
617. The “reason to know” test requires that the superior had general information available to him that would put him on notice of possible unlawful acts by his subordinates.²¹⁶² The standard is met if the information was sufficiently alarming to justify further inquiry.²¹⁶³ There is no requirement that there be a “substantial likelihood” or the “clear and strong risk” of subsequent crimes.²¹⁶⁴ The “reason to know” standard does not impose a duty to obtain information; it is not the same as “should have known”, i.e. a negligence standard. A superior cannot be held criminally responsible for failing to seek out the relevant knowledge.²¹⁶⁵ However, criminal responsibility will be imposed on an accused who *deliberately* refrains from finding out the relevant information.²¹⁶⁶
618. The information received does not need to provide specific information about unlawful acts committed or about to be committed.²¹⁶⁷ For the purposes of showing that the information was in the superior's possession, it is not necessary to show that he actually acquainted himself with the information, it needs only to have been provided or available.²¹⁶⁸ An accused's position of command can be a factor demonstrating his knowledge of the crimes committed by his subordinates.²¹⁶⁹ The superior need not share his subordinate's intent.²¹⁷⁰

FAILURE TO PREVENT OR PUNISH

619. A superior's duty is discharged when he has taken “necessary and reasonable” measures to prevent or punish the commission of a crime by a subordinate in the context of a particular situation. Hence, liability arises when he fails to do so.²¹⁷¹ The existence of a separate legal obligation to act under domestic law is not required.²¹⁷² The duties to prevent and punish are distinct and separately entail criminal responsibility. The duty to prevent a crime arises

prior to its commission, as soon as the superior knew or had reason to know of the crimes about to be committed. There is no need to show a causal link between the superior's failure to prevent his subordinate's crimes and their occurrence.²¹⁷³ The failure to prevent or punish crimes may be inferred from factors such as the continuing or widespread nature of the violations committed by the subordinates.²¹⁷⁴

620. The determination of what constitutes necessary and reasonable measures must be made on a case-by-case basis.²¹⁷⁵ The determination of what is materially possible in terms of fulfilling the duty should be assessed in light of the degree of the superior's effective control.²¹⁷⁶ The existence of a crisis situation does not relieve the superior of his duty.²¹⁷⁷
621. A superior's duty to punish the perpetrator of a crime includes at least an obligation to investigate possible crimes, to establish the facts, and either sanction the perpetrator personally, or report him to the competent authorities, as appropriate.²¹⁷⁸

C. STANDARD OF PROOF REQUIRED FOR INDICTMENT

622. Rule 67(3)(c) of the Internal Rules states that the Co-Investigating Judges shall issue a Dismissal Order, *inter alia*, where "there is not sufficient evidence against the Charged Person".²¹⁷⁹ Similarly, Article 247(3) of the Code of Criminal Procedure of the Kingdom of Cambodia provides that an investigating judge will issue an order of non-suit where "[t]here is insufficient evidence for a conviction of the charged person".²¹⁸⁰ Neither document defines what "sufficient evidence" means in practice.²¹⁸¹
623. The CIJs have applied the standard of "sufficient evidence" in Cases 001²¹⁸² and 002²¹⁸³ to send the Charged Persons forward for trial. They held that the applicable standard of proof encompassed by the term "sufficient evidence" is probability of guilt rather than mere possibility of guilt.²¹⁸⁴ The CIJs explained that "the evidentiary material in the Case File must be sufficiently serious and corroborative to provide a certain level of probative force".²¹⁸⁵ The ultimate determination of guilt beyond reasonable doubt remains to be assessed by the Trial Chamber.²¹⁸⁶
624. In support of this definition of "sufficient evidence", the CIJs referred, *inter alia*, to French law and international criminal law jurisprudence.²¹⁸⁷ With regard to French law, Article 177

of the French Code of Criminal Procedure contains the same standard of proof of “charges suffisantes” (“sufficient evidence”),²¹⁸⁸ but offers no definition. In the French system, Investigating Judges are afforded unfettered discretion in making the determination in practice.²¹⁸⁹

625. International criminal jurisprudence provides more guidance for assessing the requisite standard of evidence for committal to trial. At the ICC, Article 61(5) governing the confirmation of charges states that “the Prosecutor shall support each charge with sufficient evidence to establish substantial grounds to believe that the person committed the crime charged”.²¹⁹⁰ In its recent decision in the *Al Mahdi* case, Pre-Trial Chamber I stated that the purpose of confirming charges is to ensure that “only those persons against whom sufficiently compelling charges going beyond mere theory or suspicion have been brought’ are committed for trial.”²¹⁹¹ It added that the applicable evidentiary standard is established where the Prosecutor offers “concrete and tangible proof demonstrating a clear line of reasoning underpinning [...] specific allegations”.²¹⁹²
626. The Rules of Procedure and Evidence of the Residual Mechanism for the International Criminal Tribunals for Rwanda and the former Yugoslavia provide that the Prosecutor shall proceed to indictment if “there is sufficient evidence to provide reasonable grounds for believing that a crime [...] has been committed”.²¹⁹³ The ICTR previously held that “‘reasonable grounds’ can be interpreted as facts and circumstances, which could justify a reasonable or ordinary prudent person in believing that a suspect has committed a crime. There must be facts which raise a clear suspicion that the suspect is guilty of committing the offence, for reasonable grounds to exist”.²¹⁹⁴
627. Additionally, the Statutes of both the ICTY and the ICTR require a Trial Chamber Judge to be “satisfied that a prima facie case has been established” in order to confirm the charges.²¹⁹⁵ The ICTY defined a “prima facie case” as “a credible case which would (if not contradicted by the Defence) be a sufficient basis to convict the accused on the charge”.²¹⁹⁶

D. PERSONAL JURISDICTION

628. Both the ECCC Agreement and ECCC Law provide that the purpose of establishing this Court is to “bring to trial senior leaders of Democratic Kampuchea and those who were

most responsible” for the crimes within the ECCC’s jurisdiction committed from 17 April 1975 to 6 January 1979.²¹⁹⁷

629. The terms “senior leader” and “most responsible” are not further defined in either the ECCC Law or Agreement. Based on extensive analysis of the preparatory work and negotiating history of the ECCC Agreement,²¹⁹⁸ the SCC in *Duch* found that the ECCC had personal jurisdiction only over Khmer Rouge officials,²¹⁹⁹ and that the terms “senior leaders” and “most responsible” referred to two separate categories of Khmer Rouge officials:

One category is senior leaders of the Khmer Rouge who are among the most responsible, because a senior leader is not a suspect on the sole basis of his/her leadership position. The other category is non-senior leaders of the Khmer Rouge who are also among the most responsible.²²⁰⁰

Accordingly, if a Charged Person was a Khmer Rouge official, he or she need not be a senior leader in order to be among those most responsible.

630. The ICIJ has held that findings as to whether a Charged Person was a “senior leader” and/or one of the “most responsible” Khmer Rouge officials “are to be made at the conclusion of the investigation, based on the totality of the evidence on the Case File.”²²⁰¹

1. MOST RESPONSIBLE

631. In determining whether a person is among those most responsible for international crimes, the ECCC and international criminal courts and tribunals have adopted two criteria: (i) the gravity of the crimes alleged against the person, and (ii) the level of responsibility of the person alleged to have committed those crimes.
632. The ICTY was mandated as part of its completion strategy to focus on “the most senior leaders suspected of being most responsible for crimes,”²²⁰² whilst referring the remaining perpetrators to be prosecuted at the national level.²²⁰³ In evaluating those who are most responsible, the ICTY Referral Bench considered the “gravity of the crimes charged” and the “level of responsibility of the accused”.²²⁰⁴ These dual principles are reflected in decisions of the SCSL,²²⁰⁵ statements of the ICC Office of the Prosecutor (“OTP”),²²⁰⁶ and have been adopted by the ECCC Trial Chamber,²²⁰⁷ SCC,²²⁰⁸ and the CIJs.²²⁰⁹ The

application of these two principles does not require a comparison and ranking of the responsibility of all possible perpetrators,²²¹⁰ but instead should have regard to the other cases tried by the Court and the particular circumstances and context in which the crimes were committed.²²¹¹

633. ICTY referral decisions have held that relevant factors to determine the gravity of offences committed include: the geographical and temporal scope of the crimes,²²¹² the manner in which they were committed;²²¹³ the number of incidents,²²¹⁴ and the number of victims.²²¹⁵ Assessing these factors should not be a rigid mathematical exercise, but requires a nuanced cumulative analysis.²²¹⁶
634. Relevant factors to determine the level of responsibility of the person alleged to have committed the crimes include: the level of participation in the crimes charged;²²¹⁷ the hierarchical rank or position of the accused,²²¹⁸ including the number of subordinates and echelons above,²²¹⁹ their effective authority²²²⁰ and ability to give orders,²²²¹ the temporal scope of their control;²²²² their authority to negotiate, sign, or implement agreements,²²²³ their actual knowledge of crimes; and whether those in more senior ranks have already been convicted.²²²⁴

2. SENIOR LEADERS

635. With regards to the term “senior leaders of Democratic Kampuchea,” the legislative history of the ECCC²²²⁵ and international jurisprudence²²²⁶ establish that the term is not limited to members of the CPK Standing Committee or to the “architects of an overall policy.”

VIII. NATIONAL CRIMES AND CRIMES NOT CHARGED

CRIMES UNDER THE 1956 CAMBODIAN PENAL CODE

636. The Co-Prosecutors have consistently maintained the position,²²²⁷ upheld by the PTC,²²²⁸ that pursuant to article 3~~new~~ of the ECCC Law, the ECCC may exercise jurisdiction over the crimes of homicide,²²²⁹ torture,²²³⁰ and religious persecution²²³¹ (together “National Crimes”) set forth in the 1956 Penal Code, and is not barred from doing so by the 10-year statute of limitations found in article 109 of that Code.²²³²

637. As the PTC confirmed,²²³³ this statute of limitations was suspended until at least 24 September 1993 because of the conditions in Cambodia. These conditions, which the PTC has attributed to the Khmer Rouge, include the lack of a functioning judicial system during the DK period and in the People's Republic of Kampuchea between 1979 and 1982. Thereafter, "until the Kingdom of Cambodia was created by the promulgation of its Constitution on 24 September 1993, a number of historical and contextual considerations significantly impeded domestic prosecutorial and investigative capacity."²²³⁴ Therefore, the extension of the statute of limitations by the Cambodian National Assembly in 2001 and 2004, respectively for 20²²³⁵ and then 30 years,²²³⁶ did not violate the principle of legality.²²³⁷ Moreover, a charged person's right to equality before the law is not violated by the prosecution of National Crimes at the ECCC,²²³⁸ and the Cambodian Constitutional Council's determination that Article 3^{new} of the ECCC Law did not breach any constitutional rights is final, binding, and may not be reviewed by this Court.²²³⁹ As a result, there is no statute of limitations concern regarding the applicability of National Crimes in Case 004/2. However, it should be noted that when the same issue had been before the Trial Chamber in Case 001, the judges failed to achieve the necessary votes for a decision, although a majority supported the view that the national crimes charged in that case were not time-barred by the 10-year statute of limitations.²²⁴⁰
638. The Co-Prosecutor does not seek **Ao An**'s indictment for National Crimes, even though the evidence from the investigations satisfies the elements for such criminal charges. This is because the Co-Prosecutor believes that **Ao An**'s criminal conduct is better described when legally characterised as the international crimes of genocide and CAH (particularly murder, torture, and persecution on religious grounds). Further, by characterising this conduct as international crimes, rather than National Crimes, unnecessary litigation can be avoided with a view to ensuring expeditious proceedings.

CRIMES AND MODES OF LIABILITY NOT PREVIOUSLY CHARGED

639. The Co-Prosecutor submits that nothing in the ECCC Rules prohibits crimes or modes of liability not charged by the CIJs at an initial or further appearance from forming part of the Closing Order indictment, provided that the crimes concern factual allegations of which the CIJs were seised.²²⁴¹ Under ECCC and Cambodian law, investigating judges are seised *in*

rem with all factual allegations in the prosecution's introductory or supplementary submissions.²²⁴² The CIJs have an obligation to investigate all of these facts and to consider whether the evidence establishes that the person named in the submission(s) is criminally responsible for any crimes under any applicable mode of liability, and then issue a reasoned decision.²²⁴³

640. The **Ao An** Defence has been put on notice as to the facts which could lead to an indictment through access to the Co-Prosecutor's Introductory and Supplementary Submissions. Under an investigative judge/civil law system such as the ECCC, the Defence is aware that the CIJs are obligated to investigate *all* facts in such submissions and to consider the evidence that results. The Defence would therefore not be surprised or prejudiced when the CIJs do so. The ICIJ very clearly stated at **Ao An**'s initial and further appearances that additional crimes based on future submissions from the OCP could be charged before the end of the investigation if there is clear and consistent evidence that **Ao An** is responsible for such crimes.²²⁴⁴ Rule 67(1) clearly provides that the investigation is concluded when the Co-Investigating Judges issue a Closing Order.²²⁴⁵ Therefore, under the Rules, it is permissible at the Closing Order stage for the CIJs to consider and add charges based on facts with which they have been properly seized.
641. The Internal Rules do not provide the Co-Prosecutors any opportunity to be heard on which crimes the CIJs include in their notification of charges pursuant to Rule 57, and the Co-Prosecutors were not invited to submit on the issue or to attend the charging hearings. Moreover, the Written Record of Further Appearance was not an "order" for the purposes of Rule 74 that could be appealed. The Final Submission, therefore, is the only opportunity for the Co-Prosecutor to be heard on whether the evidence from the investigation demonstrates **Ao An**'s responsibility for the crimes alleged in the Introductory and Supplementary Submissions.²²⁴⁶ If the arguments in this Final Submission concerning crimes and modes of liability not previously charged are automatically ignored and go unaddressed in the Closing Order, it would result in facts being dismissed without the Co-Prosecutor ever having an opportunity to be heard by the CIJs and would preclude any appellate review by the PTC. That surely is not the intent of the Rules.

642. The Co-Prosecutor has analysed the evidence in view of the crimes and modes of liability on which **Ao An** has already been charged by the ICIJ. The Co-Prosecutor submits that **Ao An** should also be indicted for extermination at one site where murder was already charged (Kor (Met Sop) Security Centre), and one additional mode of liability for which he was charged but the charge was rescinded (aiding and abetting). He also recommends that the indictment drop some of the ICIJ's charges because the criminality is better captured under another legal characterisation. The specific differences between the Co-Prosecutor's recommendations and the ICIJ's previous charges are articulated in the Introduction section for each Crime or Crime Site in this Submission, and the requested charges for indictment are summarised in the Charges section below.

IX. PERSONAL JURISDICTION

APPLICATION OF RELEVANT FACTORS

643. The evidence establishes that **Ao An** was a senior leader of the DK regime and is also one of the persons most responsible for crimes committed by the regime.

1. Senior Leader

644. **Ao An**'s position as the Sector 41 Secretary and the Deputy Secretary of the Central Zone²²⁴⁷ placed him in a small group of the most powerful cadres at the top of the DK hierarchy. As the deputy secretary of one of just seven zones that existed in Democratic Kampuchea, he held sway over a significant portion of the territory and population of the country as a whole. Many witnesses confirm that **Ao An** held this senior-level Zone position and had the power to act for Ke Pauk in Ke Pauk's absence.²²⁴⁸ Evidence shows that Ke Pauk was regularly absent from the Central Zone due to his position as deputy commander of the army and his role in fighting East Zone cadres and the Vietnamese,²²⁴⁹ meaning that **Ao An** frequently served as acting Zone Secretary.

645. **Ao An**'s position as Deputy Zone Secretary also gave him responsibility for security in the zone, a critical role that gave him oversight of the 25 security centres in the Central Zone—a significant portion of the whole DK security apparatus.²²⁵⁰

646. By virtue of his positions of Deputy Zone Secretary and Sector Secretary, it is also probable that **Ao An** served as a member of the Central Committee of the CPK,²²⁵¹ though no definitive list of Central Committee members is available. Regardless, the fact that many zone and sector secretaries served on the Central Committee is indicative of the seniority of **Ao An**'s positions at those levels.
647. As the Sector Secretary for Sector 41, **Ao An** exercised full authority over five districts and had responsibility for almost all aspects of life for the many thousands of people who lived there.²²⁵² His direct subordinates dealt with everything from security to logistics to light industry.²²⁵³ He and his subordinates exercised the power of life and death over those who lived in the villages and communes of Sector 41 and those unfortunate enough to find themselves within the security apparatus of the sector or the districts.²²⁵⁴
648. His close working relationships with Ke Pauk²²⁵⁵ and Ta Mok²²⁵⁶ also evidence his importance in the regime.

2. Most Responsible

649. By any reasonable measure, **Ao An** is among those individuals most responsible for the crimes committed by the DK regime. Sector 41 during the time that **Ao An** held authority over the area was the focus of intense purges, resulting in the deaths of many thousands of innocent men, women, and children. The crimes he is charged with are of the most serious gravity, and his level of responsibility for those crimes is extraordinarily high. The evidence demonstrates a direct connection between **Ao An** and the crimes, including evidence that he personally ordered the killings of thousands and the exterminations of particular groups targeted by the DK regime.

a) Factors Relevant to Determination of Gravity of the Crimes

650. Geographical and Temporal Scope of the Crimes: The purge of Sector 41 was a massive criminal operation. It spanned a wide geographic area, covering all five districts of Sector 41.²²⁵⁷ It also spanned a considerable period of time, beginning with the transfer of Southwest Zone cadres to the Central Zone in early 1977 and continuing until Pol Pot made statements indicating a desire to moderate the killing campaign as the DK leadership

prepared for an imminent intensification of the conflict with Vietnam.²²⁵⁸ The campaign of forced marriage that **Ao An** implemented claimed victims throughout not just Sector 41, but the entire Central Zone during the time **Ao An** was the deputy secretary of the zone.²²⁵⁹ **Ao An** was also directly responsible for the Anlong Chrey Dam worksite in Prey Chhor District where thousands of labourers from across the Sector were forced to work strenuously for long hours in inhumane conditions.²²⁶⁰

651. *Manner of Commission:* The crimes were carried out with particular brutality. From the moment of arrest, the purge victims were treated as less than human. They were detained in horrendous conditions and frequently tortured.²²⁶¹ They were not permitted to know the basis of the regime's accusations against them or to defend themselves against the regime's suspicions of disloyalty. They were killed in a particularly brutal and dehumanising manner.²²⁶² Bodies were piled into unmarked mass graves with no burial rituals or respect for the dignity of the victims.²²⁶³
652. The crimes committed against those enslaved at the Anlong Chrey Dam were also carried out brutally. The enslaved victims there were used as the regime's property, required to perform backbreaking work for long hours with insufficient food and medical care, and threatened with punishment if they failed to meet *Angkar*'s goals.²²⁶⁴ Finally, the crime of forced marriage was also carried out in a manner demonstrating contempt for the humanity and the fundamental rights of the victims.
653. *Number of Incidents:* The purge played out over the course of thousands or tens of thousands of similar incidents of arrest, mistreatment, and killing. The gravity of the crimes is enhanced by the deliberative and systematic way in which they were carried out. Security centres and execution sites existed for the purpose of imprisoning, mistreating, and killing the perceived enemies of the regime. Crimes were not carried out in a spontaneous or *ad hoc* fashion, but rather as the result of careful planning and organisation.
654. Similarly, thousands of workers were employed at the Anlong Chrey Dam worksite. The denial of their liberty and other fundamental rights was carried out daily, on an ongoing basis, for many months, thus constituting many "incidents" of criminal activity. The campaign of forced marriage comprised many group weddings conducted throughout the

Central Zone, and the forced consummation policy enforced by **Ao An** and his subordinates caused numerous incidents of rape.

655. Number of Victims: The number of lives claimed by the Sector 41 purge can never be precisely established, but there is no doubt that that number is staggering. The estimates of the number of those killed at the seven security centres and execution sites in Sector 41 range well into the tens of thousands,²²⁶⁵ and the charges of persecution, extermination, and genocide—three of the gravest crimes in existence—reflect the horrific nature of the events in Sector 41. The Genocide Convention imposes an *obligation* on states parties to punish those individuals who have committed genocide.²²⁶⁶ Cambodia, as a signatory to the Convention, and the United Nations, as a supporter, must have intended to meet this obligation by including anyone responsible for this most serious of crimes among those “most responsible” for the crimes of the DK regime.
656. The number of victims enslaved at the Anlong Chrey Dam is also estimated to be in the thousands. **Ao An** himself publicly claimed that the workforce was 20,000.²²⁶⁷ Evidence also indicates that a massive number of victims in Prey Chhor and Kampong Siem districts were forced to marry and consummate their marriages without true consent.

b) Factors Relevant to Determination of Level of Responsibility

657. Level of Participation: **Ao An**'s participation in the crimes was direct and decisive. He announced the commencement of the purge to his subordinates and attempted to justify it by accusing incumbent cadres of treason. He dehumanised victims by comparing them to “old tires” that needed to be cut up. He ordered his direct subordinates to carry out each successive stage of the purge, beginning with cadres and continuing on to ordinary citizens, Lon Nol soldiers, and eventually all of the Cham. He monitored the progress of the purges by requiring and attending to updates from his subordinates on the execution of his orders. He facilitated the transportation of victims throughout the sector by authorising the use of sector vehicles (including his own Jeep) and even by accompanying a transport of prisoners on at least one occasion. He personally ordered arrests. He personally ordered killings. When he doubted that all of the intended victims of the purge had been captured and killed, he ordered his subordinates to prepare revised victim lists with more thorough, directly

researched information. **Ao An**'s contributions to the purge were enthusiastic, fundamental, and indispensable.

658. The Anlong Chrey Dam was a sector-level worksite and thus under the direct supervision of **Ao An**. In addition, evidence shows that **Ao An** frequently visited the worksite for inspections, met with mobile unit chairpersons there, and chaired compulsory meetings for the workers at which he threatened that anyone who failed to meet his quota would be considered an enemy and also stressed the importance of identifying other enemies of the regime. **Ao An** also participated in the campaign of forced marriage by publicly announcing the goal of population increase and the necessity of "marrying off" the people of Sector 41, and by personally approving, arranging, and attending forced marriages.
659. *Hierarchical Position*: **Ao An** held a high-level, powerful position in the DK hierarchy. Only Zone Secretary Ke Pauk stood between **Ao An** and the Party Centre, while his subordinates included district, commune, and village secretaries and committees, as well as the chairman of his sector office and the heads of the various sector-level "ministries" such as logistics, handicrafts, commerce, etc. **Ao An** used his position in the hierarchy to great effect, passing on orders and monitoring their implementation, allowing the leaders above him to be sure that the purge was being carried out as instructed.
660. He also used his position to make announcements regarding the treatment of enemies and the necessity of marriages and the production of children.
661. *Effective Authority and the Ability to Give Orders*: **Ao An**'s authority was not just theoretical. The evidence shows that he gave many orders, including orders to remove and replace the incumbent village and commune chiefs, orders to identify and smash ordinary citizens suspected of disloyalty to the revolution and the regime, and the order to identify, arrest and smash all Cham. His orders included explicit orders to arrest and to kill, as well as to marry and sleep together in order to produce children. The evidence shows that his orders were uniformly obeyed.
662. *Actual Knowledge of Crimes*: There is no doubt that **Ao An** was fully aware of the criminal campaign occurring in Sector 41. **Ao An** himself announced that the purge was about to begin and gave orders for its execution. He also facilitated the commission of the crimes constituting the purge in numerous ways. His subordinates reported back to him with

detailed accounts of the execution of his orders, and his position as Sector Secretary (as well as his geographic position at Prey Toteung) gave him the central position in the informational network of Sector 41.

663. **Ao An**'s regular visits to the Anlong Chrey Dam worksite and his meetings with the leaders there worked to keep him well informed of the conditions and crimes committed there. His announcement of the marriage policy to his subordinates, his instruction to them to match couples based on their backgrounds, his imposition of a rule mandating the spouses to sleep together in order to produce children, and his personal involvement in arranging, presiding over, and approving marriages demonstrate his awareness of the forced marriages taking place in his sector.
664. Temporal Scope of Control: **Ao An**'s authority in Sector 41 endured from his arrival in the Sector in January or February 1977 until the Vietnamese invasion in December 1978.
665. Prosecution of those in Senior Ranks: **Ao An** is one of the senior surviving CPK cadres. **Ao An** worked directly with Ta Mok, who was himself a member of the Standing Committee of the CPK, the highest authority in the DK. All members of the Standing Committee have been prosecuted by the ECCC or are deceased.
666. The International Co-Prosecutor submits that **Ao An** has a higher level of responsibility for the crimes committed by the DK regime than does Kaing Guek Eav alias Duch, who was determined to be among those most responsible for the crimes of the DK regime in Case 001. The total number of murders committed by **Ao An**'s subordinates likely exceeds those committed by Duch's subordinates. **Ao An** had responsibility for a very large geographic area and was responsible for implementing CPK policy with respect to a significant portion of the population of Democratic Kampuchea. **Ao An** also is charged with responsibility not just for crimes related to security centres, but also for enslavement of thousands of workers at a worksite as well as for forced marriage and rapes that occurred pursuant to the forced marriage policy.

X. INDIVIDUAL CRIMINAL RESPONSIBILITY

A. OVERVIEW

667. The evidence in the Case File and referred to in this brief establishes that **Ao An** is individually responsible for genocide and crimes against humanity pursuant to Articles 4 and 5 of the ECCC Law.
668. **Ao An** bears responsibility for these crimes under Article 29^{new} of the ECCC Law, specifically for (i) committing, planning, instigating, ordering and/or aiding and abetting these crimes, and (ii) failing, as a superior who knew or had reason to know that his subordinates were about to commit or had committed these crimes, to prevent the crimes' commission, or to punish the perpetrators. **Ao An** 'committed' these crimes not as a physical perpetrator but as a participant in a joint criminal enterprise.

B. MODES OF LIABILITY

COMMITTING VIA JOINT CRIMINAL ENTERPRISE

669. **Ao An** committed each of the crimes charged through his participation in a joint criminal enterprise in the Central Zone. The JCE involved the basic ("JCE I") form of common plan liability.
670. The members of the JCE shared a common criminal plan intended to maintain the CPK in power and to implement the CPK central leadership's radical agrarian, economic, and social policies in the Central Zone through the commission of the crimes described below. The plan sought to radically alter Cambodian society to achieve an atheist, classless society with a single national and ethnic identity. In order to eliminate opposition and perceived enemies and to maintain the CPK in power, the plan involved the commission of the crimes against humanity of extermination, murder, torture, imprisonment, persecution, and other inhumane acts against various categories of perceived enemies, including CPK cadres perceived as disloyal, their families, and others perceived as connected to them; former soldiers and officials of the Lon Nol regime; the group of people forcibly transferred from cities and towns, commonly referred to as "new people" or "17 April people"; those

considered spies for the CIA or KGB; Cham Muslims; those from the “burgeois”, “feudalist”, or “capitalist” classes; and all ordinary citizens perceived as disloyal to the regime or the revolution for any reason whatsoever. The plan also involved the commission of the crime of genocide (through killings) with the intent to destroy the Cham people in Cambodia as a distinct ethnic and religious group.

671. In order to facilitate the CPK’s military, economic, and agrarian policies by rapidly increasing the population, the JCE involved the commission of the crime against humanity of other inhumane acts through forced marriages and compelling couples forced to marry to consummate the marriage without their consent (rape).
672. To implement the CPK leadership’s radical agrarian and economic policies, the plan involved the commission of the crimes against humanity of enslavement, murder, and other inhumane acts (enforced disappearances) against workers at cooperatives and worksites.
673. **Ao An** and the other members of this JCE intended each of these crimes, and all of the crimes described in this Final Submission were committed pursuant to this joint criminal enterprise.
674. **Ao An** became a member of this JCE from the time he departed the Southwest Zone *en route* to the Central Zone, about mid-January 1977, and remained a member through the the end of the temporal jurisdiction of the ECCC, 7 January 1979.
675. **Ao An** acted in concert with other members of the JCE. The other members of the JCE included Pol Pot; Nuon Chea; Khieu Samphan; Son Sen; the members of the Standing Committee; the members of the Central Committee; Southwest Zone Secretary Ta Mok; Central Zone Secretary Ke Pauk; Ke Pauk’s office chairman Chham; Ke Pauk’s subordinates in the zone military and security forces; Sector 42 Secretary Oeun; the three cadres who served at various times as Sector 43 Secretary: Chan, Phen, and Sim; and the category of all of **Ao An**’s direct and indirect subordinates. Without limiting the generality of this category, some of the members who can be named based on the evidence available on the case file include Prey Chhor District Secretary Sim; Batheay District Secretary Phim (later called Phal); Cheung Prey District Secretary Mon; Kampong Siem District Secretary Prak Yut; Kang Meas District Secretary Kan; Sector 41 Office Chairman Am (Prak Yut’s husband); Sector 41 Office Chairman Aun (following Am’s arrest); Sector 41 military

chairmen Hum and Sokh; Try, the deputy of Sector 41 military chairman Sokh; Ke, a cadre who had responsibility for killings at Wat Batheay and Kor Security Centres; Sop, the head of Kor Security Centre at the time of the Southwest Zone cadres' arrival; Ngov, the head of Kor Security Centre following Sop's arrest; and Horn, the head of Wat Au Trakuon Security Centre. This category also includes all the commune and village chiefs of the districts in Sector 41.²²⁶⁸ Cadres responsible for security, militia, and the military in each district and commune²²⁶⁹ and Ao An's messengers, drivers, and bodyguards were either members of the JCE or used by members of the JCE to commit the crimes.²²⁷⁰ Similarly, members of the CPK military, zone, sector, district and commune militias who physically perpetrated the crimes were either also part of the JCE or were used by members of the criminal plan to commit the crimes.

676. **Ao An's** membership of the JCE is demonstrated by his contributions and intent to participate in the criminal enterprise, his positions of power and influence within the CPK, and his close working relationships with other members of the JCE. His involvement began before his departure from the Southwest Zone, when Ta Mok informed him he was being transferred to Kampong Cham because "all the leaders there had become traitors"²²⁷¹ and continued until the last days of the regime, as he exhorted his commune secretaries to prepare new, and more thorough, lists of Cham and other ethnic minorities to be destroyed.²²⁷²

677. **Ao An** made a significant contribution to the JCE through the following acts:

- i. Informing his subordinates that the purge was about to begin (the "soundless war" he described at the Wat Ta Meak meeting),²²⁷³
- ii. Justifying the purge to his subordinates and inciting their participation in it by saying that the incumbent cadres were traitors ("those who fought against Lon Nol now ride Lon Nol's horse");²²⁷⁴
- iii. Dehumanising CPK enemies and inciting participation in the purge by describing the CPK's enemies as "cars whose old tires had to be replaced";²²⁷⁵
- iv. Ordering his subordinates to kill not just cadres suspected of disloyalty, but also anyone associated with those cadres, by ordering his security offices to "dig up

- the grass roots and all”,²²⁷⁶
- v. Reporting to Ke Pauk that he had followed Ke Pauk’s order to kill former Lon Nol soldiers,²²⁷⁷
 - vi. Ordering the Sector 41 district chiefs to gather up the incumbent commune and village chiefs and organising their arrest and replacement,²²⁷⁸
 - vii. Summoning cadres who were to be arrested to his own house or office for meetings and then ordering his own soldiers to arrest those cadres upon their arrival;²²⁷⁹
 - viii. Allowing brutal and public arrests of cadres to take place in the immediate vicinity of his sector office;²²⁸⁰
 - ix. Instructing the Sector 41 district secretaries to root out all ordinary civilians suspected of disloyalty to the DK regime (including those who complained about living conditions or stole food),²²⁸¹
 - x. Monitoring the progress of the purge by receiving reports and lists of names of those arrested and killed;²²⁸²
 - xi. Personally participating in decisions as to which prisoners should be spared and which should be killed;²²⁸³
 - xii. Instructing his subordinates to trick people associated with the Lon Nol regime into revealing themselves so they could be arrested and killed;²²⁸⁴
 - xiii. Giving his district secretaries lists of specific individuals to be arrested,²²⁸⁵
 - xiv. Allowing his Jeep to be used to transport prisoners to Kor Security Centre on a daily basis for months at a time;²²⁸⁶
 - xv. Allowing vehicles from the Sector 41 Garage to be used to transport prisoners;²²⁸⁷
 - xvi. Personally escorting a truck full of East Zone prisoners traveling within Sector 41 who were subsequently killed;²²⁸⁸
 - xvii. Allowing the Prey Toteung intersection, where his sector office and other sector facilities were located, to be used for weeks on end as a staging and transfer point

- for prisoners being transported to various security centres;²²⁸⁹
- xviii. Allowing prisoners to be detained, tortured, and killed within the gated perimeter of the Sector 41 compound at the Prey Toteung intersection;²²⁹⁰
- xix. Personally ordering the killing of East Zone cadres at Phnom Pros;²²⁹¹
- xx. Personally ordering the killing of 10 military trucks of people at Phnom Pros;²²⁹²
- xxi. Personally ordering the killing of prisoners at Wat Ta Meak;²²⁹³
- xxii. Personally ordering the killing of prisoners at Kor Security Centre;²²⁹⁴
- xxiii. Personally ordering that a pregnant woman be killed at the Sector Office and that her stomach be cut open;²²⁹⁵
- xxiv. Personally traveling to Kor Security Centre to ensure that his orders to kill prisoners there had been carried out;²²⁹⁶
- xxv. Receiving and attending to reports from his subordinates about the progress of killings previously ordered;²²⁹⁷
- xxvi. Advising workers at meetings in Kang Meas District to register their grievances with District Secretary Kan, which caused them to be arrested, taken to Wat Au Trakuon, and executed;²²⁹⁸
- xxvii. Instructing people at meetings in Kang Meas District to grow or forage for their own food, which caused them to be arrested, taken to Wat Au Trakuon, and executed;²²⁹⁹
- xxviii. Personally ordering that all of the Cham in Sector 41 be killed;²³⁰⁰
- xxix. Monitoring and managing the process of killing all the Cham in Sector 41;²³⁰¹
- xxx. Ensuring the thoroughness of the killing of the Cham by personally instructing his commune chiefs to make a second set of lists of the Cham in the sector when not satisfied that all of their names had been included in the first set of lists;²³⁰²
- xxxi. Publicly stating that Pol Pot's plan required the marrying off of workers from ministerial offices and cooperatives in order to increase the population;²³⁰³
- xxxii. Instructing his subordinates to match couples based on their backgrounds;²³⁰⁴

- xxxiii. Imposing a rule mandating that spouses sleep together to produce children after marrying;²³⁰⁵
- xxxiv. Personally pairing couples and approving forced marriages in his sector;²³⁰⁶
- xxxv. Personally presiding over some forced marriage ceremonies;²³⁰⁷
- xxxvi. Presiding over meetings of workers at the Anlong Chrey Dam at which he told them that those who did not meet their quotas would be considered enemies;²³⁰⁸
- xxxvii. Talking to workers at Anlong Chrey Dam about the need to identify enemies of the regime such as former government officials, capitalists, feudalists, and CIA or KGB agents;²³⁰⁹
- xxxviii. Causing Aun, the chairman of the sector office, to assist in the supervision of the Anlong Chrey Dam worksite by inspecting work, holding meetings, and instructing workers to work hard to achieve *Angkar*'s plans;²³¹⁰
- xxxix. Regularly visiting the Anlong Chrey dam, meeting with its construction supervisors, and monitoring the progress of work on the project.²³¹¹

678. **Ao An's** acts and conduct listed above also demonstrate that he shared and intended to further the common criminal plan and had the intent that each of the crimes within the common criminal plan be committed.

679. The following facts constitute additional evidence of **Ao An's** intent to significantly contribute to the common criminal plan, his intent that each of the charged crimes be committed, and his knowledge of the commission of crimes:

- i. Ta Mok's informing **Ao An** prior to his transfer to the Central Zone that the reason he was being sent there was that "all the leaders there had become traitors";²³¹²
- ii. **Ao An's** attendance at the meeting in Phnom Penh at which Pol Pot described the Central Zone cadres as "traitorous" and told the Southwest Zone cadres in attendance to "deal with it";²³¹³
- iii. Ke Pauk's instructions to **Ao An** that he and other cadres "had to do whatever could be done to arrest all the enemies" and that "when digging up the grass," **Ao**

- An** and the other cadres should “dig it up the roots and all”;²³¹⁴
- iv. **Ke Pauk’s** giving specific, written instructions to **Ao An** to kill people;²³¹⁵
 - v. The open and obvious transportation of large number of victims across Sector 41 in vehicles belonging to the sector and zone, with much of the traffic required to pass by **Ao An’s** office at the Prey Toteung intersection;²³¹⁶
 - vi. The loading, unloading, and transfer of prisoners (some of whom were crying, screaming, and saying good-bye to family members) at the Prey Toteung intersection where **Ao An’s** office was located;²³¹⁷
 - vii. The open and obvious detention of prisoners in the sector compound at Prey Toteung (including some who could be seen directly from **Ao An’s** house);²³¹⁸
 - viii. The screams of victims who were tortured in the sector compound at Prey Toteung;²³¹⁹
 - ix. The fact that victims’ clothes were brought back to the sector office for redistribution after they had been killed;²³²⁰
 - x. The frequent visits of Ngov, the chief of the sector security office at Kor, to **Ao An’s** office at Prey Toteung;²³²¹
 - xi. **Ao An’s** frequent travels to all parts of Sector 41 and his regular meetings with district secretaries, sector military, and other subordinates.²³²²

PLANNING, INSTIGATING, ORDERING AND AIDING AND ABETTING

680. In addition to his liability for committing the crimes charged *via* joint criminal enterprise, **Ao An** is also liable for planning, instigating, ordering, and aiding and abetting the crimes charged.
681. **Ao An** planned the crimes enumerated in this Submission. Given his role at the Sector and Zone levels, **Ao An** had the power to design and/or participate in designing how central CPK policies were implemented in those areas. His involvement in the design and formulation of the regional implementation of the CPK’s national policies substantially contributed to the commission of the crimes in Sector 41 of the Central Zone, and with

respect to genocide and forced marriage, across the Central Zone in its entirety. **Ao An** intended the commission of the crimes, or, by virtue of his roles and positions, was aware of the substantial likelihood that crimes would be committed in the execution of the acts he participated in planning.

682. **Ao An** instigated the crimes set out herein. Through his positions, he prompted, urged, encouraged, provoked, and incited perpetrators who committed these crimes. His instigation of the crimes contributed substantially to their commission. **Ao An**'s frequent statements on CPK policies to lower level cadres demonstrate that he intended to instigate the direct perpetrators to commit the crimes, or, at least, was aware of the substantial likelihood that crimes would be committed in the execution of the acts he instigated.
683. **Ao An** ordered the crimes detailed in this Submission. In accordance with his positions of authority, **Ao An** formulated and issued orders and instructions to CPK cadres to commit the crimes. **Ao An** intended those under his *de facto* and/or *de jure* authority to commit the crimes or, at least, was aware of the substantial likelihood that the crimes would be committed in the execution of the orders. Given the CPK structure, **Ao An** knew that he possessed the power to induce lower-level cadres to act.
684. **Ao An** aided and abetted the crimes. He did so by providing encouragement, lending moral support and giving practical assistance to CPK cadres who committed them. His encouragement, moral support and practical assistance had a substantial effect on the commission of the crimes. **Ao An** knew, given his positions of authority and the CPK's structure, that his acts of encouragement and moral and practical support were assisting in the commission of the crimes, and intended to provide that assistance. **Ao An** was aware of the essential elements of the crimes he was aiding and abetting as he was kept continuously informed about the actions of direct perpetrators.

SUPERIOR RESPONSIBILITY

685. Further, and in the alternative, **Ao An** bears individual criminal responsibility as a superior pursuant to Article 29^{new} of the ECCC Law by virtue of: (i) his position as a superior of perpetrators of the crimes detailed in this Submission; (ii) his actual knowledge, or possession of information on the basis of which he had reason to know, that his

subordinates had committed or were about to commit crimes; and (iii) his failure to prevent the commission of the crimes or to punish the perpetrators.

686. Superior-subordinate relationships existed between **Ao An** and all CPK cadres who were directly involved in the crimes described in this Submission. While some of these relationships may have been indirect or *de facto*, **Ao An** was the superior of these individuals due to his effective control over them as a senior sector and zone leader. **Ao An** had the material ability to prevent subordinates from committing the crimes, to remove them from their positions and/or punish them, as shown, *inter alia*, by his involvement in the purging of Central Zone cadres and appointment of cadres. **Ao An** had actual knowledge of the crimes being committed by his subordinates, evidenced by his role in devising the regional implementation of the CPK's policies resulting in crimes and the frequent reports he received regarding the resulting events in the areas under his authority. **Ao An** failed to take any measures to prevent or punish these crimes, despite his capacity to do so.

XI. CHARGES

687. On the basis of the facts and law set out in this Submission, the International Co-Prosecutor respectfully requests the Co-Investigating Judges to indict **Ao An** and send him for trial on the charges listed below.
- (1) **Count 1 – Genocide**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of GENOCIDE, punishable under Articles 4, 29*new*, and 39*new* of the ECCC Law, *via* a campaign of killing of and causing serious bodily or mental harm to Cham Muslims, intended to destroy the Cham, as a distinct ethnical, racial, or religious group, in Sector 41, in the Central Zone, and in Democratic Kampuchea. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of genocide or had done so and he failed to take the necessary and reasonable

measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior.

- (2) **Count 2 – Extermination:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An** acting individually and in concert with other DK and CPK authorities and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of EXTERMINATION, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, through extrajudicial killings of the victims described in this Submission. A system of interconnected security centres and execution sites in Sector 41, under the control of **Ao An** or (in the case of Wat Phnom Pros) Ke Pauk, were used in this campaign. **Ao An** intended to kill a massive number of people and in fact, a massive number of individuals became victims of extrajudicial killings or death by intentionally imposed inhumane conditions at these security centres and execution sites. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of extermination or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for extermination at the following locations:

- (a) Kor (Met Sop) Security Centre;
- (b) Wat Phnom Pros Execution Site;
- (c) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei;
- (d) Kok Pring Execution Site;
- (e) Wat Batheay Security Centre; and
- (f) Wat Au Trakuon Security Centre.

- (3) **Count 3 – Murder:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime

of MURDER, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. **Ao An** acted with the intent to kill or with the awareness of the substantial likelihood that death would result from his actions. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of murder or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for murder at the following locations:

- (a) Wat Ta Meak Security Centre;
- (b) Kor (Met Sop) Security Centre;
- (c) Wat Phnom Pros Execution Site;
- (d) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei;
- (e) Kok Pring Execution Site;
- (f) Wat Batheay Security Centre;
- (g) Wat Au Trakuon Security Centre; and
- (h) Anlong Chrey Dam Forced Labour Site.

- (4) **Count 4 – Imprisonment**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of IMPRISONMENT, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, by detaining the victims described in this Submission arbitrarily, *i.e.* without due process. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of imprisonment or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for imprisonment at the following locations:

- (a) Wat Ta Meak Security Centre;

- (b) Kor (Met Sop) Security Centre;
 - (c) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei;
 - (d) Wat Batheay Security Centre; and
 - (e) Wat Au Trakuon Security Centre.
- (5) **Count 5 – Torture:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, **planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of TORTURE, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of torture or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for torture at the following locations:**
- (a) Wat Ta Meak Security Centre;
 - (b) Kor (Met Sop) Security Centre;
 - (c) Wat Au Trakuon Security Centre; and
 - (d) Wat Batheay Security Centre.
- (6) **Count 6 – Enslavement:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, **planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of ENSLAVEMENT, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, by exercising powers of ownership over the workers at the Anlong Chrey Dam Forced Labour Site. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of enslavement or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior.**

(7) **Count 7 – Other Inhumane Acts (Inhumane Conditions of Detention)**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of OTHER INHUMANE ACTS, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law by imposing inhumane conditions of detention on prisoners at the security centres listed below. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of other inhumane acts through inhumane conditions of detention or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for the other inhumane act of imposing inhumane conditions of detention at the following locations:

- (a) Wat Ta Meak Security Centre;
- (b) Kor (Met Sop) Security Centre;
- (c) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei;
- (d) Wat Batheay Security Centre; and
- (e) Wat Au Trakuon Security Centre.

(8) **Count 8 – Other Inhumane Acts (Enforced Disappearances)**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of OTHER INHUMANE ACTS, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, by concealing the fate of individuals who disappeared at the locations below. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of other inhumane acts through enforced disappearances or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao**

An is responsible for the other inhumane act of enforced disappearances at the following locations:

- (a) Wat Au Trakuon Security Centre and
- (b) Anlong Chrey Dam Forced Labour Site.

- (9) **Count 9 – Persecution on Political Grounds:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of PERSECUTION ON POLITICAL GROUNDS, a CRIME AGAINST HUMANITY punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of persecution on political grounds or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for persecution on political grounds at the following locations and against the following groups:

- (a) Wat Ta Meak Security Centre (against “17 April people”; Central (Old North) Zone cadres and their families and subordinates; former Lon Nol soldiers and their families; East Zone cadres; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution; through the underlying offences of imprisonment, murder, torture, and other inhumane acts (inhumane conditions of detention));
- (b) Kor (Met Sop) Security Centre (against “17 April people”; former Lon Nol soldiers and their families; Central (Old North) Zone cadres; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution; through the underlying offences of imprisonment, murder, extermination, torture, and other inhumane acts (inhumane conditions of detention));

- (c) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei (against “17 April people”, former Lon Nol soldiers and their families; Central (Old North) Zone cadres and their families and subordinates; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution, through the underlying offences of imprisonment, murder, extermination, and other inhumane acts (inhumane conditions of detention));
- (d) Kok Pring Execution Site (against “17 April people”; Lon Nol soldiers and their families; others accused of connections with the Lon Nol regime; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution; through the underlying offences of murder and extermination;
- (e) Wat Batheay Security Centre (against “17 April people”; Central (Old North) Zone cadres and their families and subordinates; East Zone people; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution; through the underlying offences of imprisonment, murder, extermination, torture and other inhumane acts (inhumane conditions of detention)); and
- (f) Wat Au Trakuon Security Centre (against “17 April people”, former Lon Nol soldiers and their families; Central (Old North) Zone cadres and their families and subordinates; other “bad elements” and “internal enemies”; and anyone suspected of disloyalty to the regime or the revolution; through the underlying offences of imprisonment, murder, extermination, torture and other inhumane acts (enforced disappearances and inhumane conditions of detention).

(10) **Count 10 – Persecution on Religious Grounds:** Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of PERSECUTION ON RELIGIOUS GROUNDS

of Cham Muslims, a CRIME AGAINST HUMANITY punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of persecution on religious grounds or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for persecution on religious grounds at the following locations:

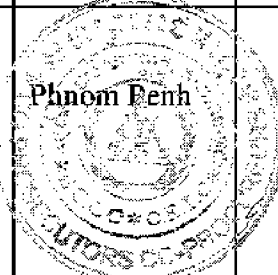

- (a) Kok Pring Execution Site (through the underlying offences of murder and extermination);
- (b) Tuol Beng Security Centre and Execution Site, and Wat Angkuonh Dei (through the underlying offences of imprisonment, murder, extermination, and other inhumane acts (inhumane conditions of detention));
- (c) Wat Batheay Security Centre (through the underlying offences of imprisonment, murder, extermination, torture and other inhumane acts (inhumane conditions of detention)); and
- (d) Wat Au Trakuon Security Centre (through the underlying offences of imprisonment, murder, extermination, and other inhumane acts (enforced disappearances and inhumane conditions of detention)).

- (11) **Count 11 – Other Inhumane Acts (Forced Marriage)**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of the OTHER INHUMANE ACT of forced marriage, a CRIME AGAINST HUMANITY punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the other inhumane act of forced marriage or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a

superior. **Ao An** is responsible for the other inhumane act of forced marriage in Prey Chhor District and Kampong Siem District.

- (12) **Count 12 – Other Inhumane Acts (Rape)**: Between his arrival in the Central Zone (in January or February 1977) and 6 January 1979, **Ao An**, acting individually and in concert with other DK and CPK authorities, and using forces under his and their control, planned, instigated, ordered, aided and abetted, and/or committed *via* a joint criminal enterprise the crime of the OTHER INHUMANE ACT of rape (occurring in the context of forced marriage), a CRIME AGAINST HUMANITY punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law. In addition, **Ao An** knew or had reason to know that his subordinates were about to commit the crime of rape or had done so and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators and is therefore responsible as a superior. **Ao An** is responsible for the other inhumane act of rape within forced marriage in Prey Chhor District and Kampong Siem District.

688. Consequently, the International Co-Prosecutor submits Case File Number 004/2/07-09-2009-ECCC/OCIJ to the Co-Investigating Judges and requests that **Ao An** be arrested and detained and brought before the Trial Chamber pursuant to Rule 68(1) provided that the grounds for provisional detention enumerated in Rule 63(3) are satisfied.

Date	Name	Place	Signature
21 August 2017	Nicholas KOUMJIAN International Co-Prosecutor	Phnom Penh 	

1 **D242** Written Record of Initial Appearance, EN 01096764; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128488.

2 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128489.

3 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128489-90.

4 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128491.

5 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128491-92 [“Dany: Can you tell the reason for your decision to join the resistance in 1970? An: The main reason was the event on 18 March 1970. His Excellency Lon Nol staged a coup against Samdech (Prince Sihanouk), while he was having his illness treated in Beijing of the People’s Republic of China: The coup by Lon Nol prevented the prince from returning to the country. So, he declared from Beijing through his appeal for his countrymen to enter the Marquis to join the resistance to have him return to the motherland. Then the mass demonstrations broke out. We all joined the resistance. The resistance at that time was led by the so-called Ta 15. Only at very later date did I learn that Ta 15 was actually Ta Mok. At that time, we did not know it was he who led the demonstrations. That’s the reason I joined the movement.”].

6 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128494-95.

7 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128496 [“Dany: Who transferred you in 1971 to manage the villagers in Kandal Stung District? An: Ta Mok did. Dany: Were you [transferred] there to be as the Secretary of Kandal Stung District? An: Yes, I was.”].

8 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128496 [“Dany: Did you then become the Commander of Division 101? An: Yes, I did. Let me explain to you briefly about the reason behind that. I was a gentleman, I was put to oversee that place thanks my predecessor by the name of Kun who was arrested by his own subordinates. I don’t know what he did wrong. His subordinates arrested him and sent him to rear. Ta Mok then sent me to take charge of the soldiers after he noted that my predecessor could no longer manage them.”]. *Note* that in the Khmer version of this statement, Ao An corrected himself and said he had mistakenly said Division 101, but he was actually commander of Division 11. *See* KH 00729793.

9 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128496.

10 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128499.

11 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128500.

12 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128500-01 [“An: His Excellency Son Sen summoned me for a meeting at the Kandal provincial hall in Takhmao. When the fighting was over, a meeting was held. In the meeting I was told that I would no longer be in charge of the military. Instead I would be in charge of the base. I had been removed from the military to resume the position since then. [...] Dara: Soon after Son Sen told you to be in charge of the base, did you prepare your luggage? What location was ‘the base’ referred to? An: Yes, I did. At the base, I was put in charge of Kandal Province. Dara: Were you in charge of the whole province of Kandal? An: I was not the only person who was in charge. There were Chea, Prak and Sean also who were on Committee. Dany: Was Kandal Province also known as Sector 25? An: Yes, it was.”].

13 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128501 [“Dany: What were you in charge of? An: I was tasked with being in charge of the districts. Dany: As a member of the Sector what district were you in charge of? An: I was in charge of Sa’ang District. Dany: Were you the Secretary of Sa’ang District? An: Yes, I was.”].

14 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A4, EN 01056215 [“Q: Did you know who was [Sector] 35 Secretary and who were the members? A: Kang Chap was the Sector Secretary; Grandfather An was his deputy”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A2 and A4, EN 01056222 [“Grandfather An was in the Sector 35 Committee with Grandfather Chap, and his office was located in Kampot Province. [...] Q: You said that Grandfather Chap was the Sector 35 Secretary and Grandfather An was the Sector 35 Deputy Secretary. What was Grandfather An in charge of? A: Grandfather An’s duty mainly focused on digging dams and canals.”]; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128503 [“Q: Who removed you from Kandal to Kampot? A: Ta Mok called me to go there. Q: Did Ta Mok assign you? A: Yes, he did. [...] I was a member [of the Sector 35 Committee].”].

15 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A7, EN 01067809 [“Q: Do you recall what Grandfather An’s position was in Sector 35? A: I knew that he was Koh Sla District Committee, but I do not know what position he held in the Sector structure.”]; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128504.

¹⁶ **D191.2** Ao An DC-Cam Statement, 1 August 2011. EN 01128505-07.

¹⁷ **D118/79** Pech Chim Written Record of Interview, 26 June 2013, A1, EN 00947188 [“I left for the Central Zone in February 1977.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009. EN 00379171 [“Then it was about in February 1977 when they transferred me to [a new position] as the chairman of the Chamkar Andaung rubber plantation union of the Central Zone”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A1, EN 00903203 [“I have known Ta An since 1977 when I was sent along with Se, Prak Yuth, Ta An, Phen and Sim to the Central Zone. [...] In February 1977, the Party decided to send us to Phnom Penh where we met Ke Pauk. Then Ke Pauk took us to Kampong Cham province and held a meeting.”]; **D6.1.651** Pech Chim Written Record of Interview, 26 August 2009, EN 00379304 and EN 00379306 [“Q: What was the date they [transferred] you to the Central Zone? A: I was transferred to the Central Zone in February 1977. Q: Are you sure that you were transferred to the Central Zone in February 1977? A: Yes, I am sure. [...] As I can recall it, I was transferred to the Central Zone on 12 February 1977.”]; **D219/702.1.99** Pech Chim, T, 22 April 2015, 09.26.28-09.31.21, EN 01418855 [describes leaving the Southwest Zone on 12 February 1977, spending the 13th in Phnom Penh and traveling to the Central Zone on 14 February 1977]. In a subsequent WRI, Pech Chim identifies the date of his transfer to the Central Zone as late 1976 or February 1976. **D118/259** Pech Chim Written Record of Interview, 19 June 2014, EN 01000672 and EN 01000687. That this is a mistake appears clearly from the timeline of his responsibilities in the Southwest Zone: he indicates that he served as the Interim Secretary of District 105 of the Southwest Zone for six months in late 1976 and early 1977. **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379170; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A4-5, EN 01088622 [“Q: Was Ta Taing arrested before or after the arrival of Ta An? A: Ta Taing disappeared before Ta An arrived. Q: How long before Ta An arrived in Prey Chhor District did Ta Taing disappear? A: It was about a week. When Aom An arrived, he became the Secretary of Sector 41.”]. Taing was arrested and entered S-21 on 18 February 1977: **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222374, Entry 1058 [Chun Chhum alias Taing, Secretary of Sector 31 (Secretary of Sector 41), North Zone, entered S-21 18 February 1977, executed 8 July 1977]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A6, EN 01056215 [“Q: In the previous interview, you said that you were sent to the Central Zone in 1977. Do you recall the exact date? A: In fact, I was sent from Kampot province to the Central Zone in January 1977.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A12, EN 01056223 [“Q: You said that you were transferred to Kampong Cham in January 1977, correct? A: Yes, I recall that I was.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A12, EN 01224103 [“Q: Did Ta [An] arrive at the end of 1977? A: Approximately early 1977, around February or March.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A5, EN 00966988 [“Q: When were the people sent there? A: We were sent there in 1976 or early 1977 after the harvesting period was over.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A26, EN 01111974 [“Taing was arrested when the Southwest Zone group arrived.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Q: Who was Ycay Yut? A: Ycay Yut was secretary of District 101, the numerical code for Kampong Siem district. She came from the Southwest-Chhluk district. She arrived in this district during the dry season in 1977 (January or February).”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A2, EN 00966996 [“Q: Do you remember the date when the Southwest Zone cadres arrived in the district of Kampong Siem? A: Yes, I remember it; they came at the end of 1976 or early 1977.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076939 [“The Southwest Zone cadres arrived in Kampong Siem District in the dry season in late 1976 or early 1977 when I was in a mobile unit in Kaoh Roka Commune.”]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064270 [“Dany: In what month were you transferred to Kampong Cham? Yut: In January 1977.”]. **Other evidence on the date of the transfer of the Southwest Zone cadres:** **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A38-39 and A87, EN 01111975 and EN 01111978 [“Q: To your knowledge, perhaps in which year did Ta An become the Secretary of the Sector? A: It was around the end of 1977. Q: Who was Ta An’s predecessor? A: His predecessor who was the Secretary of Sector 41 was Sreng. Sreng’s deputy was Taing. After the two were arrested the Southwest Zone cadres had become their successors. Ta An became the Secretary of Sector 41. [...] Q: Were the former cadres arrested immediately or after the Southwest Zone group arrived? A: Almost all the former cadres were arrested. I then saw the Southwest Zone cadres come and took control.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A152, EN 01167915 [“Southwest Zone cadres began to arrive in October or November 1977. Then Ta An arrived, but I do not remember when

he arrived.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A14, EN 01067810 [“Q: You said earlier that you saw that Grandfather was at the Sector Office for about one year before he went to work at Kampong Cham. Do you recall which year he went to Kampong Cham? A: To my recollection, Grandfather An left for Kampong Cham in April or May in 1977.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A29-30, EN 01098553 [“Q: When did you learn of Prak Yuth’s transfer to Kampong Siem? A: She was transferred there in March or April. Q: What year was she transferred? A: She was transferred there in 1977.”]; **D219/702.1.103** Pech Chim, T. 24 April 2015, 09.18.22-09.24.24, EN 01444541 [“Q: Just to be clear, what is your answer now? Did you arrive in February ’76 or in February ’77? A: I’d like to make an amendment to that statement, to 14 February 1976.”], 14.19.43-14.23.12, EN 01444600 [“if I was mistaken, then it would be from the time when I was interviewed at my home. At that time I said it was 1976 and then the people interviewing me told me it was 1977, and I insisted it was 1976, but, after all, people recorded it as 1977 and I did not protest any further. But, to my recollection, it was 1976, in February 1976.”]; **D179/1.2.5** Prak Yut, T. 26 January 2012, 11.23.38-11.25.55, EN 00774543 [“Q: So it was sometime between February and April 1977 that you transferred to Kampong Siem district: is that correct? A: Yes, it is.”].

18 At the time of the transfer, the zone was still referred to as the North Zone. It was “revamped and renamed” as the Central Zone sometime in mid-1977. For ease of reference, the DK zone comprising Sectors 41, 42, and 43 will be referred to solely as the “Central Zone” throughout the remainder of this brief, regardless of whether it was formally called the North Zone or the Central Zone at the relevant time. See **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 01150176 [“In mid-1977, the Northern Zone was revamped and renamed the Central Zone.”].

19 **D219/702.1.87** You Vann, T. 14 January 2016, 13.57.20-14.01.33, EN 01438488 [accepting the accuracy of the number in her statement] [“Q: And how many people made the trip with you from Kampot to Kampong Cham province? A: Ta Mok and Prak Yut also joined the trip. There were many people; I cannot remember how many people joined the trip at that time.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“At that time the Southwest forces of about 100 cadres led by Kang Chap alias Se (dead), who was then the Sector secretary in Kampot, went to work in the Central Zone. [...] The cadres who were transferred to the Central Zone along with me included my 12 messengers and Ta An [...] Q: Did you know Grandma Yuth? A: I knew Grandma Yuth because she used to work with Se and Ta An. These persons used to live in Kampot together. I met with Grandma Yuth once at the time she was the women representative in Chhouk district. At present I do not know whether Grandma Yuth is dead or still alive. Q: Among those 100 cadres, where in the Southwest Zone did they come from? A: Among those 100 cadres, most were from Takeo and Kampot provinces.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A1, EN 00903203 [“I have known Ta An since 1977 when I was sent along with Se, Prak Yuth, Ta An, Phen and Sim to the Central Zone. [...] In February 1977, the Party decided to send us to Phnom Penh where we met Ke Pauk. Then Ke Pauk took us to Kampong Cham province and held a meeting.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A13, EN 01224103 [“Q: Did Ta An come alone, or did he come in a group? A: He came in a group with the chairmen, deputies, and military chairmen assigned to come along.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“At that time the Southwest forces of about 100 cadres led by Kang Chap alias Se (dead), who was then the Sector secretary in Kampot, went to work in the Central Zone.”]; **D219/731** Nhem Chen Record of Interview, 15 March 2016, A12, EN 01224103 [“Q: Did Ta [An] arrive at the end of 1977? A: Approximately early 1977, around February or March.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A5-6, EN 00966988 [“Q: When were the people sent there? A: We were sent there in 1976 or early 1977 after the harvesting period was over. Q: How many people were sent with you? A: There were around 200 people sent to the Central Zone at the time.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A36, EN 01059280 [“About 300 people were sent from the Southwest Zone including Kampot Province, Takeo Province, and Koh Kong Province to the Central Zone.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172; **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A169-173, EN 01000687; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A15, EN 01067810 [“Q: Was only Grandfather sent to the Central Zone or were many people sent there? A: I recall that at that time they sent many people, both military cadres and base cadres.”]; **D117/27** Deu Ran alias Phea Written Record of Interview, 26 September 2013, A1, EN 00977413 [“I was still working in the sewing section until 1977, when Prak Yut was transferred to work in the Central Zone. She took me along with her. I

cannot remember exactly, but it was in 1977. We were transported by Chinese military trucks. I neither know how many trucks there were nor how many people travelled in total. However, I do remember that there were nine people on the truck with me including Prak Yut, her mother and her other relatives such as Van, Voeun, Rom, Rin, Moeun and her aunt, whose name I do not remember.”]; **D117/24** Peou [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A4-5, EN 00966962 [“In 1977, during the dry season, Prak Yut was sent to the Central Zone. She was permitted to take a few people with her. So she selected me, my mother, my younger sister, and three other women named Voeun, Phea and Nun.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A2-3, EN 00977331-32 [“Actually, there were many cadres sent from the Southwest Zone to the Central Zone. At that time it was in the dry season of 1977, around March. We were transported by covered trucks. As I remember, there were 10 trucks with around 100 people in them. I was on a truck with Prak Yut, her mother and her aunt, her niece named Rom, and two other young girls named Vocun and Phea: [...] I remember that Ta An was on another truck.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A36, EN 01059280 [“About 300 people were sent from the Southwest Zone including Kampot Province, Takeo Province, and Koh Kong Province to the Central Zone.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A4-8, EN 00966988 [“Q: Could you explain the reasons why you were sent to the Central Zone? A: Ta Mok and Ta Chab decided to send the people from Kampot Province to the Central Zone. [...] That took place in late 1976 or early 1977 after the harvesting period was over. [...] There were around 200 people sent to the Central Zone at the time. [...] We went there by land route. There were four big military trucks and three military cars for the chiefs at the time. Q: Who were the chiefs? A: Ta An was in a military car with his colleagues. Ta Si and Prak Yut were in two other cars with their respective colleagues as well.”]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064278 [“Dany: You moved to Kampong Cham in January 1977? Yut: He also went there. Dany: You went to Kampong Cham alone? Yut: I went with my relatives and my parents. Dany: Your relatives, aunts and husband? Yut: Yes, all of them went. Dany: How about the other cadres who worked with you in the district? Yut: No, they did not go with me. I went with my relatives only. I was the first to go there.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366620 [“The Southwest Zone cadres came to supervise there. It was around 1977.”], EN 01366624 [“Dany: According to your memory, who was the first person who came to Sector 41? Nha: Ta An was the one who came to Sector 41.”].

20 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A1, A3, and A10, EN 01056222-23 [“I knew Grandfather An since I was in Kampot province. [...] During that time, I worked under control of Grandfather An and Grandfather Chap. In 1975, I was appointed as Assistant to Kampot District Secretary. I was still under control of Grandfather An and Grandfather Chap who were in the Sector 35 Committee [...] Q: Is that correct that you worked under Grandfather An who was in charge of construction of dams and canals? A: Yes, that is correct.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 13.55.44-13.57.20, EN 01194228 [Prak Yut and Ta Mok knew each other well from the Southwest Zone: “their relationship was like father and child.”], EN 01438486-87 [“Yes, they knew each other because they were in Southwest Zone. [...] so their relationship was like a father and a child, but they worked daily as assigned by the rule of the state.”], 14.16.44-14.19.31, EN 01194235-36 [“Q: Did you know him prior to your arrival in Kampong Cham district; in other words, did you know him when you lived in the Southwest Zone? A: Yes, I knew him because we travelled together and later on he was appointed chief of security.”].

21 **D219/702.1.87** You Vann, T. 14 January 2016, 13.57.20-13.59.01, EN 01438487 [“Ta Mok and Prak Yut and Ta Chap. They instructed us to move to become a messenger in Kampong Cham province.”]; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025311 [“Dara: You were transferred to Kampong Cham. Why were you transferred to Kampong Cham? An: Ah, it is difficult to speak about that. Dara: Was it a plan or anything else? An: It was Ta Mok’s decision. Dara: Was there anything in Kampong Cham which prompted them to transfer you there? An: They said that they sent me to Kampong Cham because all the leaders there had become traitors. Dany: Who said that at that time? An: Ta Mok did.”].

22 **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064281 [“Dany: Were they friendly with you? Yut: It was okay. They were friendly since the letter of mission had already arrived there. Dany: Did you carry the letter? Yut: We had to carry the letter of mission issued from our original area of residence. Dany: You carried the letter or the receiving place had had it already? Yut: The letter had already been sent. Dany: You just carried it to identify yourselves coming from here? Yut: They had already known about our departure. They had already prepared food for us. Dany: Had you read the letter of mission? Yut: No, I had

not read it. The upper level had already sent it out. Dany: Did you carry the letter of mission when you went there? Yut: No, the letter had already sent in advance.”]

23 **D219/702.1.95** Prak Yut, T. 19 January 2016, 13.54.34-13.56.29, EN 01441067 [“We left Kampot and then we stopped over in Phnom Penh. And we stopped at a location that belongs to the Central Zone and I spent overnight there. [...] I spent overnight at a location of the Central Zone in Phnom Penh before we continued our journey to Kampong Cham.”]; **D6.1.730** Prak Yut Written Record of Interview, 21 July 2009, EN 00364081 [“I was taken by Leap to the Central Zone office in Phnom Penh.”]

24 **D118/79** Pech Chim Written Record of Interview, 26 June 2013, A2-5, EN 00947188 [“Q: Do you remember those Southwest cadres who were with you in Phnom Penh? A: I remember only Sae who was a deputy Secretary to Ta Mok. Q: Were there any Southwest cadres from Koh Andaet attending a study session with you in Phnom Penh? A: Yes, they were An, Sim, Phaen from Sector 13. He was a deputy Secretary of Saom. [...] All cadres who were with me in Phnom Penh were assigned to work in the Central Zone.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379173 [“The Sector secretary named Soam who personally told me in the Southwest Zone [about my transfer]. It might be the Centre who prepared a house and meals in Phnom Penh for the cadres from the Southwest Zone to stay when they were sent to work [in the Central Zone]. The cadres from the Southwest Zone stayed in Phnom Penh for 2 days [before they left for the Central]. At that time Ke Pauk came [to the house] to hold a meeting and told us where we would be assigned to. He then led us directly to the Central Zone. The house in Phnom Penh, where those cadres from the Southwest Zone were staying, was a guest house located in an area north of the Olympic Stadium.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 14.01.33-14.02.52, EN 01438489 [“We took rest in Phnom Penh, but I cannot recall the exact location. We stopped at a university or something and we stayed there overnight.”]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A14, EN 01056216 [“we took a rest overnight in Phnom Penh before continue our trip to Kampong Cham.”]; **D117/27** Deu Ran alias Phca Written Record of Interview, 26 September 2013, A1, EN 00977414 [“At first, we laid over in Phnom Penh for three nights; then we travelled to Kampong Siem.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A5, EN 00977332 [“We left Kampot and laid over in Phnom Penh for two nights”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A12, EN 00966989 [“Well, we travelled from Kampot to Phnom Penh and we spent a night staying at a primary school in Phnom Penh”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A36, EN 01059280 [“We stayed one night in Phnom Penh on the campus of a university whose name I do not remember. Prak Yut and the other 10 cadres attended a meeting with Ta Mok and Khieu Samphan”]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064278-79 [“Dany: Did you go there from Kampot? Yut: I left Kampot and slept in Phnom Penh. [...] Dany: So you travelled by truck from Kampot and stayed in Phnom Penh for two nights? Yut: Two nights.”]

25 **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A142, EN 01000684 [“Q: You said that the problem started to occur in 1977. Did you know Ta Mok starting travelling to other zones? A: Ta Mok started to travel to other zones when other cadres were transferred to the Northwest Zone. Ta Mok led the forces to the Northwest and returned. After that he sent the forces to the Central Zone. He took me to Phnom Penh and had me travel to Kampong Cham with Ke Pauk; he did not go there.”]

26 **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379173 [“The cadres from the Southwest Zone stayed in Phnom Penh for 2 days [before they left for the Central]. At that time Ke Pauk came [to the house] to hold a meeting and told us where we would be assigned to. He then led us directly to the Central Zone.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A1, EN 00903203 [“In February 1977, the Party decided to send us to Phnom Penh where we met Ke Pauk. Then Ke Pauk took us to Kampong Cham province and held a meeting.”]

27 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025311 [“Dara: You were transferred to Kampong Cham. Why were you transferred to Kampong Cham? An: Ah, it is difficult to speak about that. Dara: Was it a plan or anything else? An: It was Ta Mok’s decision. Dara: Was there anything in Kampong Cham which prompted them to transfer you there? An: They said that they sent me to Kampong Cham because all the leaders there had become traitors. Dany: Who said that at that time? An: Ta Mok did.”]

28 **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335737 [“Dany: What was your guess back then as to the reason why the Southwest came to rule over Kampong Cham, whether according to what you knew or deduced about this matter? Ngov: I don’t have an in-depth understanding. I can only say that when they formed up the forces to go, they had a dissemination meeting, at

which they said it was because over there in the Central Zone, which at that time they called the North, there was really a lot of treason, from the higher levels down to the lower levels, so it was necessary to take forces to go and make things shipshape.”] Chom Vong traveled to the Central Zone later than the first large group, but it is clear from the context of this answer that he is discussing a meeting that occurred before the departure of the first large group. *See contra* D219/792.1.2 Prak Yut, T. 20 January 2016, 11.32.30-11.34.34, EN 01438657 [“And I did not know whether the cadres on the ground in the Central Zone were treasonous because that issue was not heard by the time of our arrival in the Central Zone, although you may refer to it as the North Zone.”].

29 **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“The reason they transferred me to take the position as the chairman of the rubber plantation union of the Central Zone was because there was the internal betrayal within the Central Zone; and I found out about that after I arrived at the base office of the Central Zone in Phnom Penh. At that time comrade Pauk came and told me ‘you, comrade has to go to the Central Zone’. I met with Ke Pauk in Phnom Penh when he came to the house where I was staying and told me about this matter.”]. *See also* D6.1.650 Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“When I arrived at the rubber plantation I saw the situation there was quiet. So, I asked Ke Pauk where the cadres of the rubber plantation union were. At that time Ke Pauk responded that his forces in the Central Zone had defected into Yuon [Vietnam]. I did not know whether what he had said was referred to the cadres of the entire Central Zone or not; but I thought his reference was characterized as a generalization. Those cadres defected in to the jungle and disappeared because they had been accused of being the traitors (Ke Pauk personally told me about this).”].

30 **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A60-63, EN 01000674; **D219/138** You Vann Written Record of Interview, 8 January 2015, A36, EN 01059280 [“Prak Yut and the other 10 cadres attended a meeting with Ta Mok and Khieu Samphan. I know that because Ta Mok came to pick them up for the meeting by car, and they returned that night.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A62, EN 01063619 [“Q: Did you know about a meeting held in Phnom Penh before they sent you and other cadres to the Central Zone? A: Yes, I knew that before we were sent to the Central Zone, there was a meeting with presence of Grandfather An, Grandfather Chap and Ke Pauk. I did not attend that meeting because I was a low-ranking cadre. They did not have me attend. Perhaps they discussed the reasons why they sent us to the Central Zone, in that meeting.”]; **D219/702.1.99** Pech Chim, T. 22 April 2015, 15.25.02-15.27.39, EN 01418921 [“where short instructions on work directions were given in order to re-organise the sector because the former district officials had escaped into the forest.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 14.12.31-14.15.50, EN 01441075 [“Concerning the meeting in Phnom Penh, I heard and I knew about the meeting. However, at the time I held no important position that allowed me to attend the meeting. I was the fourth member of the committee in Kampot. I saw those people. We were there altogether. Ta Chim was also there but I did not attend the meeting. I have heard of the meeting held in Phnom Penh but I was not aware about the subject matters to be discussed in that so-called meeting.”]. *See also* **D219/702.1.87** You Vann, T. 14 January 2016, 14.02.52-14.05.15, EN 01438489-90 [“Q: Do you remember hearing anything about a meeting that took place, not that you attended but that you heard about, during the time you were in Phnom Penh? A: Yes. Prak Yut, Ta An, Ta Mok, and Ta Chap attended the meeting while I stayed at the school. Q: And do you know who they met with? A: It is my understanding only that they went to meet with Khieu Samphan. Q: And [...] what is that understanding based on; why do you believe that they met with Khieu Samphan? A: Because they went to attend that meeting and when they came, they said that Khieu Samphan would come in the morning to meet us. So I knew that that was the result of their meeting with him.”].

31 **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A61-70, EN 01000674-75 [“A: Before I reached Kampong Cham, I went to attend a meeting in Phnom Penh. Ke Pauk came to meet Ta Mok and me. After that, Ta Mok and Ke Pauk went to meet Pol Pot. I was waiting at Tuol Preah Srey School which was the office of the ministry, located near Preah Put Pagoda, but I do not recall what the ministry it was. During that time, I was waiting to attend a meeting on situations in the zones. It was the meeting of high ranking cadres; there was presence of people. The meeting lasted approximately one hour or more than one hour and covered many issues. Q: How many participants were there during the meeting at Tuol Preah Srey School? A: There were approximately 50 to 60 participants. [...] Q: What plans were received from the upper echelon? A: The meeting was held to receive work assignment. As for me, I was assigned to work at a rubber plantation in Kampong Cham to organize cooperatives there. Other people were assigned with different tasks.

During the meeting, Pol Pot said about betrayal in the zones, and it was also written on blackboards. Q: You said that Pol Pot mentioned the betrayal in the zones. Did Pol Pot say about purges in the zones and organizing new structures? A: Pol Pot did not use the word 'purges'. He said that 'this zone is traitorous; [I] assign you, Comrade, to go! You are [my] right-hand man, deal with it. Can you do it?'. The leader said like this. [...] Q: Before we had the lunch break, we discussed about the meeting in Phnom Penh, which you were present. I would like to ask you if Ta An was present during the meeting. A: Yes. Ta An was also present. All the people transferred to the Central Zone participated in that meeting."]; **D219/702.1.99** Pech Chim, T. 22 April 2015, 15.25.02-15.27.39, EN 01418921 ["where short instructions on work directions were given in order to re-organise the sector because the former district officials had escaped into the forest"]; **D219/702.1.99** Pech Chim, T. 22 April 2015, 15.32.07-15.38.39, EN 01418925 ["Only Pol Pot spoke at that meeting. And he simply said that there were traitors in the Central Zone and they'd all gone into the forest. He said, 'Now, we turn you all into cadres and we rely on our male and female combatants to do this difficult piece of work. You can imagine how difficult it is, but we have to make efforts to smooth difficulties out of our way and the Party has already given us the task, so we have to accomplish the task assigned'. That was the direction. Other senior officials did not make any comments. [...] The first bullet point was to control the situation."].

³² **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A24, EN 01098553 ["Q: Concerning the Southwest Zone cadres who came to the Central Zone, do you know why they came to the Central Zone? A: No, I don't. But I heard they were ordered here to kill the people. Already, when I arrived here, some relatives of mine had been killed."].

³³ **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A15, EN 01056224 ["We met in a meeting in Kampong Cham with Ke Pauk."]; **D117/70** Prak Yut Written Record of Interview, A16, EN 01056216 ["They had me stay at Ke Pauk's Zone Office in Kampong Cham."]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A5, EN 00966962 ["Q: Do you remember how you travelled to the Central Zone and where you went? A: I travelled together with them by truck to Kampong Cham. I remember that Prak Yut's mother also came with us."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A5, EN 00977332 ["Then we travelled to Kampong Cham, laying over there for two nights"]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064280-81 ["Dany: When you arrived in Kampong Cham, where did you stay? Yut: I stayed at their Zone headquarters. Dany: Was the Zone headquarters located in Kampong Cham? Yut: Yes, it was located in the town centre. Dany: Did you stay there for long [before the meeting was held]? Yut: I had stayed there for four to five days before we met."]. **Evidence of Ke Pauk's position as Central Zone Secretary:** **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A45, EN 01067817 ["I just heard that Grandfather Ke Pauk was the Zone Secretary, but I never saw him."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309916-17 ["Dany: How about the Zone Com? Saren: I also do not know about the Zone Com. What did they say his name was back then? Ta Pok? Dany: Ta Pok? Saren: But I don't know for certain. Dany: So, you heard the name Ta Pok? Saren: Yes! The Zone Chairperson; Back then, it was the North Zone."]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 ["I heard that Ta An served as secretary of Sector 41 and Ke Pauk as Zone secretary."]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A2, EN 00900988 ["Ke Pauk was the secretary of the Central Zone."]; **D6.1.980** Saray Hean Written Record of Interview, 10 March 2010, A5, EN 00491735 ["The Zone secretary was Ke Pauk."]; **D219/353** Saray Hean Written Record of Interview, 22 May 2015, A3, EN 01117710 ["Ke Pauk was the Zone Secretary."]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064282 ["Ta Pauk was Chairman of the Central Zone."]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A48, EN 01373688 ["I heard that Ta Pauk served as a zone secretary, but I never saw him."]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A17, EN 00966990 ["Ke Pauk was the Secretary of Central Zone."]. **Evidence of the location of Ke Pauk's office in Kampong Cham town:** **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 ["The Zone Office of Ke Pauk was within Kampong Cham city, now the residence of Provincial Governor Hun Neng. That house originally belonged to timber merchant Ing Chhaymanv"]; **D219/789** Chhean Chhoeurn Written Record of Interview, 28 June 2016, A44-45, EN 01331698-99 ["Q: Did you see Ke Pauk coming to work every day at his office? A: At that time, he mostly he did things at the central operations office. Q: Where was the central operations office situated? A: It was in Kampong Cham, in the vicinity of his house."];

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D117/20 Lim Seng Written Record of Interview, 5 March 2013, A2, EN 00900988 [“Ke Pauk was the secretary of the Central Zone. His center was in the provincial town of Kampong Cham.”].

D117/71 Prak Yut Written Record of Interview, 19 June 2013, A17-18, EN 01056224 [“Q: How long did the meeting with Ke Pauk last? A: The meeting in Kampong Cham province lasted three days. Ke Pauk called all Central Zone cadres to attend the meeting. He told us, the cadres from the Southwest Zone, the places we were going to take over. [...] There were approximately 50 cadres, both old cadres and the cadres from the Southwest Zone, participating in the meeting.”]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A18-23, EN 01056216-17 [“Two days after I arrived there, Ke Pauk came to have a conversation with my group. [...] Q: Do you recall a big meeting that lasted two days, chaired by Ke Pauk, in which Ke Pau[k] assigned cadres to take over the sectors and districts in the Central Zone? A: Yes, I do. [...] Q: Do you recall attending that meeting [...]? A: Yes, I do. [...] I only recall the cadres in Sector 41. Grandfather An was the Secretary.”]; **D6.1.730** Prak Yut Written Record of Interview, 21 July 2009, EN 00364081 [“When I arrived in Kampong Cham, Ke Pauk, the Central Zone chairman, called me to attend a meeting. With a list of whom to be assigned to various districts, he assigned me to work in the district.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A39, EN 01059281 [“when we arrived in Kampong Cham that night, Prak Yut and other high ranking people went to attend a meeting, but I did not know what the meeting was about.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A12, EN 00966989 [“Later, we travelled to Kampong Cham where we stayed for two to three nights. There was a big meeting in Kampong Cham among the chiefs but I did not join the meeting because I held just a low-ranking position.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A7, EN 00966963 [“I did not attend the meeting, but later Prak Yut told us that Ta An was appointed to be the Chief of Sector 41 and that we were all instructed to work in Sector 41.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A1, EN 00903203 [“In February 1977, the Party decided to send us to Phnom Penh where we met Ke Pauk. Then Ke Pauk took us to Kampong Cham province and held a meeting. During the meeting, Ke Pauk announced that Se was the First Deputy in charge of economy in Siem Reap Sector (the North Zone) and Ta An was assigned as Sector 41 Secretary and Ke Pauk’s Second Deputy. Phen was assigned as Sector 43 Secretary and Sim was assigned as Sector 42 Secretary.”]; **D179/1.2.5** Prak Yut, T, 26 January 2012, 15.44.07-15.45.15, EN 00774598 [“Q: When you were in Kampong Cham, did you have any meetings with the district committee there? A: At the beginning, I was called to a meeting chaired by the zone committee.”]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064283 [“Yut: The Zone level chaired the meeting. [...] Dany: Did you know your destination before you were sent there? Or did you know you were about to be sent to Kampong Siem District? Yut: No, I did not know that. Dany: You did not know until Ta Pork announced it, right? Yut: The Zone Committee announced our designated places to go such as Kampong Siem, Kang Meas or other areas. Dany: Who was on the Sector Committee? Had Ta An already gone there? Yut: Ta An had already gone there. He was Chief of Sector 41. Dany: He had gone there before you did? Yut: He went there after me, but he attended the meeting on that day as well.”]. See also **D219/702.1.99** Pech Chim, T, 22 April 2015, 15.27.39-15.30.07, EN 01418921 [“The next day, Bong Pauk took us to Kampong Cham where we spent two nights. And in the following morning, he summoned people to a conference during which he briefly informed them of the situation. So the district cadres, as well as the commune cadres from the Central Zone, came to this meeting, where he, Ke Pauk, allocated the responsibility to all districts. And then after the meeting was concluded, he assigned me to the rubber plantation as requested.”]. **Other evidence that Ao An was the Sector 41 Secretary:** **D117/18** Pech Chim Written Record of Interview, 28 February 2013, EN 00903203; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025312 and EN 01025328 [“Dany: Since you were there, you did not see Taing who was the secretary of Sector 41? An: He had already been removed. Dara: When you were transferred to Kampong Cham, what Sector were you assigned to take charge of? An: Sector 41. Dara: You took over Sector 41? Did you replace Taing? An: Yes, I replaced [...] Taing because Taing had already been removed.”]; **D219/702.1.87** You Vann, T, 14 January 2016, 14.09.56-14.12.13, EN 01438492 [“Q: [...] focusing on Sector 41, can you tell us who the sector’s secretary was? A: It was Ta An.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A30, EN 01179824 [“An, who was Sector Committee.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A18, EN 01331755 [“At that time, the Sector Com’s given name was Ta An, but I do not know his surname.”]; **D219/788** Khut Saret Written Record of Interview, 27 June 2016, A9-10, EN 01331682 [“Q: Can you recall who was ruling over the sector office when you were working at the new location? [...] A: I only know the big one: Ta An.”]; **D219/315** Sat Pheap Written Record of Interview,

18 May 2015, A27, EN 01111974 ["When the Southwest Zone group arrived, a new Sector Secretary by the name of Ta An was installed.": **D219/226** Penh Va Written Record of Interview, 11 March 2015, A5, EN 01088622 ["When Aom An arrived, he became the Secretary of Sector 41.": **D219/498** Penh Va Written Record of Interview, 7 September 2015, A20, EN 01156191 ["Ke Pauk was Zone Committee: he administered Sector 41, 42, 43 and Siem Reap Province, all of which were under the North Zone. Ta An had to report to Ke Pauk, but I do not know what relation he had with Sectors 42 and 43. I just know that Ta An was Sector 41 Committee.": **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A61, EN 01331721 ["Q: Please clarify this point. Please tell us the names of the Sector Chairperson and all the members of the Sector Com. A: The chairperson's name was Ta An. And Aun was Office Chairperson, put in charge by the Sector Com as next in line after Ta An.": **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309862 ["When I [came] to the Sector, I knew the Sector Com named Ta An, but surname what An, I don't know. [...] Dany: So, when you went to Sector 41, you knew Sector Com Ta An? Saren: Yes, Ta An. Dany: Was he the biggest person there? Saren: In the Sector Com, Ta An, he was the biggest.": **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A18, EN 01067811 ["During that time, Grandfather An was the Sector 41 Secretary.": **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335721 ["Dany: Ta An was Sector 41 Com, is that right? Ngov: Yes. Dany: Who was his deputy? Ngov: The deputy was Ta Sim.": **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A27, EN 00787227 ["When Ke Pauk was absent, his deputy, Ta An, who was also the Sector secretary, was in charge. Ta An became the secretary of Sector 41 after Sreng, the former Sector secretary, had been arrested.": **D117/50** Im Pon Written Record of Interview, 23 May 2014, A29, EN 01059866 ["Q: To help us understand this point clearly, can you confirm that Ta An was in fact Sector 41 Secretary in the Central Zone led by Ke Pok? A: Yes, yes.": **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 ["I heard that Ta An served as secretary of Sector 41 and Ke Pauk as Zone secretary.": **D117/26** Put Kol Written Record of Interview, 25 September 2013, A4, EN 00977332 ["Ta An was a cadre in Sector 35; later on he was secretary of Sector 41 in the Central Zone.": **D117/31** You Vann Written Record of Interview, 11 November 2013, A12, EN 00966989 ["Ta An stayed in Prey Chhor and he was the secretary of Sector 41.": **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A12, EN 00967611 ["I heard that Ta An was the Chief of Sector 41.": **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A12, EN 01040461 ["I heard that Ta An was the sector secretary [of Sector 41], but I never saw him.": **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A7, EN 00966963 ["I did not attend the meeting, but later Prak Yut told us that Ta An was appointed to be the Chief of Sector 41 and that we were all instructed to work in Sector 41.": A34, EN 00966967 ["Q: Did you know what Ta An's position at the sector and zone levels was? A: I knew that he was the Secretary of Sector 41, but I did not know what position he held at the zone level.": **D219/138** You Vann Written Record of Interview, 8 January 2015, A23 and A35, EN 01059277-80 ["Ta An was Sector 41 Secretary, and he was stationed in Prey Totueng. He was also Prey Chhor District Committee. [...] I know that Ta An was Sector Secretary and the Prey Totueng District Committee because he announced it himself. [...] His official position, as addressed on envelopes, was Sector 41 Chief.": **D219/702.1.87** You Vann, T. 14 January 2016, 14.09.56-14.12.13, EN 01438492-93 ["Q: And so focusing on Sector 41, can you tell us who the sector's secretary was? A: It was Ta An [...] He was at the Prey Totueng district office. [...] Actually, at Prey Totueng, the offices of the district and the sector remained at the same location. [...] Prey Chhor refer[s] to the same location as Prey Totueng.": **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A4, EN 00900988 ["I still remember that Ta An was the secretary of Sector 41, Oeun who was my elder brother was the secretary of Sector 42, and Chan was the secretary of Sector 43.": **D117/26** Put Kol Written Record of Interview, 25 September 2013, A4, EN 00977332 ["Ta An was a cadre in Sector 35; later on he was secretary of Sector 41 in the Central Zone.": **D219/485** Tep Pauch Written Record of Interview, 28 August 2015, A2, EN 01151277 ["At that time [Ao An] was already Sector 41 Committee.": **D6.1.980** Saray Hean Written Record of Interview, 10 March 2010, A6, EN 00491735 ["Q: What were the names of the composed leadership in Sector 41? A: In Sector 41 there was comrade An.": **D219/355** Ban Seak Written Record of Interview, 26 May 2015, A9, EN 01116324 ["I knew [Ao An] when he was in the position of Sector 41 Secretary, I just knew that he was responsible for the sector.": **D117/35** Ban Seak Written Record of Interview, 24 March 2014, A13, EN 00984873 ["The Central Zone consisted of three Sectors: Sector 41 (Kampong Siem), with An as Sector Secretary (An was a Southwest person)": **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A18-21, EN 01098552-53 ["Q: When you saw Ta An,

did you know his rank? A: No, I didn't. But when at the district office I heard Ta An was in charge of this sector. Q: From whom did you hear Ta An's position? A: I heard from Prak Yuth. Her husband and Ta An were co-workers. [...] I heard Ta An was in charge of the sector. My elder brother, [Yut's husband], worked with him. He told me no one was more superior than Ta An."]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A87, EN 01373691 ["I knew only Ta An who was the highest-ranking cadre."]; Ao An's predecessor Taing was arrested and entered S-21 on 18 February 1977: **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222374, Entry 1058. Ao An remained as Sector 41 Secretary until the Vietnamese invasion in 1979: **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025320 ["Dara: Until when were you at Sector 41 to build the 1 January Dam and the 6 January Dam? An: I was there until 1979. I fled when the Royal Government attacked."].

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D117/50 Im Pon Written Record of Interview, 23 May 2014, A29-32, EN 01059866-67 ["Ta An was the deputy. He was Ta Pok's deputy at the Zone. Q: Was he also a member of the Central Zone Committee? A: Yes. [...] Q: How did you know that Ta An was Ke Pok's Deputy Secretary? A: Because he worked in Ta Pok's behalf when Ta Pok was absent. [...] he always joined the meetings, and when the Zone Committee was absent, he managed the work."]; A75, EN 01059875 ["Ta An was Zone Deputy. He travelled either when Ta Pok ordered him or when Ta Pok was absent."]; A79, EN 01059875 ["Q: As you observed and went with Ta An, sometimes he went to the districts or other sectors in order to oversee the work or to join meetings as Zone Deputy when Ke Pok was absent or when Ke Pok ordered him to work. Is that right? A: Yes."]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366574 ["Dany: Did Ta An ever go to attend meetings at the Zone level? Pon: Yes. He went. Dany: He went to the zone's meetings, too? Pon: Yes. Dany: Where was the zone located at that time? Pon: It was in Kampong Cham, in Kampong Cham town."]; EN 01366575 ["Dany: Was Ke Pok the zone secretary? Pon: Yes. Dany: How about the deputy? Pon: That's Ta An."]; EN 01366577 ["Dany: While you were his driver did you often take him to the zone's meetings? Pon: That's was exactly the Central Zone. Dany: Yes! Went to meetings very often? Pon: Yes!"]; EN 01366591 ["The sectors were different. But, Ta An was the Zone deputy at that time. [...] So the Zone deputy could travel to sectors and anywhere he wanted."]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A11-12, EN 00900989 ["Q: When Ke Pauk went to work outside the Zone, did he assign any deputy to take care of the affairs in the Zone for him? A: I did not know. Q: During the time Ke Pauk was absent from the Zone, was it possible that Ta An, who was a senior cadre, would travel to the different Sectors like Sectors 42 and 43 to make any decision on the Sectors' matters? A: Because Ta An was the most senior cadre, I thought, it was possible that he was in charge of that. But I did not recall any specific event which took place during that time."]; **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A22-26, EN 01309793-94 ["Q: To be clear, I would like to clarify whether, at the congress, Ke Pork announced that when he was absent, a Sector Secretary was to be appointed to replace him as Central Zone Secretary; is that correct? A: That was just an acting arrangement when he was absent. For example, when Bang Pork was absent, he had Bang An be his replacement. Q: Did he specify the name? A: That of Bang An, Comrade An. Q: Did he mention other names? A: No. Only An. Q: Did Ta An say anything at the congress? A: They appointed him; he did not say anything. He [Ke Pauk] said, when he was not around, it would be Bang An. Everyone clapped their hands in recognition. Q: So, everyone clapped their hands to congratulate that when he [Ke Pauk] was absent, Bang An was to be his replacement, right? A: Yes."]; **D117/35** Ban Seak Written Record of Interview, 24 March 2014, A15, EN 00984873 ["To my knowledge, Ta An was deputy to Ke Pork on the Standing Zone Committee, whereas Oeun and Sim were Members."]; **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A162 and A165, EN 01000686 ["Ta An was the deputy of Ke Pauk [...] Q: Grandfather An was Ke Pauk's deputy. Was Ta An in charge of all tasks or specific tasks? A: Ta An was the Deputy [Chairman] of the Central Zone. His primary position was the Sector 41 Chairman, and his core position was the Sector Secretary. Ke Pauk was in charge of the Zone Office where people were working."]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A34 and A37, EN 01373687 ["Q: How did you know that Ta An was the zone deputy secretary? A: I knew it because he used to conduct the meetings at dam worksite of the sector. [...] Q: During the meeting, what made you believe that Ta An was a zone deputy chief? For example, did he say that he was the zone deputy chief? A: I heard it from the unit chief, he said that Ta An was the Zone Deputy Chief."]; **D1.3.15.2** Timothy Carney, *The Organisation of Power*, in book by Karl Jackson, ed. entitled *Cambodia 1975-1978 Rendez Vous with Death*, EN 00105151-52 [indicating that Ao An's position as Deputy Secretary of the Central Zone was announced on Radio Phnom Penh]. See also **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025313 and EN 01025327;

D219/353 Saray Hean Written Record of Interview, 22 May 2015, A3-5, EN 01117710 [“Ta An was Sector 41 Secretary, and Sim was Sector 43 Secretary. They both were members of the Zone Committee. [...] Concerning work responsibility, I knew that when the Zone Secretary was absent, a zone committee member below the secretary would be in charge. Q: Did you know if Ta An was the first member on the zone committee? Was he in charge of zone tasks when Ke Pauk was absent? A: I didn’t know this personally.”]; **D219/355** Ban Seak Written Record of Interview, 26 May 2015, A9, EN 01116324 [“I knew [Ao An] when he was in the position of Sector 41 Secretary. I just knew that he was responsible for the sector and was on the zone permanent committee He was also a deputy of Ke Pauk.”]; **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A208, EN 01000692 [“Ta An had higher position than me because he was the Deputy Chairman of the Zone, in charge of the sector, but Ta An did not have authority over my rubber plantation. Ke Pauk, the Zone Chairman, was in charge of the zone as a whole, including my rubber plantation.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A1, EN 00903203 [“During the meeting, Ke Pauk announced that Se was the First Deputy in charge of economy in Siem Reap Sector (the North Zone) and Ta An was assigned as Sector 41 Secretary and Ke Pauk’s Second Deputy.”]. *See contra* **D117/19** Tep Pauch Written Record of Interview, 4 March 2013, A12 and A14, EN 00901045-46 [“Q: Did you know if Ke Pauk had his deputy? A: As far as I knew, Sim was one of his deputies and Chan, who was Sector 43 Secretary, was also another deputy of his. [...] Q: Did you know a person called Grandfather An? A: No, I never heard of this name. I never met him in my district either.”]; **D117/35** Ban Seak Written Record of Interview, 24 March 2014, A65, EN 00984882 [“Q: Was Ta An-Sector 41 Secretary-authorized to enter Sector 42 or Sector 43 to arrest people and take them away to be killed? A: To my knowledge, he could not have done that.”]; **D107/15** Ban Seak Written Record of Interview, 1 April 2012, EN 00841966 [“Q: When Ke Pauk was absent or on mission outside the zone, who was in charge in his place? A: The person who could replace him during his absence was only his office chief, Mocun, a niece of Ke Pauk. Mocun died in 1993 or 1994.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“Kang Chap later became Ke Pauk[’s] deputy in the Central Zone.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A3-5, EN 00903203-04 [“Q: Do you recall as Ke Pauk’s Deputy what duties did Ta An have? As Ke Pauk’s Deputy, did he have authorities to make decisions? A: To my knowledge, Ta An just held the position as the Deputy Zone Secretary, but he did not have power to make decisions. All decisions at the zone level were made by Ke Pauk alone. Ta An only had authority to make decisions with regard to his sector, Sector 41. Q: Do you recall if Ke Pauk was frequently absent from the Zone? A: No, he was not frequently absent. He was absent only for a short period of time. Q: When Ke Pauk was absent, did you send reports to Ta An, the Deputy Zone Secretary? A: No, I always sent my report directly Ke Pauk. In case of urgency, someone would send reports to him immediately regardless of where he was.”].

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D117/50 Im Pon Written Record of Interview, 23 May 2014, A30, EN 01059867 [“Q: Was he also a member of the Central Zone Committee? A: Yes. There was another person. There were three, but I have forgotten the other person’s name.”]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A5, EN 00900988 [“Q: Did you know which Sector’s secretary was the deputy of Ke Pauk? A: All Sectors’ secretaries were in the Zone committee, some of whom held the positions as the deputies and some as the members.”]; **D6.1.980** Saray Hean Written Record of Interview, 10 March 2010, A5, EN 00491735 [“I do not know who the deputy was; and the members of the Zone composed of all the Sectors secretaries in the Zone.”]; **D219/353** Saray Hean Written Record of Interview, 22 May 2015, A3, EN 01117710 [“Ta An was Sector 41 Secretary, and Sim was Sector 43 Secretary. They both were members of the Zone Committee.”]; **D219/355** Ban Seak Written Record of Interview, 26 May 2015, A9, EN 01116324 [“I knew [Ao An] when he was in the position of Sector 41 Secretary. I just knew that he was responsible for the sector and was on the zone permanent committee He was also a deputy of Ke Pauk.”]; **D107/15** Ban Seak Written Record of Interview, 1 April 2012, EN 00841965 [“The zone was controlled by Secretary Ke Pauk. He served as chief of the zone’s Standing Committee, which consisted of three sector committees- Ta An (from the Southwest Zone, secretary of Sector 41), Sim (from the Southwest Zone, secretary of Sector 43), Oeun (from the Central Zone, secretary of Sector 42) and the Zone Office Chief. To my knowledge, important decisions, for example, on a purge were made by the Standing Committee during its secret meeting.”]; **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360760 [“The Zone Committees were: Bang Ke Pork (deceased): Bang Sim (alive but unknown residence), the Sector 43 Secretary in Kampong Thorn province: Oeun (deceased), the Sector 42 Secretary; and An (now lives his birthplace), the Sector 41 Secretary.”]; **D118/259** Pech Chim

Written Record of Interview, 19 June 2014, A216, EN 01000693 ["There were three people in the zone committee: Ke Pauk, Ta An and Oeun."].

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D219/234.1.2 Prak Yut DC-Cam Statement, 13 August 2013, EN 01064284 ["Dany: Prey Chhor District. Did you know this district clearly? Yut: Not really. I had never known this place before. I just said the word of the district after them. Dany: Was it far from Kampong Cham? Yut: It was about 15 kilometres away. Dany: Did you travel by yourselves or you were accompanied? Yut: The Zone level accompanied us. Dany: Did you take the trucks from Kampot or other trucks? Yut: The trucks of the Zone. The trucks from the Southwest had already left. So the trucks of the Zone took us to our designated places."]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A23-24, EN 01056225 ["After the meeting, I accompanied Grandfather An and other cadres to Sector 41 Office in Prey Toteung."]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A25-28, EN 01056217 ["After that meeting, Grandfather An chaired a meeting at Sector 41 Office located in Prey Chhor district."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A5, EN 00977332 ["We then went back to Prey Chhor where we stayed for two nights before we finally arrived in Kampong Siem District - where we stayed."]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A12, EN 00966989 ["Afterwards, we travelled to Prey Chhor and returned to Kampong Siem. Ta An stayed in Prey Chhor and he was the secretary of Sector 41."]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064283-84 ["Dany: Ta Pork held the meeting and then Ta An announced that you were assigned to Kampong Siem? Yut: It was after we had a meeting at the Sector. Dany: A meeting at the Sector? Yut: We came from the Zone and had another meeting at our respective Sector. It was located in Prey Chhor District. Dany: Was it in Sector 41? Yut: Sector 41."]; **Other evidence on the location of the Sector 41 Office:** **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025313 ["Dany: Where was Sector 41? An: Sector 41 was in Prey Toteung. Dany: Was Prey Toteung in Prey Chhor district? An: Yes, in Prey Chhor district."]; **D219/702.1.87** You Vann, T. 14 January 2016, 14.09.56-14.12.13, EN 01438492 ["Q: Do you know where Ta An lived and where his office was during the time that you were in Sector 41? A: He was at the Prey Totueng district office. Q: And, as far as you know, is that where he both lived and worked? A: Yes, he worked there. Actually, at Prey Totueng, the offices of the district and the sector remained at the same location: **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A15, EN 01331755 ["The sector office was in Prey Totueng, at Prey Totueng Market, in Prey Totueng Village, Chrey Vien Commune."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A23, EN 01059277 ["Ta An was Sector 41 Secretary, and he was stationed in Prey Totueng"]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 ["Ta An's office was the Sector Office, which is now the Prey Chhor District Hall."]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366555 ["Prey Totoeng was the place where the Sector was located."]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335720 ["Q: In which district was the Sector 41 Office. Was it in the provincial seat or a district? A: The Sector Office? Q: For 41. A: It was in Prey Totoeng."]; **See also Annex B:** Map of Ao An's Sector Office in relation to the Case 004/2 Crime Sites.

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D117/71 Prak Yut Written Record of Interview, 19 June 2013, A23-24, EN 01056225 ["After the meeting, I accompanied Grandfather An and other cadres to Sector 41 Office in Prey Toteung. There, Grandfather An appointed us to various districts in Sector 41. I was assigned to Kampong Siem district. [...] Kan was appointed to Kang Meas district. I do not recall who was appointed to Prey Chhor district. Phoem (deceased) was appointed to Batheay district. I do not recall the names of other district secretaries in Sector 41."]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A25-28, EN 01056217 ["After that meeting, Grandfather An chaired a meeting at Sector 41 Office located in Prey Chhor district. [...] During that meeting, Grandfather An assigned us as the district secretaries in Sector 41, and I was assigned as Kampong Siem District Secretary. [...] Grandfather An also advised us to assign the military and security of the district."]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A11, EN 00966963 ["After Ta An appointed Prak Yut to be in charge of Kampong Siem District, we followed her (Prak Yut) there."]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064284-86 ["Dany: It means that you met at Prey Chhor first? The meeting was held in Prey Chhor and Ta An was already there? Yut: Yes, he did. He was Chairman of the Sector. [...] For Kang Meas, I do not know, I only knew about my district. I did not attend it. I just distributed the work and did not know who had to go to which district. The Sector authorities would go to help any district authority who did not know how to work it out. When I arrived, Ta Si was the chairman. For the leaders of other districts, there were Ta An, who had to tell each district chairman. When I first arrived I did not understand much about this kind of work."]; Ao An also

announced that he was the new secretary at a public meeting in Peam Chi Kang Commune, Kang Meas District, in April 1977: **D219/226** Penh Va Written Record of Interview, 11 March 2015, A10, EN 01088623 [“In April 1977, [Ao An] presided over a big meeting which took place in Damnak Chrey Village, Peam Chi Kang Commune, Kang Meas District. He announced that he was the new Secretary of Sector 41.”]. Regarding Ao An’s authority over district secretaries. *see* **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A7, EN 01373685 [“Q: Do you know who gave the assignments to Kan? A: If Kan was a district secretary, he would have received his orders from the sector chief. Ta An was a sector secretary.”].

³⁹ Penh Va’s recollection that this meeting occurred in March 1977 is corroborated by the fact that he also recalls that Meng, the Chief of Sector 41 Handcrafts / Industry, was also present at the meeting. Meng was arrested and entered S-21 on 19 May 1977; the meeting therefore could not have taken place after that date. *See* **D219/226** Penh Va Written Record of Interview, 11 March 2015, A33, EN 01088628 [“Q: You said that Aom An called upon cadres from the sector level to attend a meeting where he announced that he was the new Secretary of that Sector. It happened in March 1977 when he first arrived. Do you recall any of those participants in that meeting and whether they are still alive now? A: I recall that Meng and Ta Yim were on stage and made commitments before Ta An. I noticed that Meng had a handgun attached to his waist. However, Meng and Ta Yim were taken to be killed under Aom An’s orders.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A6, EN 01156186 [“Q: How did they call you to attend the meeting at Wat Tameah Pagoda? A: At that time, they told me about the meeting with the office chairperson. Then, the office chairperson assigned people under his control to attend the meeting. At that time, Comrade Meng was still there, he was not yet arrested. [...] Meng told me orally to go to the meeting at Wat Tameah Pagoda. Meng was Sector Industry Office Chairman[.] [...] Comrade Meng stood up to vow before Ta An that he would carry out the work closely. At that time, he still owned a handgun.”]; **D219/825.1.2** OCIJ Prisoner List, Item No. 4085, EN 01222486 [Chca Meng Thai, alias Meng, Chief of Sector 41 Industry, North Zone, entered S-21 on 19 May 1977.].

⁴⁰ **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [“I first saw him when he arrived in March 1977. He called upon approximately 300 cadres from the sector level to attend a meeting at a pagoda that was situated in Chrey Vien Commune. Then he made an announcement that he was the new Secretary of Sector 41. [...] During the meeting, he stated, ‘Those who fought against Lon Nol now ride Lon Nol’s horse.’”]; **D219/498** Penh Va Written Record of Interview, 7 September 2016, A5-A6, EN 01156186 [“I went to Wat Tameah Pagoda once when Ta An called me to attend a meeting there. [...] I went to attend the meeting at Wat Tameah Pagoda with approximately 300 other people.”].

⁴¹ **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [“He added, ‘From now on, there will be more casualties than those killed by the B-52 bombardment.’”]; **D219/498** Penh Va Written Record of Interview, 7 September 2016, A5 and A7, EN 01156186-87 [“At the meeting, Ta An said, ‘From now on, more people will die than were killed by the B-52s.’”], EN 0156187 [“Ta An stood up before people and said, ‘From now on, more people will die by a soundless war than those who were killed by the B-52s.’ What he meant was that B-52s made a loud sound yet killed few people, but the war he mentioned was a soundless war that would kill more people.”]

⁴² **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A24-25 and A97, EN 01167888 and EN 01167903 [“Ta An normally rose to announce political messages. [...] They spoke about [...] the situation of our enemies, referred to as internal enemies. [Ao An] also likened them to cars whose old tires had to be removed and cut up to make shoes, meaning that these enemies had to be taken to be killed. [...] The number of arrestees increased after Ta An’s arrival. I know this because they were smashing the enemy. That was Ta An’s plan. Meetings raised the issue of plans to smash the enemy. Because I was a veteran cadre, I was worried.”].

⁴³ **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A33 and A36-37, EN 01224106 [“Q: Was that the only place you went with Ta An to meetings? A: I went to Kampong Cham and Bathcay. [...] Q: Did he go to meetings in Kampong Cham? A: Yes, he went to have meetings with Ta Pork. Q: Were the secret meetings only with Ta Pork attending, or were there others in attendance? A: High-level cadres from the sectors attended the meetings.”]; **D179/1.2.5** Prak Yut, T. 26 January 2012, 14.04.14-14.08.04, EN 00774569-70 [“Q: You testified yesterday that you participated in meetings with the zone secretary, Ke Pauk. Who else attended the meetings with Ke Pauk that you were present at? A: They were secretary committees, for example Sector 41, Sector 42, and he was the chief because he was the zone committee. In the meeting,

there were some peoples, but I do not remember their names.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A11-12, EN 01374643 [“Q: Regarding the cadres who attended the regular meetings held in Kampong Cham, which sector were they from? A: They were from three sectors including Sectors 41, 42 and 43. Q: How many participants were there? A: I do not remember. At that time, a cadre from each sector attended the meetings. However, people, who had close assistants, would bring them to the meetings too.”]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A7, EN 00900988 [“sometimes, Ke Pauk went to work in various Sectors, but sometimes, he called those Sectors’ secretaries to come to attend the meeting at the Zone’s center in Kampong Cham provincial town.”]; **D219/485** Tep Pauch Written Record of Interview, 28 August 2015, A1, EN 01151276 [“When I was Baray District Committee, I had to attend Sector-level meetings with Oeun and sometimes Zone-level meetings with Ke Pauk. I met Ta An at the Zone-level meetings, but we did not talk to each other about anything specific.”]; **D219/353** Saray Hean Written Record of Interview, 22 May 2015, A5, EN 01117710 [“I saw Ta An and other Southwest Zone cadres, including Prak Yuth, during a zone congress in Kampong Cham Town. The congress was held three months before the Vietnamese troops arrived. It was organised by the zone, and therefore, all cadres from commune, district, cooperative and sector levels were invited to participate.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A7, EN 00903204 [“Q: Did you attend regular meetings with the leaders of other sectors? A: Yes, Ke Pauk chaired monthly meetings with the committees of the sectors and the districts in the Zone.”].

⁴⁴ **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A37-41, EN 01224106 [“I caught some of it, like about the enemy. We had to do whatever could be done to arrest all the enemies, to catch the fish without muddying the water. Q: Who said that? A: Ke Pauk said that there were orders from upper echelon. He said that when digging up grass, dig it up roots and all.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A7, EN 01374643 [“Q: Regarding the arrests of the enemy, did they talk about the arrests every time they held meetings or did they not talk about that sometimes? A: They mostly talked about it during the meetings, but they did not talk about it during the final meeting that I attended.”], A29-30 and A36, EN 01374645-46 [“Q: Let’s come back to the meeting in Kampong Cham. At that meeting, did they discuss how to seek and arrest the enemy? For example, did Ta Pauk give advice on how to arrest the enemy? A: Yes, he did. In short, at that time he ordered action to be taken to arrest the enemy in the districts on a continuous basis. The actions had to be taken quickly in order to meet the set plans. Q: During that meeting in Kampong Cham, did he mention what kinds of people or what groups of people were the enemy to be arrested? A: Yes, he did. In short, those people within the lines of the previous generation of chiefs, such as Uncles Taing, Sreng and Seng, were all to be arrested. [...] He said, ‘If you catch fish, make sure you do not make the water muddy. When you pull out weeds, you must extirpate all its roots!’ I was young, so I was ignorant. They would wipe out educated people.”].

⁴⁵ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A79-81, EN 01374650 [“Q: In your previous interview, document D219/732, at Answers 41 and 42, you said that Ta An received orders from the Zone to kill people. So, did he receive those orders from the Zone via that messenger verbally or in writing? [...] A: He received the orders in letters that the messenger delivered to him. Q: How did you know that that letters were about the killings? A: I met and chatted with his bodyguard who said the sent a letter to the sector by a messenger. The letter was about the killings of people. [...] I asked that bodyguard what he was doing there. He said he had come to deliver the letter related to that work. Thus, I understood that the work was only about killing people. Q: Do you mean that the Zone messenger knew the essence of that letter? A: Yes, he did. He was his nephew. He told me that he was KE Pauk’s nephew.”]. Ke Pauk appears to have also discussed the purges directly with Pech Chim: **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A59, EN 01000674 [“When I went to Kampong Cham, I went with other 12 people, and I knew about the purges through Ke Pauk, the Central Zone Secretary.”].

⁴⁶ **D103.1.39** Ao An VOA Khmer Interview, *Atrocities Suspect Says He’s ‘Not Fearful of Tribunal, Hell’*, 11 August 2011, EN 00750163 [“He said even though he had been ordered by Khmer Rouge military commander Ke Pauk to kill supporters of Lon Nol’s regime, he hid them in the fields of the collectives. [...] He told his superior he had ‘cleaned,’ or killed, them, ‘but they were on the farm.’”]. Pech Chim also acknowledges receiving orders to “continue the purge” from Ke Pauk: **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A178, EN 01000688 [“Ke Pauk told me and instructed me to continue the purge. I said that ‘I cannot do it. The children look pitiful. Their parents have gone. How can I mistreat their children and wives? Brother, do it if you can do’, and Ke Pauk went on to say that ‘Chim, it is ok if you don’t do it’.”].

- ⁴⁵ See generally **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A77, EN 01167897-98 [“This happened in 1977 when the Southwest Zone cadres began to arrive, meaning when the killing of both soldiers and civilians increased.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A19, EN 01076885-86 [“I believe that [Ta An] was the person responsible because many people disappeared and were killed after he came to govern here in the position of Sector Secretary. In one case that I heard about his interview with Radio Free Asia when he said that he knew nothing about the arrests and killing because he arrived at the Sector after those events. I knew clearly that he lied.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787221 [“In the interview with the Radio Free Asia, Ta An said that everything in Kampong Cham had already been arranged even before his arrival. Actually, I, Nhim Kol, know that people were arrested and killed or arrested and smashed only upon Ta An’s arrival.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787215 [“Q: A strong purge began upon the arrival of the South westerners, correct? A: Yes, it was very true that the purge began the day the South westerners arrived. After Yeay Yut’s arrival, she arrested people every night.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A5, EN 00966997 [“I am sure of that before Prak Yut and her subordinates arrived in Kampong Siem District, there had been no arrests of [local] cadres.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A67, EN 01373689 [“Q: Can you describe the difference in the killing of people before and after the arrival of the Southwest Zone cadres? A: Before the arrival of the Southwest Zone cadres, people were not taken to be killed. During the Lon Nol regime, people died in fighting. But, in 1975, no one in the village was taken to be killed.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366620 [“The Southwest Zone cadres came during that time. I do not remember that time. When they began arresting people, we became frightened. We did not dare to say that we knew anyone. Even if I was asked who invited me to join the revolution, I did not dare to answer.”], EN 01366655 [“Dany: How did you know the Southwest Zone cadres conducted a lot of arrests? Nha: A lot of people in the villages were disappeared. There must have been a lot of arrests. All the village chiefs were arrested. That was how I knew. When I asked for the old generation of the village chiefs, they said that the Southwest Zone cadres had arrested them all.”]. See also **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A10, EN 01373685 [“Q: Did the arrest of the cadres from Kampong Cham happen before or after the arrival of the Southwest Zone cadres? A: They were arrested beforehand and the arrests continued during the control of the Southwest Zone cadres.”].
- ⁴⁸ **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A33, EN 01056218 [“Q: When you arrived there, were the commune chiefs there base people or Southwest people? A: They were old commune chiefs there, not from the Southwest Zone.”].
- ⁴⁹ **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A38-39, EN 01056227 [“I recall that I arrived in Kampong Siem District in January 1977. Approximately in February 1977, the Southwest Zone sent their cadres to replace the old cadres in Kampong Siem district. [...] First, I made a report about activities of the old cadres and made a request to replace them with the Southwest cadres. After consulting with Ke Pauk, Grandfather An requested me to replace all those old cadres.”]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A36, EN 01056218 [“In fact, during the meetings in the sector, I reported about inactiveness of the commune chiefs, and the sector gave an instruction to collect them to be re-educated in the sector, but I do not know what happened to them.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A51, EN 01063616 [“As I said in my previous interview in June 2013, I made a report and sent it to Grandfather An. After Grandfather An consulted with Ke Pauk, they arranged to remove all the remaining commune chiefs.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A45, EN 01059283 [“Q: Did Prak Yut have the right to change those commune chiefs? Or did she have to ask permission of Ta An? A: The order must have come from Ta An because he was Sector Chairperson. Khom took Prak Yut to meet Ta An at the Sector level. When they returned, Khom told me they would arrange to have new commune chiefs.”].
- ⁵⁰ **D219/138** You Vann Written Record of Interview, 8 January 2015, A44, EN 01059283 [“Prak Yut held a meeting with former village and commune chiefs and told them she was not allowing them to continue as village and commune chiefs. I took her by motorbike to call those village and commune chiefs to that meeting. Even though I did not attend the meeting, I heard on the loudspeaker Prak Yut tell those village and commune chiefs not to be afraid of her, but she did not say why she was not allowing them to continue as village and commune chiefs. About two months later, Prak Yut appointed new village and commune chiefs

and reorganized the cooperatives. She did that because she did not trust the former village and commune chiefs.”].

51 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A40, EN 01056227 [“I did not [join] in making arrest of those old commune chiefs. Grandfather An led their arrest and organized their replacement with the Southwest cadres. The arrest and the replacement were organized by the sector level.”]. *See also* **D219/138** You Vann Written Record of Interview, 8 January 2015, A47, EN 01059283 [“As I told you yesterday, some former commune chiefs disappeared. That was the responsibility of District Military. I think the order came from the district and the district received the order from the Sector level. I did not hear it directly from Prak Yut, but some former commune chiefs disappeared two days after she attended a Sector meeting with Ta An. Four days later, new commune chiefs were appointed to replace the old ones.”]. Prak Yut suggests that Ao An may have given orders directly to her deputy Sy to carry out these arrests: **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A39, EN 01056219 [“I would like to clarify that Grandfather An did not order me to arrest those people, but I am not sure if Grandfather An gave direct orders to Grandfather Sy, my deputy, to do this work.”].

52 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A53-54, EN 01063617 [“Yes, I recall that it happened. Some old cadres and old commune chiefs were arrested and detained at the Kampong Siem District Security Office before being sent to the Sector security office. Q: You mean Grandfather An gave an order to you to arrest all the old commune chiefs and old cadres to be detained the district security office and waited for Grandfather An to take them to the Sector security office, correct? A: Yes, that is correct.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards send village chairpersons to the Sector, and the district would decide the fate of village deputies. [...] To my knowledge, the Sector never came and arrested people on its own. The district and communes arrested them, then sent them and reported them to the Sector.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A12, EN 01076943 [“As for committees and former officials or Lon Nol soldiers, the district sent them to the Sector, but for ordinary people, the district made their own decisions.”].

53 **D219/702.1.87** You Vann, T. 14 January 2016, 14.05.15-14.08.41, EN 01438490-91 [“Q: [...] do you know what the other 200-odd members of this group did after your arrival in Kampong Cham province? [...] A: They were divided to various posts: namely, commune chief or deputy of commune chiefs and there were about 40 of them from the Southwest Zone were assigned to the sewing unit in Kampong Siem.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A43, EN 01056228 [“The appointment of the new commune chiefs was done the same in each commune in all the districts in Sector 41.”].

54 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A13-14, EN 01088625 [the Civil Party Applicant had a travel permit allowing him to go anywhere in Sector 41 to request food supplies from cooperatives: “I would like to clarify that all the commune chiefs of Sector 41 were arrested. They were arrested one after another. Starting from March 1977, two or three of them disappeared every week. My commune chief and my deputy disappeared one after another. All the cooperative chiefs of Sector 41 disappeared. [...] I learned of the arrests of the commune chiefs and their deputies by word of mouth.”].

55 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A13-14, EN 01331714 [“Q: Do you remember the name of Kampong Siem District Secretary? A: The district secretary was named Yeay Yut. Q: Was it right that it was the person named Yeay Yut who came to the commune and ordered the old commune chief to work in different place and replaced him with the new commune chief named Phat? A: Yes.”].

56 **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787216 [“As for the ordinary people, they were killed in communes. Cadre who served as village chairpersons upward and the former Lon Nol military officers were sent to the Sector.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A14-15, EN 01076943-44 [“I saw an arrest of a commune chairman once in early 1977. At that time, five persons from the Southwest Zone came to arrest him. Their names were Rim, Sok, Khom, Ni, and Chea. They arrived at the worksite and called the former commune chairman away from the site. The commune chairman’s name was Ta Meng. I know about the arrests of other commune chairmen because we used to work together, but after Prak Yuth arrived in Kampong Siem District, we never saw them at work again. I did not know how long they kept the arrested Commune Committees in the District Security Office before they sent them to the Sector. [...] Sometimes the district or the Sector sent letters calling people they planned to arrest to a meeting and then arrested them at the meeting. Sometimes when Yeay Yuth could not find someone to send invitation letters to the communes, she asked me to deliver the letters. For example,

she asked me to deliver meeting invitation letters to village chairmen in Ampil Commune and Kaoh Roka Commune. Then those village chairmen had a meeting in the District Office. When five or six left and only two or three were able to return home, we knew that the others had been arrested.”].

57 **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A73-78, EN 01098558 [“He asked why I was going there given that Man who was the chief of this village was arrested two days earlier. I was shocked by that. I felt pity for him because he was a gentle and educated person. I continued my trip to his house where his wife and I burst into tears. His wife had just given birth to a baby three days prior to the arrest of her husband. When I returned I was wondering who arrested him. I dared not ask anyone that question. One day I decided to ask Nan this question. He told me it was the work of the sector-level cadres. [...] Q: Do you know where the arrestees were sent? A: I do not know. Nan told me that it was the work of the sector-level cadres. I was told that I did not need to know about this.”].

58 **D219/138** You Vann Written Record of Interview, 8 January 2015, A44-49, EN 01059283-84 [“Prak Yut held a meeting with former village and commune chiefs and told them she was not allowing them to continue as village and commune chiefs. [...] I heard on the loudspeaker Prak Yut tell those village and commune chiefs not to be afraid of her, but she did not say why she was not allowing them to continue as village and commune chiefs. About two months later, Prak Yut appointed new village and commune chiefs and reorganized the cooperatives. She did that because she did not trust the former village and commune chiefs. The order must have come from Ta An because he was Sector Chairperson. [...] Khom took Prak Yut to meet Ta An at the Sector level. When they returned, Khom told me they would arrange to have new commune chiefs. [...] As I told you yesterday, some former commune chiefs disappeared. That was the responsibility of District Military. I think the order came from the district and the district received the order from the Sector level. I did not hear it directly from Prak Yut, but some former commune chiefs disappeared two days after she attended a Sector meeting with Ta An. Four days later, new commune chiefs were appointed to replace the old ones. [...] Yesterday I talked about the 300 person name list that I made and gave to Prak Yut. Actually, it was names of the former village and commune chiefs together with the names of the Cham and former Lon Nol soldiers. With Khom as motorbike driver, Prak Yut took the name list to the Sector level herself. The name list was then sent back to Prak Yut to arrest all those people.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 14.06.37-14.08.41, EN 01438491 [“Q: So you’ve just said that they were assigned to posts like commune chief and deputy commune chief, do you know what happened to the people who were -- who had previously been in those posts; in other words, the cadres who were in those posts at the time your group arrived in Kampong Cham? A: I did not know about those who were previously in the post, however, one by one, they disappeared and I did not know the reason for that.”]; **D219/702.1.94** You Vann, T. 18 January 2018, 10.00.34-10.02.00, EN 01431607 [“Q: Madam Witness, in your recollection, were the former village and commune chiefs on that list because they opposed or wanted to topple the Revolution? A: She used the word ‘cleaning up’ or, rather, ‘purge’, and -- but I did not understand in more details about this.”].

59 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A92-99, EN 01179834 [“He summoned those people to the meetings and arrested them straight away. He did not need to go down to their houses to arrest them one at a time. [...] He summoned the people to meetings at his house and then arrested them. Those remaining were arrested by his soldiers. [...] The meetings were held at his house. [...] The meetings were held on a daily basis, and the arrests were made on a daily basis. The cadres were called for meetings, and the arrests were made at once. [...] From agriculture, industry, handicrafts, textiles, commerce, and logistics. They were then replaced by Southwest Zone cadres.”]. *See also* **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360752 [“The purges were conducted without prior notification. At that time, they often said that ‘Only when you reach the pit, your teardrops fall’ meaning that we were not informed in advance if they wanted to take us away to be killed.”].

60 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A98-99, EN 01179834 [“Q: How many people were arrested? A: Approximately 50 persons from all sections. Q: What sections? A: From agriculture, industry, handicrafts, textiles, commerce, and logistics. They were then replaced by Southwest Zone cadres.”].

61 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A106-107, EN 01364067-68 [“The way they did arrest was that they called in district- and commune-level cadres for a meeting, and then arrested and sent them away somewhere to which they disappeared. Whenever they arrested cadres, they consistently called them in for a meeting at the sector. I was there at such an event, when they arrested the former sector military chairperson was arrested. I do not remember his name, but I was in that event when he

was arrested. Q: Do you know whether or not Ta An knew about the arrests of these guys when they were arrested? Did Ta An know about the place in Krouch Kor? A: Yes. He knew about the arrests because it was Ta An who was the one who called them in for meetings. When there were arrests, he put in place five or six persons of the defence unit outside. And once the meeting was over, if he had to arrest a cadre, he would simply have the defence unit arrest at gunpoint. How could he not know, given that he was sector chairperson and given that Krouch Kor was a location belonging to the sector?"]

62 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A5, A8, and A94, EN 01111972-73 and EN 01111978 [the witness worked at the Sector Logistics Office at Prey Toteung: "I saw [the arrests] first-hand at the area where I worked."].

63 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A93-103, EN 01111978-99 ["The local cadres also attended the meetings. After the meetings, I believe there were arrests and people had disappeared based on a common slogan which read: 'When a car tyre is flat it must be replaced.' [...] I saw it first-hand at the area where I worked. [...] I saw them call a person to go to a designated place. When that person arrived at that house he would be held by the military at gunpoint and arrested straight away. [...] Q: After the arrest, do you know where they were taken? A: They were sent to Kampong Cham Province. Q: Were they sent to Kampong Cham Town? A: They were sent to the east of Kampong Cham Town"].

64 **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A8, EN 01151218 ["Being sent to the east, meant being sent to be killed. A number of people were sent to the east with the explanation that they would study at Kampong Cham, and they later disappeared for good. At that time, when we were to be sent to the east, we all knew in advance that we would be taken to be killed."].

65 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A21, A32, and A40, EN 01179823-26 ["Q: Do you know the reason for Sau and Hao's arrest? A: Because they smashed by network. All the leaders in the North Zone were taken away. [...] The people in the upper echelon were arrested because they were affiliated with these persons. I did not see them commit any mistakes. [...] When the Southwest group arrived, the people in the offices were all arrested."]. See also **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360752 ["I would like to add that after purges were conducted at the Central Zone, there were only four main people survived: Ke Pork (deceased), Ieng Chham (now lives in Anlong Veaeng), Oeun and me. All others were 'smashed'. Sou Soeun (my older sibling-in-law) and Ke Pork's wife were the Committees of Chamkar Leu district"]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366622 ["One was arrested, and another one was promoted right away. Later, that one was also arrested. The one who was promoted to a higher position forgot himself and was arrested. People were promoted one after another."].

66 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A91, EN 01224112 ["They arrested everyone as long as they were networks of Ta Taing. Like my cousin who was arrested from the commune, they arrested the district chiefs, everyone. The slightest thing, and we were all traitors."]. See also **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335728 ["Dany: Do you think his arrest was the result of a report made by someone from the Sector Office, or what? Or was there some kind of link to someone else? Ngov: Mostly arrests occurred according to a series of responses in which someone said something about this link, then someone said something about that link. That's my hypothesis, because I didn't see the slightest thing going on. Nothing was discernable when we were together."].

67 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A90, EN 01224112 ["Q: Did you know who was in charge the killings of cadres? A: It seemed there were orders from above. Ke Pork called the sectors, and Ta An ordered the security office to dig up the grass roots and all."].

68 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A36-38, EN 01179825 ["I remember Than. He was arrested and transported in that vehicle. That stopped at my office. He called out to me to tell his wife that would not survive. Q: What position did Than hold? A: Than was my group chairperson. My older sibling was arrested and sent to the security office. After only a fortnight I hardly recognized him. Other people were arrested too, namely Kim, Set, Laut, and Meng (teachers). They were well educated. [...] Kim was from the Logistics Office. Set, Laut, and Meng were from the Commerce Office. My older sibling was a chairperson in a mobile unit in Mean Commune"]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A7-8, EN 01151218 ["I knew a man named Ta Hao who was an assistant of the Commerce Office. About one month after they sent him to work at Tuek Chha, he was arrested and sent to the east. After that he disappeared for good. Q: Do you know where Comrade Sob was arrested and sent? What happened to him? A: He was arrested by the sector cadres and sent to the east. Being sent to the east, meant being sent to

be killed.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A98, EN 01167903 [“Q: Who disappeared in this way after Ta An’s announcement? A: Many cadres, including Lieb (a Commerce agent), Laut (a Commerce agent), Chan (a rice transporter), Set (Commerce Chairperson and former Sector Commerce Office Chairman), Ta Huon (Warehouse Chairman in Peam Chi Kang), Ton (temporary Commerce Chairperson), Tau (Ta Taing’s wife), Pich (the daughter of Sal), Heng (former Commerce Office Chairperson), Hao (Logistics Chairperson who was personally arrested by Ta Aun in Tuek Chha), Seng (Commerce Office Assistant who reported to Sob to order me to take the cattle ropes). These are the people I still remember. They were all sent to the east.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A11 and A13, EN 01088623-25 [“Q: When were Meng and Lai arrested? A: They might have been arrested in June 1977. Then, Aun, who was the head of the second office of Sector 41, arrested Lei. [...] I did not witness the arrests of Meng and Lai personally, because they were taken from a whetstone making place. [...] Then Meng’s wife, their five children, the other five messengers, and their family members were taken to get re-education. They have disappeared since then. People in my unit stated that Ta Sal and Chann were arrested immediately after the Southwest Zone cadres arrived. [...] Heng, a member of the sector committee, also disappeared. [...] Set and Seng, the chiefs of sector commerce, were among those arrested. Hao and Khan were chairpersons of sector logistics. Vun was the chief of the wine unit. Man served as the chief of charcoal kilns. Chaut, Phai, Chom served as the chiefs of iron kilns. Khen and Sou were the chiefs of the jar kilns. Phoas and Tha were the chiefs of the sawmills and fish sauce production. Im served as the chiefs of the technical unit of the textile factory. Saom served as the chief of sector water transportation. Len and Phea were the chiefs of fisheries. Comrade Sau was the chief of the cotton plantations. Sau’s wife was La, and she was Sreng’s younger sibling. Toek Yeun was my cousin who worked at the zone hospital.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A21, EN 01156191 [“Q In the meeting at Wat Tameah Pagoda that you [attended.] did any other upper-level cadres participate? A: Yes, there were Ta Yim who was the chairperson of Prey Chhor’s pumping station, Comrade Vun, Comrade Lai, Comrade Haor, Comrade Set, Comrade Thol (pumping station unit), and Comrade Phai (iron smelter unit). All of them were North Zone cadres, and all were arrested later on.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A14, EN 01076943 [“I saw an arrest of a commune chairman once in early 1977. At that time, five persons from the Southwest Zone came to arrest him. [...] The commune chairman’s name was Ta Meng. I know about the arrests of other commune chairmen because we used to work together, but after Prak Yuth arrived in Kampong Siem District, we never saw them at work again.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A5, EN 00966997 [“Soeun and Meng disappeared after Prak Yut had arrived in Kampong Siem District for two or three weeks.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A17, EN 01373686 [“Q: Do you remember names of any of the arrested or disappeared cadres after the arrival of the Southwest Zone cadres? A: I remember only District Chief Phan, Yeay Rom and Ta Meas. Before the arrival of the Southwest Zone cadres, Ta Meas was the Kang Meas district chief, and Yeay Rom and Ta Phan were deputy chiefs. Besides this, there were commune chiefs but I do not remember their names. They all were arrested, and I did not know where they were sent.”], A107, EN 01373692 [“But when Ta An arrived, Sop disappeared from that time onwards.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335730 [“Dany: So, the Military side of things was Sok. What about the Security side of things? Ngov: I only heard about Sob being there at Security back then, nor did I get to see the face of this Sob. Dany: Was this Sob a previous cadre? Ngov: Yes. Dany: Was he also removed? Ngov: Removed meaning being arrested.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366630 [“Dany: Was Yeay Rom arrested? Nha: Yes! Yeay Rom was arrested. Kan took complete control.”], EN 01366647-48 [“Let me tell you everything, Rom was arrested in the afternoon, I stood on the road. At that time, I was planting cabbages at the edge of the road. Accidentally, the car arrived there and broke its brake. I glanced and saw that she was arrested. [...] Dany: Were the Southwest Zone cadres the ones who arrested Yeay Rom or what? Nha: It was the Southwest Zone, Ta An. She was in Kang Meas. She was arrested from Kang Meas District.”].

⁶⁹ **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A36, EN 01179825 [“Q: Do you know the names of any other people transported in that vehicle? A: I knew many people, but I have forgotten their names.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A24, EN 00966966 [“Q: Do you remember the arrests made in Kampong Siem District between 1977 and 1978? A: I heard of the arrests of many people, but I never witnessed any with my own eyes. Several relatives of mine were also arrested, including Prak Yut’s husband.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May

2016, EN 01366634-35 ["At that time, the Southwest Zone soldiers had the right to arrest people in all places. They arrested all the 17 soldiers in my unit, except me. Dany: Why was that? Nha: Recalling that, I had measureless lucks. They arrested the rest of us. They arrested all the old cadres. Dany: Why were they arrested? Nha: They did not know how to hide the documents. I talked about the reason in the past. I burned all documents. The messengers who were arrested wrote in the biography that Meas was the one who introduced them to join the revolution. When Meas was arrested, all the messengers were also arrested. [...] Dany: Were all the soldiers in your generation arrested? Nha: All of them. Dany: How many soldiers survived like you? Nha: They all died."]. EN 01366636 ["Dany: Were the soldiers who worked with you arrested and sent to that security office or somewhere else? Nha: They were arrested, but I did not know where they were taken to or where they were killed. They were not put in prison. They were taken for killing right away but I did not know where they were killed."].

70 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A5-7, EN 01179821 ["Q: Did you ever work in the Sector 41 Logistics Office? A: Yes. Q: When did you work in the Sector Logistics Office? A: Between 1970 and 1975, on up until the arrival of the Vietnamese troops. Q: What was your position in the Logistics Office? A: I was just a laborer."].

71 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A20, EN 01179823 ["[Ao An's] office was opposite mine, on the other side of the road."].

72 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A22-24 and A33, EN 01179823-24 ["A: I saw the arrests of Sau and Hau. They were beaten with a chain, taken outdoors, and tied up. They were stripped down to their underwear. Then they were blindfolded and thrown onto a vehicle. I was so shocked by what I saw that I could not finish my meal. They were arrested at 5.00 p.m. while we were eating. Q: What type of vehicle was it? A: It was a military vehicle, a Jeep. Q: Whose vehicle was it? A: The vehicle belonged to the Sector Office."].

73 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A104-109, EN 01167904-06 ["Q: In your previous interview, you said that after the arrival of the Southwest group, North Zone soldiers arrested people and put them into sacks before taking them away. How did you know that those soldiers came from the North Zone? A: I recognised their vehicles. One was a Jeep and another had a trunk with cover. They were different from the vehicles I mentioned earlier today and yesterday, but they were similar. These vehicles transported people from the west straight to the east. I think that happened after Ta An's arrival, but I am not sure because it was during a period of chaos. At the time, nearly all high level cadres were arrested. Q: Were the arrestees put in sacks the same persons you listed earlier? A: No, they did not come from my Sector, they came from the west. I just saw them moving inside sacks on the vehicles. At the time, the six soldiers who transported these people went to the Logistics Office. At the time, we began to take out our guns to prepare our counterattack against their possible attack against us. The vehicles parked in front of the rice mill opposite the Logistics Office, and my co-workers worried that they would come to arrest me, which was why we had hidden guns inside the office to prepare for our counterattack. From our office, we could see that there were about five or six people inside sacks on the vehicle. I told my co-workers that if they called me by name, we had to shoot them first and then flee into the forest. Those soldiers parked the vehicles and they all got out. Then they looked around, got back into the vehicles, and drove in the direction to the Kampong Cham Provincial Town. I recognised those six soldiers because they came to arrest people every day. They transported people away once every five to seven days. Q: Do you know why the North Zone soldiers came to arrest cadres in the Central Zone, when the Central Zone was under the control of the Southwest Zone? A: Because Sector 41 was located in the North Zone. Q: Did that happen before the Central Zone was created? A: I think that the Central Zone covered the area of Phnom Penh City. Q: So when you said that these soldiers came from the North Zone, under whose command did they operate? A: They were under the control of Ke Pauk. I know this because Ke Pauk was Zone Secretary. [...] Q: Do you know if the Southwest Zone cadres and Ta An were aware of the fact that those people were arrested and put in sacks by the Zone Military? A: He must have been aware, because they transported arrestees through the area under his control."].

74 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A137-138, EN 01111981 ["On one occasion I witnessed it first-hand. It was the case of Seng, who was the Deputy Chief of the Sector Logistics. He was arrested, put into a sack and taken away. Q: Where did you see it? A: He was arrested after dinner at the sector commerce office."].

75 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A96, EN 01111979 ["Q: Do you know the reason of the arrest? A: He was accused of being a Vietnamese or CIA agent."]. **D219/504** Sat Pheap Written

Record of Interview, 17 September 2015, A99-100, EN 01167903-04 ["Q: Do you know why these people were taken away? A: They were accused of being connected to Yuon networks and the CIA: The Southwest group made such accusations when they took over the Commerce Office. They told the workers not to miss their former leaders, because they were traitors and they all had to be smashed and gotten rid of. I do not know the names of the people who said this, but they said this inside the cooking hall. All of our senior-level cadres had disappeared by the time we ate lunch at the cooking hall. About five or six Southwest cadres were present at the cooking hall. I do not know who they were, and I did not dare look at their faces. Q: Did the meetings at the cooking hall happen before or after Ta An's arrival? A: After his arrival."]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A15, EN 01088626 ["Q: Did the sector ever make any announcements about those who had disappeared or about what had happened to them? A: Aom An did. It was the same statement as what I mentioned previously. All former cadres were announced traitors."]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A38, EN 01402225 ["There were many people who were arrested at that time. They had been accused of betraying the Party. Sub might have been one of those who was arrested [under these charges]."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309896 ["Dany: But did you hear what questions were asked, or not? Saren: They asked what they were involved with, whether they were somehow involved with the CIA: Dany: Really? Saren: Yes. 'Where is the CIA? Why have you committed treason?' I didn't know what treason, treason about what."]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366622 ["Dany: Did you know why they were arrested? Nha: They were accused of betraying Angkar."].

⁷⁶ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A166, EN 01374657 ["When the enemies were all arrested from the provinces and sectors, they started to search for anyone who had affiliation with the previous regime in the communes and villages."].

⁷⁷ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A19, EN 01063610 ["Grandfather An gave an order to me to identify those who opposed the revolution, those who wanted to topple the revolution and those who were not satisfied with their living conditions, and to arrest those people to be smashed."]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A31, EN 01374645 ["Q: During the meeting in Kampong Cham, did they talk about the arrests of civilians? A: At the meeting I attended, they only talked about the arrests of cadres. For civilians, he gave orders to the districts instead."]; *See also* **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360763 [regarding Sector 42: "Q: What were the arrested people accused of? A: For those who opposed the party were considered as 'enemy': therefore, when they arrived at the district they must have been smashed."].

⁷⁸ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A28, EN 01063611-12 ["Actually, after the meeting with the Sector level, I returned to the district. Then I forwarded the order to the commune chiefs to designate by level of seriousness those who strongly opposed the revolution and those who could cause great danger to the revolution."].

⁷⁹ **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076940 ["I was not allowed to attend important meetings because I was not from the Southwest Zone. Rom never told me what was discussed in those meetings. However, sometimes after the meetings, Rom called a meeting among village chiefs and advised them to search for internal enemies such as the Yuon and Lon Nol soldiers and officials. The meetings were held at the commune office with village chiefs once a week, or sometimes not that frequently. The village chiefs would report to Rom directly about which Yuon families and which Lon Nol soldiers were found."].

⁸⁰ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A28, EN 01063611-12 ["After that, the commune chiefs started to arrest no-good elements who wanted to overthrow the revolution to be detained or to be smashed. Next, I made a complete report to Grandfather An to inform him that the order had been completely carried out."].

⁸¹ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A18, EN 01063609 ["Q: During the same interview in June 2013, we asked you if Grandfather Si killed people at Kork Pring at will. A: I received orders from Grandfather An, and I forwarded the orders to Grandfather Chea: I stand by my statement."]; A29, EN 01063612 ["Q: After the arrests of no-good elements and those who attempted to overthrow the revolution, did you have authority to decide who to release, who to detain, who [to] smash, and who to be sent to Tuol Beng or Kork Pring? A: After I received information or a report from the communes, I would decide on a case-by-case basis to decide who could be kept and who could not be kept, who could cause great danger to the revolution, and who was to be sent to Tuol Beng or Kork Pring."]; **D219/460** Sat Pheap Written

Record of Interview, 7 August 2015, A14-16, EN 01151220 [“Q: Do you know where the people gathered up and placed in Wat Ta Meah Pagoda were from? A: To my knowledge, those people were rounded up from various cooperatives in Sector 41. Q: Do you know what happened during the stages when people were sent to, detained in, and sent away from Wat Ta Meah Pagoda? A: My understanding is that the people were taken from various places to be detained in the pagoda for four or five days, and each time there was a sufficient number, they were transported to the east and Phnum Pros Phnum Srei Mountain. Q: Do you know what categories of people were sent to be detained in Wat Ta Meah Pagoda? A: I am not sure, but I think they were both new people and base people.”].

82 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A27, EN 01063611 [“In the report I sent to Grandfather An, I listed names of people arrested and reasons for their arrest, for their detention, or their release, and for their execution.”].

83 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076940 [“I was also responsible for keeping records and statistics of people, cattle, and rice. The statistics included the numbers of births and deaths, including those taken to be killed. Each village had to provide data to me four times a month. After collecting all information, I gave it to Rom. Then Rom sent it to Ta Nan who was in charge of the district. The statistics were important because they were used to calculate food rations. For example, if one or two families were taken to be killed, the food for those villages was reduced. All communes were required to provide statistics.”].

84 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A31, EN 01063612 [“sometimes [Ao An] came to discuss with me specific issues related to people whose names they had identified to be arrested to decide their fates.”]. *See also* **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A72, EN 01331722 [“Q: My question wanted to refer to whom [Ao An] went to meet in Kampong Siem. A: He went to meet the district governor, Yeay Yut.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A13, EN 00977333 [“Ta An, who was Chairman of Sector 41, also visited that district [Kampong Siem]. He met with Prak Yut, but I did not dare to go near them to listen to their discussions.”].

85 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A68, EN 01063620 [“I had to send the list of prisoners who had been refashioned to Grandfather An through messengers. Then Grandfather An replied with his decision through the messengers to me.”]. *See contra* **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787215 [“Q: Did Yeay Yut have the power to arrest people? A: Yeay Yut had full power to control the entire district and to decide who would die and who would live.”].

86 **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309871 [“Dany: When you were first chosen to be at OuSvay, what did they want you to investigate? How? Initially, about what did they want you to inform them? Saren: They wanted us to go around the houses; they were concerned that people were cooking rice at home. They wanted to know what people said about the revolution; they were concerned about what the people were saying about this group or that. [...] They were concerned about people talking bad about the revolution behind its back. First, they were afraid that people were surreptitiously cooking food to eat at home. If there was some fire in the house, we looked into it. [...] She said to go around the village and keep watch in case there were people talking bad about the revolution behind its back or were surreptitiously cooking rice at home. If there was, we were to report it.”].

87 **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309895 [“Anyone who was said to have some little tendency [or] had any affiliation was arrested and brought [to the Sector Office] too.”].

88 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A104, EN 01364067 [“Q: For arrests back then in the communes, did the commune guys dare to make the arrests or did they receive orders from the upper echelon? A: In that period, they did it all by themselves. Even unit chiefs dared to make arrests, not like in our period now. If we picked a banana, they would give us instruction one time, and if we picked another, they would give us instruction another time. But the third time, they would simply arrest us.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309895-96 [“Back then, like they say, one could be arrested and brought in for even a trivial theft. [...] Even stealing a banana was said to be treason, let alone the stealing cattle or poultry.”].

89 **D219/138** You Vann Written Record of Interview, 8 January 2015, A10, EN 01059274 [“Those who committed serious crimes such as stealing chickens, un-husked rice, or husked rice to eat would disappear. After their disappearance, District Military often came to inform the Commune Committee that there was no need to look for those people because they had already disappeared.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366636 [“Dany: What kinds of people were arrested? Nha: The people who

stole potatoes. For those who raised and killed chickens for food, they would be killed and could not survive if they found out. We were not allowed to eat corn that we planted in our house compound. They counted the number of stalks of corn that were growing.”].

90 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A20, EN 01063610 [“This order was carried out not only in other communes in Kampong Siem District but also in other four districts.”].

91 **D117/26** Put Kol Written Record of Interview, 25 September 2013, A28, EN 00977336 [“He told me that thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979. He told me that thousands of people had been arrested and killed in Kampong Siem District, and that the orders had been given from the upper level to the zone level, then to sector and district levels.”].

92 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A166-172, EN 01374657 [“The meetings were held once a year. During the meeting they talked about the arrests of the enemies. When the enemies were all arrested from the provinces and sectors, they started to search for anyone who had affiliation with the previous regime in the communes and villages. Q: We would like you to describe how they worked. For example, how did they identify and find out about an enemy following the village level meetings at Wat Tameak Pagoda? A: He ordered us to do politics. Anyone who had been a colonel would be told that they would be re-promoted to colonel rank. Former teachers and officers would get back their positions. They searched for educated people. When they did their politics, they got true answers. Those people were cheated and sent to be killed. [...] [The] cooperative chiefs were instructed to conduct the inquiries. They were to find out what positions the people would hold before. They were told to trick them to believe that they would not be mistreated when they told the truth and that they would be offered the same positions. [...] Q: Did Ta An attend that meeting? A: Yes, he did. He chaired the meeting. He also gave speech in that meeting. Q: Were you there also? A: Yes, I was. I went to give him protection.”].

93 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A169, EN 01374657 [“In my village those who had been civil servants, soldiers, students and scholars came forward to reveal their occupations. The order was then rendered to the district to implement the plan to send those people out. They were sent to their deaths.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787216 [“As for the ordinary people, they were killed in communes. Cadre who served as village chairpersons upward and the former Lon Nol military officers were sent to the Sector.”].

94 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A196-197 and A200, EN 01374660-61 [“Regarding that case, political ploy was used to trick people to believe that a new village would be created for the 17 April people. [...] [F]or the 17 April people, they did politics to create a new village where they would trick people to believe that there would be more rice to eat and land to farm. [...] So, when they heard that there were houses, rice, cows and soil at the new village, they volunteered to go live there.”].

95 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A196 and A200, EN 01374660-61 [“Those 17 April people were then transferred to that so-called new village hoping to have rice to eat, house to live and cattle to use for farming. Those were transferred to that place had disappeared. [...] They were arrested the whole families. For example, all the family members of Seng were arrested, and only one person survived because at that time she lived in Battambang.”].

96 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A201, EN 01374661 [“As I saw in the village, the 17 April people who had families were arrested as the whole families.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A33, EN 01076949 [“Only individual persons were sent to Wat Angkuonh Dei Pagoda, but when they arrested entire families such as the Cham or the 17-April group, they killed them at the base. I know this because there were graves in every commune except Krala Commune since the District Office was located in [Krala] Commune.”].

97 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A197, EN 01374660 [“[I]t was a plan at cooperative that he received from the upper echelon.”].

98 **D219/702.1.95** Prak Yut, T. 19 January 2016, 10.59.08-11.01.20, EN 01441045 [“Once again, Ta An instructed me to send those who had high ranks to the sector for re-education since they could not socialize with villagers, with people in the commune and they were ordered to send up to the sector. And concerning the order from Ta An to deal with some particular group of people at Kouk Pring, I was not aware of that.”].

99 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A32 and A65, EN 01063612-13 and EN 01063620 [“Q: Did Grandfather An ever give you lists of people for you to arrest? A: Yes, I received name lists of people to be arrested. I did not know their roles or positions of those people because I was not interested, but I think that perhaps the Zone sent the lists to him and he forwarded the lists to me because

people whose names in the lists were in my district. [...] Q: When you received the name lists of people to be arrested, did you know if the list sent from the Sector level or the Zone level? A: Frankly speaking, I can only make an assumption. Perhaps the lists were sent from the Sector level or the Zone.”]

100 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A34-35 and A90, EN 01063613 and EN 01063623 [“Q: When those people whose names in the lists were arrested, were you responsible for sending them to the Sector, or did the Sector come to take them themselves? A: No, I was only tasked to collect and arrest the people whose names in the lists to be detained at the district overnight, and the Sector was charged with taking those people to the Sector on their own. [...] Those people were detained at Tuol Beng Military Security Office. [...] Q: How were the prisoners sent to the Sector? A: The Sector came to take the prisoners by themselves. The same driver did not come regularly, sometimes once a month and other times once in every ten days. That vehicle could transport 10-15 people. I do not recall the name of that driver.”]

101 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A76, EN 01063621 [“If the Sector sent name lists of people to be arrested to me, I wrote annotations about the arrests. I had to keep the list they first sent to me. After that, I collected prisoners to be sent to the Sector, based on the name list. Then a person who came to transport prisoners to the Sector gave me a new list with the names of all the prisoners in order for me to inscribe the phrase ‘Sent’, and the name Grandfather An was written on that list.”]

102 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A94, EN 01063624 [“It was a matter of life or death, so we had to deal with it carefully. [...] After I received the name lists of people to be arrested, from the Sector, I had to check their backgrounds to make sure that the names in the list were correct as indicated by the Sector, so I gave the lists to the commune chiefs to follow up, and the commune chiefs gave orders to the village chiefs to follow up. After the follow-up, the village chiefs reported to the commune chiefs and the commune chiefs reported to me. I examined and made an analysis based on the reports of the commune chiefs. Then I made a new list and inscribed reasons to decide who to be re-educated and who to be sent to the Sector, and I enclosed it with the list brought by the driver from the Sector when he came to transport the prisoners to the sector, to be sent to the Sector.”]

103 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A140, EN 01179841 [“Aun was Ta An’s deputy.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A56, EN 01331760 [“Aun and Sokh worked there at the sector office. They were all from a Zone to the west. Aun was office chairperson and Sokh was military chairperson.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A29, EN 01111974 [“Ta Aun was both head of the sector office and head of sector commerce, whilst Ta An was the Sector Secretary.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A61, EN 01331721 [“The [sector] chairperson’s name was Ta An. And Aun was Office Chairperson, put in charge by the Sector Com as next in line after Ta An.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309862-63 [“The Sector Chairperson was called Bang Aun. I even know where his family home was. [...] Next came Aun, who was in charge of the Office. Dany: So Aun was in charge of the office, right? Saren: Yes! Like with mobile units, where they were going to work and the like, that was the Office Chairperson, and it was with the Office Chairperson that I went around.”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366555 [“Dany: So what was Bong Aun tasked to do once he arrived at the Sector? Pon: He undertook to manage the Sector Office. First Ta Am was the Chairman and then Bong Aun. He was after Ta Am.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335726 [“Dany: Your wife was in the Kang Meas Office. You were in the Sector Office. Who was promoted to replace Ta Aim, once he had been arrested? Ngov: Aun was promoted. Dany: Aun was promoted to Office Chairperson. Did you know this Aun before, or not? Ngov: At the Sector Office Aun was the Chairperson of the Defense Unit staying with Ta An. Once Ta Aim was arrested and gone, they had Aun take charge as Office Chairperson. There was no appointment, but we said there was no one other than him, so the new Office Chairman could only have been Aun, who ran the work.”]

104 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A140-143, EN 01179841 [“Q: Do you know who was in charge of the pagoda at that time? A: Aun. Aun was Ta An’s deputy. [...] Q: At that time, what orders did he give? A: He ordered soldiers to arrest people and kill them there.”]

105 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A71-72, EN 01374649 [“In short, Ta Aun could not make any decision on his own unless there was clearance from Ta An. Q: How often did Ta An and Ta Aun meet each other? A: Their houses were in the internal office about 50 metres away from one another. They would meet and eat together every day.”]

- ¹⁰⁶ **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25-27, EN 01067813 ["I checked the number of prisoners to be taken away and the number of new prisoners. Thirdly, I had to check living conditions of prisoners and the staff. [...] I just made a record of data in order to report to Aun, the Sector Office Chairman, while daily specific tasks were implemented by the soldiers stationed there. After receiving information from me, Aun reported to the Sector Committee (some of its members were District Committees, for example, Sim and Phal, the [Batheay] District Committee). [...] Q: You said you were tasked to 'make a record of prisoners brought in and taken away'. What does that mean? Where were they taken? A: At that time, when I went to check the security office, the guard reported to me that they sent prisoners who had disappeared from the security office back to their cooperatives. I understood that they surely took those prisoners to be killed, but they told me that they sent those prisoners back to their cooperatives."]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A206, EN 01402253 ["Q: In your previous interview you said that those prisoners were taken to be killed. Why did you believe that? A: In my previous answer, I think that [the interviewers] did not record my answers correctly. I did not mean to say that those prisoners were taken to be killed, but I assumed that they had been because I did not see them return."].
- ¹⁰⁷ **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A51, EN 01179827 ["Q: When did Kor Security Office become full? A: About three months after the arrival of the Southwest group. 'Full' meaning that there was no more space left to bury them."].
- ¹⁰⁸ **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A46 and A51, EN 01179827 ["Kor Security Office was full, they were transported straight [to] Kampong Cham Province. [...] About three months after the arrival of the Southwest group. 'Full' meaning that there was no more space left to bury them. Therefore, the people were sent to Kampong Cham."].
- ¹⁰⁹ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A67, EN 01374649 ["I heard it from Uncle Aun who said Phnom Pros was already full that we had to use the American 4x4 trucks from the sector to transport the prisoners to 'Kor'. He said that he got the permission from the Zone to transfer the prisons to 'Kor'."].
- ¹¹⁰ **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A14-15, EN 01076943-44 ["I did not know how long they kept the arrested Commune Committees in the District Security Office before they sent them to the Sector. There was one Range Rover that the district used to transport the arrestees from the district to the Sector. I knew they transported the arrested people to the Sector because I spoke to a young driver named Touch from the Southwest Zone. When I met him, I asked him where he was going. Touch told me that he was transporting three 'monkeys' to the Sector, meaning three arrestees. [...] Q: From where did they take the arrestees? A: They took them from the District Office at Angkuonh Dei Village."].
- ¹¹¹ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A38-45, EN 01374646-47 ["They just said they would take them to Wat Tameak Pagoda, but the senior-ranked ones would be sent to Phnom Pros Mountain, and the next level would be taken to Kor Security Office. The zone cadres would be taken to Phnom Pros Mountain and the ordinary people would be sent to Batheay District Security. [...] For 'Kor', the interviewer at that time did not question me further on it. Phnom Pros Mountain was for high-ranked cadres and, when it was full, some cadres were sent to 'Kor', whilst Batheay was for those who were arrested from the communes."].
- ¹¹² **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 ["After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arresting people associated with, to family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site."]. See also **D117/52** Bum Se Written Record of Interview, 27 May 2014, A9, EN 01076884 ["First they arrested base leadership cadres to Angkuonh Dei. After that, they arrested low-level cadres and their family members and sent them to Kouk Pring."]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A33, EN 01076949 ["Only individual persons were sent to Wat Angkuonh Dei Pagoda, but when they arrested entire families such as the Cham or the 17-April group, they killed them at the base. I know this because there were graves in every commune except Krala Commune since the District Office was located in Krall[a] Commune."].
- ¹¹³ **D219/226** Penh Va Written Record of Interview, 11 March 2015, A16, EN 01088626 ["Q: What do you know about Sector 41 Prison that was located in Kor Commune? A: From my recollection, those sent to Sector 41 Prison were family members, especially the wives and children of cadres who had been purged."].

- Those people were taken to receive re-education and they have disappeared ever since. Low-ranking cadres were sent to this prison, while high-ranking cadres, for instance Ta Taing, were sent to Tuol Sleng Prison.”]
- 114 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A48, A67, and A138-139, EN 01374647, EN 01374649, and EN 01374654-55 [“Sometimes when there were too many cadres, they used the sector trucks to truck some of them to Kor Pagoda. [...] I heard it from Uncle Aun who said Phnom Pros was already full that we had to use the American 4x4 trucks from the sector to transport the prisoners to ‘Kor’. He said that he got the permission from the Zone to transfer the prisons to ‘Kor’. [...] Q: Now we want to talk with you about the East Zone people who were taken to Prey Totung before being sent to other places. You said those East Zone people were transported to Prey Totung by the civil trucks. Whose trucks were they? A: They belonged to Sector 41. Q: Does this mean the trucks of Sector 41 were used to transport the East Zone people? A: Yes, it does. They were used to transport them to attend the study sessions.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A23-26 and A56, EN 01179823 and EN 01179828 [“It was a military vehicle, a Jeep. [...] The vehicle belonged to the Sector Office. [...] I saw that vehicle at the Sector Office every day. [...] The same vehicle was used to transport everyone who was arrested. [...] There was only one Jeep.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A78, EN 01167898 [“In regards to a Zone lorry, its bumper and cargo space had written across it ‘North Zone 304’. As for a Sector lorry, its bumper had ‘TA:BA: 41’ written across it, meaning Sector 41.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309915 [“Dany: They had you transport them? Saren: Yes, but not only one vehicle. There were very many vehicles. There were 4-5 Sector vehicles and more cars from zone level, moving them day after day.”]. *See also* **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A14, EN 01076943 [“There was one Range Rover that the district used to transport the arrestees from the district to the Sector.”]; **Annex B: Map of Ao An’s Sector Office in relation to the Case 004/2 Crime Sites.**
- 115 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A47, EN 01374647 [“Q: You said the trucks transported all those cadres to Phnom Pros Pagoda. Did you recognize whose trucks they were? A: The trucks were from the zone. ‘The Central Zone Truck’ was written on the plates.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A54-55, EN 01179828 [“Q: As for the lorries which you saw, to which level did they belong? A: Zone level. Q: How do you know this? A: On the front and back of the bumpers of the lorries was the symbol ‘Phor. Phor.’ [the abbreviation for Zone].”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A78, EN 01167898 [“In regards to a Zone lorry, its bumper and cargo space had written across it ‘North Zone 304’. As for a Sector lorry, its bumper had ‘TA:BA: 41’ written across it, meaning Sector 41.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A21, EN 01088626 [“They drove people to Comrade Sub’s office in a 2.5-ton truck, and it could carry up to about 50 people. They used the same truck to transport people from various districts to Comrade Sub’s office. The truth is that there were between 20 and 30 of this kind of truck in Sector 41.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309921 [“We went to get a mechanic. [...] He was a head mechanic. We went to bring him in from Batheay, so there were four of us coming back by motorbikes. One motorbike carried the old man, and I was with Sreang behind. When despite the horn, the truck did not give way, he shot in the air. Then, the truck pulled to the side. The truck reported this, and it was due to this that I was arrested and jailed. Dany: From where did the truck report? Saren: The truck belonged to the Zone. Dany: Which zone? Saren: Our North Zone, there at Kampong Cham.”].
- 116 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A24-25, EN 01179823 [“The vehicle belonged to the Sector Office. Q: How do you know that? A: I saw that vehicle at the Sector Office every day.”].
- 117 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A26, A35, and A42-46, EN 01179823 and EN 01179825-27 [“The same vehicle was used to transport everyone who was arrested. [...] That vehicle was used to transport people to the security office. I saw the car transporting people from a lot of places, including Cheung Prey District and Prey Chhor District, towards the North both morning and in the evening. [...] Q: You said that while you were working in the Logistics Office you saw a Jeep being driven to the Security Office. After the Southwest group arrived, how often did you see that vehicle transporting people to Comrade Sob’s Office or Kor Security Office? A: Three or four times a day, both day and night. [...] Q: You saw the Jeep transporting the people several times each day. How many times did you see this occur per week or per month? A: I saw this happen over a period of more than three months, until almost all the ‘new’ people and half the ‘base’ people had disappeared. Q: During those three months, did you see that happen every day?”]

A: Yes, I saw it every day. Sometimes I saw that twice a day, sometimes three times a day. Sometimes I saw this at night. I saw from two to ten people being taken away at a time. [...] Did you know where the trucks and jeep came from or where they were going? They were from villages in Skun District, Cheung Prey District, and Prey Chhor District, initially going to Kor Security Office. Kor Security Office was full, they were transported straight Kampong Cham Province.”]. See also **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A89, EN 01167900 [“Do you know how prisoners were transported to Kor Security Office? A: I saw them transported by Jeep. The prisoners were covered by a sheet laid over the cargo bay to prevent them from being visible.”].

118 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A43-45, EN 01179826 [“The Jeep could carry ten people. [...] I saw from two to ten people being taken away at a time.”].

119 **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A32, EN 01131757 [“Q: Do you remember what kind of vehicle he used when going outside the sector office? A: His vehicle at that time was a soldier-color Jeep.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A30-31, EN 01111974 [“Q: Have you ever seen Ta An during your work at Prey Toteung? A: I saw him being driven in a car every day. [...] He was driven in an American Jeep every day to attend meetings at various districts.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A89, EN 01331724 [“Q: What kind of automobile did Ta An use when he travelled here and there with you in accompaniment? A: An American white Jeep.”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366567 [“Dany: What car did Ta An mainly take? Pon: He mostly took the Major Jeep.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309908 [“Dany: What did he drive to work? Saren: He drove a jeep.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 [“I saw Ta An only once at a worksite of the Sector (Sautip, Prey Char, Prey Chhor district). I saw Ta An carrying a plastic pouch of strong tobacco beneath his armpit when he was getting out of his Jeep vehicle.”].

120 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A24, EN 01088627 [“In April 1978, and after the purge of the Eastern Zone cadres, I saw Comrade May, Ta An’s right-hand man who was responsible for arresting people, riding a motorbike in front of two trucks. The first one was a Jeep A2, which Ta An was in, and the second truck was a Chinese truck which had about 20 Eastern Zone prisoners in it.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A14-16, EN 01156189-90 [“I remember that when I walked to eat porridge at Pongro Village, I saw May riding a motorcycle ahead of Ta An’s vehicle, which was an A-2 Jeep, and another Chinese 4x4 lorry that was transporting prisoners. Those prisoners were East Zone cadres. Maybe there was another motorcycle riding behind that Chinese 4x4 lorry. At that time, that road was not paved with asphalt as it is presently. It was just a normal dirt road. As I saw, there were less than 20 prisoners in that Chinese lorry, and all of them were cadres. They were in new black uniforms, and they were in restraints. [...] Q: With whom did Ta An ride in that jeep? A: There was one driver and some bodyguards in that jeep with Ta An. Behind Ta An’s jeep, there was a Chinese 4x4 lorry, transporting less than 20 prisoners, all of whom were the East Zone cadres. Q: Do you remember those prisoners? A: No, I just know that they were the East Zone cadres, and my younger brother-in-law saw the Khmer Rouge killing the East Zone cadres. My younger brother-in-law is the husband of Penh Chantha. He saw them marching those East Zone cadres in queues to be killed at Wat Roka Koy Pagoda in Kang Meas District.”].

121 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A16, EN 01156190 [“I just know that they were the East Zone cadres, and my younger brother-in-law saw the Khmer Rouge killing the East Zone cadres. My younger brother-in-law is the husband of Penh Chantha. He saw them marching those East Zone cadres in queues to be killed at Wat Roka Koy Pagoda in Kang Meas District.”].

122 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A89 and A91, and A93-94, EN 01167901-02 [“Sometimes, the car belonging to Ta Aun, who was Sector Office Chairman, was also used to transport people to the security office. I know this because I was able to recognise this car. They used this car to transport arrestees. It was a four-wheeled vehicle with a covered cargo area. [...] I recognised Ta Aun’s vehicle because he parked it near the Commerce Office. And I saw Ta Aun drive it with four or five of his messengers on the back. People were fearful upon seeing both vehicles. When their cargo bays were covered by tent canvas, that meant that there must be people inside. The driver told my co-worker at the Commerce Office that when the vehicle’s cargo bay was fully covered, that meant there were prisoners underneath. [...] After the arrival of the Southwest cadres, how often did you see prisoners transported to Kor Security Office by Ta Aun’s vehicle? A: Once every seven or ten days. When Ta Aun drove the vehicle, there was nothing in

the cargo bay, but when someone else drove it, its cargo bay was always fully covered. Q: How many people do you think Ta Aun's vehicle could carry? A: The vehicle could carry four or five persons. But it could carry a full load of about 15 persons.”]

123 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A48, EN 01374647 [“Sometimes there were three or four trucks of cadres.”]

124 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A54, EN 01374647 [“One truck could carry up to 30 people. It was a Chinese Zil truck with 12 tires. That truck belonged to the Zone.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A43, EN 01179826 [“The large trucks could carry 50 people under a tarpaulin. There were two soldiers guarding at the tail gate of the lorries.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A92, EN 01167901 [“Q: Were any other vehicles used to transport prisoners to the security office? A: I saw vehicles from the Zone heading from west to cargo bays were covered by tent canvas, and I was able to see people moving underneath the canvas stretched over them.”]

125 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A63, EN 01374648-49 [“Q: Where did the trucks that you said transported the people to Phnom Pros Pagoda leave from? A: The trucks transported people from the East Zone. At the time, there were two trucks. The civil truck transported the people to the gathering place. Then the Zone military-coloured truck transported them from the gathering place to Phnom Pros.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A42, EN 01179826 [“At night, they used large lorries to transport many people, all so-called ‘17 April’ people after liberation.”]

126 See **Annex B**: Map of Ao An's Sector Office in relation to the Case 004/2 Crime Sites; **D219/460.1** Map of Prey Chhor District, 07 August 2015, EN 01348598 [shows the locations of the Sector Office and numerous other sector facilities at the Prey Toteung intersection; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A2, EN 01088621 [“I was a member of the textile unit - part of the crafts unit - of Sector 41 that was situated in Prey Tortoeng Village, Chrey Vien Commune, Prey Chhor District, Kampong Cham Province.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A13, EN 01156189 [“The Sector 41 Propaganda Office was located at the corner of Prey Totueng Market.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A42, EN 01331718 [“Q: Can you tell us where the sector office was located? A: It was in Prey Totueng, Prey Chhor District, there in Kampong Cham Province, too.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309860-79 [“Sector 41 was in Kampong Cham - at Prey Totoeng, [...] Dany: Where was the Sector Office at that time? Saren: At Prey Totueng. Dany: So, in Prey Totueng, were there proper houses and the like? Saren: Yes. There were big houses.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A17, EN 01076945 [“I saw Ta An once in Prey Totueng when he was standing at the junction of Phnom Penh-Kampong Cham and Kang Meas roads.”]

127 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A42 and A138, EN 01374646 and EN 01374654 [“Q: What did Ta An say about Wat Phnom Pros Pagoda? A: He said that when further letters were issued by our comrades to arrest the East Zone people, the arrestees could be placed at his place where they would be given some good food to eat as parts of the political ploy and manipulation. After that they would be loaded onto the trucks and sent for execution at Phnom Pros Phnom Srei. Those people must have been killed as they were never seen again. Only their clothes and belongings would be returned and stored at the Sector Office. [...] Q: Now we want to talk with you about the East Zone people who were taken to Prey Totung before being sent to other places. You said those East Zone people were transported to Prey Totung by the civil trucks. Whose trucks were they? A: They belonged to Sector 41.”]

128 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6-7, EN 01088622 [“Two weeks after the meeting took place they drove two trucks and parked them at the corner of Phsar Prey Tortoeng Market. They were waiting for those who had been arrested in various villages and communes to be taken there by ox cart. [...] They might have been people whom their unit chiefs disliked, and they could have been the new and base people. I learned that those people were taken from different communes and districts. I witnessed people being taken by ox cart to the two trucks.”]

129 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6-7, EN 01088622-23 [“Two weeks after the meeting took place they drove two trucks and parked them at the corner of Phsar Prey Tortoeng Market. [...] [T]here were two armed guards standing on those trucks. They were JMC American trailer trucks that could carry up to about 50 people. I learned that those people were taken to be killed at Phnom Pros Phnom Srei Mountains. I learned of this incident from my friend, who also worked in the sector garage. His name is

Huot. He was a driver for Sector 41, and he witnessed the incident in person. [Huot] is deceased now. Those two trucks did not come from the Sector 41 garage. [...] I witnessed these incidents in person. [...] When they arrived, they loaded their luggage onto the trucks, and said goodbye to their relatives. They were crying and screaming. 'I'm going now.' I did not know the guards, but I assume that they were at the zone level."]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A7-10, EN 01156187-88 ["First, I did not understand Ta An's words. But three to four days later, two large vehicles parked at a corner of Prey Totueng Market, and the two vehicles transported people to be killed every day. Therefore, later I understood Ta An's on that area, killing many people. But the soundless war that was taking place would kill even more people than the B-52s did. After the Khmer Rouge regime, I learned that people were taken to be killed at Phnum Pros Phnum Srei Mountains. [...] At that time, people arrested in villages and communes were taken and put in two vehicles at the corner of Prey Totueng Market. So, ordinary people were not taken to Wat Tameah Pagoda; they were taken to be killed at Wat Phnum Pros Phnum Srei Pagoda immediately. [...] I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector."].

130 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 ["Sometimes, they used trucks from the sector garage and transported people to the sector prison that was situated in Kor Commune of Prey Chhor District."].

131 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 ["They used the two trucks to transport people out for the entire week. After being quiet for a while, the trucks came back again and took more people away. I witnessed these incidents in person. [They] continued to take place until October 1977 when I stopped working there."].

132 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A23, EN 01156192 ["The division of prisoners and the decisions on where the prisoners were to be sent were made before the people reached the Prey Totueng Junction. [...] At Prey Totueng Junction, people were divided and transported to the places that had already been decided."].

133 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A142, EN 01111982 ["The pagoda was located around 500 metres to the west of the sector logistics office."]; **D219/460.1** Map of Prey Chhor District, 7 August 2015, EN 01348598 [shows both the Sector Logistics Office and Wat Ta Meak pagoda located near the Prey Toteung intersection]; **Annex B**: Map of Ao An's Sector Office in relation to the Case 004/2 Crime Sites.

134 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A152, EN 01111982 ["Wat Tameak Pagoda belonged to the sector level, but it was not a security office. Instead, it was like a transit place for prisoners taken from various places before they were sent out after a short detention."]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A9, EN 01151219 ["Wat Ta Meah Pagoda was under the administration of the sector. According to the zone-level plan, Wat Ta Meah Pagoda was used for temporarily detaining people before sending them to various places."].

135 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A149-152, EN 01374655-56 ["Q: Did you know from where else in the East Zone they took the people? A: They took the people from another side of the river of Kang Meas in the East Zone. We waited to collect them at Peam Chi Kang of Kang Meas District. [...] Those people took the [trucks] and large riverboats from the East Zone to the riverbank of the Central Zone. Q: Who managed the boats for transporting those people? A: He ordered Kang Meas District chief, Aunt Kan (female) to truck them."].

136 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A64 and A160, EN 01374649 and EN 01374656 ["They arrested people from the East Zone to be gathered at a place at Prey Tortung. Then they transported them further. [...] Q: You have just stated that the drivers from Sector 41 went to collect people from the boats and transported them to Prey Tortung. The trucks from the zone then transported them to the security office. Is this correct? A: Yes, it [is]. Those trucks transported them to Phnom Pros."].

137 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A33-34, EN 01179824-25 ["Q: Did you know where they were taken? A: They were sent to the Security Office at Kor, the Sector Security Office. Q: How do you know this? A: The vehicle was driven northwards to Kor Village, not toward Kampong Cham Province."]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A89, EN 01167900-01 ["I know where this car transported them to because at the four-way intersection with Peam Chi Kang, Kampong Cham, Tuek Chha and to the east, that Jeep headed north, the direction to Kor Security Office."].

- ¹³⁸ **D219/498** Penh Va Written Record of Interview, 7 September 2015, A13, EN 01156189 [“The Sector 41 Propaganda Office was located at the corner of Prey Totueng Market. At that time, they told me to prepare my belongings, and I thought to myself that if the vehicle turned to the east, I would die because that meant they would be taking me to Phnum Pros Phnum Srei to be killed.”].
- ¹³⁹ **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A46-59, EN 01402226-28 [“Q: Could you go into detail about the arrest of Am? A: On that day, I went to visit my wife in Kang Meas District. When I returned to Sector 41 in the evening, I saw that Am’s ankles were shackled and he was being detained in a room. There were messengers stood outside the room. Q: Were Ao An, Aun, Sokh or Moeun there? A: They were also in the office but they were in their rooms. Am was detained in a room that they used for multiple purposes. The room was for the sector level cadres to take rest and sometimes it was used to host meetings. It was the first time that the room had been used for detention. [...] Q: During the three or four day period, were Am’s ankles shackled? A: Yes. [...] Q: Do you think Ao An may not have known about the arrest? A: He must have known about it because he was the chief. The guard unit and the messengers could not carry out an arrest of their own accord. In short, there must have been an order from the chief but this is only an assumption. I do not know if Ao An was actually the one who issued the order to arrest Am. Q: Was Ao An present during the three or four day period? A: Yes. Ao An was there. [...] Q: Did they tell you the reason why there was a new chairperson? A: They did not give any details. They only said that Am had betrayed the Party. Q: Who said that? A: It was generally known that when people were arrested those people had been accused of betraying the Party.”]. See also **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A18, EN 01067811 [“Later Am was arrested, and he was replaced by Aun, who supervised the work of the Sector Office as the Sector 41 Office Chairman.”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366572-73 [“I also saw Ta Am being arrested. [...] I saw him being arrested and tied then pushed into the car. His car was the three seater 404 that he had brought from Kampot. Then it went away. [...] He was arrested under Ta An’s house. [...] Under Ta An’s house in the Sector Office.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A42, EN 01059869 [“Yeay Yut’s husband, who was Kampong Siem District Chairman, was arrested in my office.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335724 [“Dany: Did you hear that Ta Aim was arrested, or not? Ngov: Yes. Dany: Since you used to work with him, did you know when he was arrested the reasons they arrested him? Ngov: We didn’t know, because all such matters were secret matters. Once he was arrested, it became known that the arrest, they spoke of the arrest talking only about betraying the Party. Regarding by what sort of activities, that was something imperceptible to us.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A4, EN 00977332 [“Prak Yut’s husband was Ta Am. He was working at the sector office with Ta An, but he was arrested a few months later.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A33, EN 01098553 [“After living in Kampong Siem for a month Yuth’s husband was arrested.”].
- ¹⁴⁰ **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366580 [“Women were kept in the Sector Office once but I did not know in what place they were kept.”].
- ¹⁴¹ **D219/788** Khut Saret Written Record of Interview, 27 June 2016, A28-32, EN 01131684-86 [“Q: Did you ever know or see prisoners being detained within the sector perimeter? [...] On one occasion, I merely saw some arrestees being brought in to be detained during the day, who disappeared that night. After that, I saw clothes being brought back, which is how I knew they had been taking to be killed. [...] I just know they were Cham; I don’t know if they were new or old people, just that they were Cham. [...] Q: Why did they bring the clothes back? A: They threw the clothes in the house to be kept there. I don’t know kept to be distributed to whom, that being something I wouldn’t know. [...] They were tied up.”].
- ¹⁴² **D219/788** Khut Saret Written Record of Interview, 27 June 2016, A31-32, EN 01331685 [“Q: You said that those people were marched away by the militia to some location, and when the militia walked back, there were only the clothes. Is that correct? A: Yes. Q: Why did they bring the clothes back? A: They threw the clothes in the house to be kept there. I don’t know kept to be distributed to whom, that being something I wouldn’t know.”].
- ¹⁴³ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A99-101, A107, and A112, EN 01331726-27 [“Q: Can you describe the sector office, especially with regard to its location, the number of buildings, their shape, and the perimeter? A: There were two gates by which to enter from the perimeter. The first gate was to the east, right on the road to Peam Chi Kang. The other one was to the west. If coming from Phnom Penh, we would turn right, and then, a little later, turn back to the left. Q: How many buildings were

there within the Sector Office perimeter? A: There were only four work buildings there that were houses. [...] One house for Ta An; one house for Ta Aun's house. [...] I slept behind Ta Aun's house with the other couriers also within the perimeter there. [...] Q: While you were living and working at the sector office, did you ever see persons being detained there? A: I saw that."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309891 ["Dany: So a Sector Com like Ta An or like the Sector Office Chairperson named Aun, were their residences right there at the Sector, or what? Saren: They lived right there. There was one house for the Sector Com, and another house in back for the Office Chairperson."].

Timing of these events: While So [Sau] Saren in two places indicates that these events happened in 1976, it is clear from his evidence as a whole that the events he describes at Prey Toteung happened after the arrival of Ao An, Aun, and Prak Yut in the Central Zone. First, he recalls that Prak Yut was already the District Secretary of Kampong Siem District at the time he was transferred to the sector compound. Second, he was transferred some time after Phat had been made secretary of Ou Svay Commune, and Phat was appointed to that position by Prak Yut. Third, Aun spoke to the witness and the other militiamen newly assigned to the sector the morning following their arrival in Prey Toteung. Fourth, he explicitly states that the events he describes at Prey Toteung happened after the arrival of the Southwest Zone cadres: **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A13-14, A38-39, and A51-52, EN 01331714, EN 01331717, and EN 01331719 ["Q: Do you remember the name of Kampong Siem District Secretary? A: The district secretary was named Yeay Yut. Q: Was it right that it was the person named Yeay Yut who came to the commune and ordered the old commune chief to work in different place and replaced him with the new commune chief named Phat? A: Yes. [...] I arrived at the sector office on I do not remember what date 1976, when I was in the sector office. We worked as defence unit behind the sector office. Q: At the time you were waiting to board the car at Angkuonh Dei Village, do you remember who the district secretary was? A: [...] I remember that Yeay Yut was District Secretary. [...] Q: Who told you that you were placed in the defence unit? A: The Chairperson of the Sector Office, Aun. Q: When did Aun explain to you about the work of your group? A: That next morning, they divided us up to work in different places. That morning, they held a meeting with us and explained to us about the work."]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A122, EN 01364070 ["Q: When you were interviewed by the Documentation Center of Cambodia, you said that you saw people being arrested and tied up in Prey Totueng. Were those arrests carried out before or after the arrival of the Southwesterners? A: They were arrested when the Southwesterners arrived. When the Southwesterners arrived, they selected kids like me, and they simply swept the previous veterans cleanly away."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309891 ["As I said, this was initially, this [beating and torturing with broken glass] was in 1976 or thereabouts, when they had just set things up."].

144 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A123, EN 01331729 ["Q: How far was the wall-less hall from Ta An's house? A: The house and the hall faced each other, with a road in between."]

145 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A122-125, EN 01331729 ["Q: Could those who worked within the sector office perimeter see the prisoners? A: They could. [...] Q: Could Ta An pretend to not see those prisoners? A: As for the prisoners put in the motor pool, where they also put minor little stuff such as ploughshares, he never walked over there. Whenever he left his house, he went straight outside. Q: Do you think that Ta An might not have been able to see those who were tied up or handcuffed there? A: He could see them. Sometimes, with prisoners held in the motor pool in front of the house, and he went up into the house, how could he not see them?"]

146 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A113-116, EN 01331728 ["Upon first being brought in, they were taken to be put right there in the office, in the motor pool there inside the office perimeter. [...] Q: How long did they detain those persons before they sent them to Krouch Kor Security Office? A: Sometimes, a day. Sometimes, two days. Q: Was the hall used to detain those people enclosed with or without walls? A: Sometimes, they were detained in a motor pool area without walls. Sometimes, they were put in the place where motorbikes were put, which were tightly enclosed with walls."].

147 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A117-118, EN 01331728 ["Q: When those persons were detained in the motor pool without walls, who did they have keep an eye on those detainees? A: We took turns doing so with Ta An's defence unit. Q: Do you know who the chief of the defence unit was? And do you remember some of those in the defence unit? A: The chief of the defence unit was none other than Sok."].

- 148 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A121 and A126, EN 01331729-30 [“Q: For those who were detained in the hall with no walls, were they handcuffed? Or were they just guarded? A: They were handcuffed and tied up there. The guard was not constant, but merely walked, circling the area. [...] Q: The prisoners who were put in the tightly enclosed room, were they also handcuffed? A: They were tied up. In general, those who were put there were not handcuffed. They were tied up right against the pillars.”].
- 149 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A133-134, EN 01331730-31 [“Q: Where did they interrogate the prisoners? A: There was a school there. There was only that one place. It was behind Ta Aun’s house. They did interrogation there. Q: Did you participate in or see with your own eyes the prisoners being interrogated? A: That place was close to my place, in other words, close to Ta Aun’s house. I saw it.”].
- 150 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A135-137 and A210-211, EN 01131731 and EN 01131742 [“Q: How did they do interrogation? A: It seemed like they asked about nothing more than whose links they were. But the prisoners never came back with answers. Even if they were suspended upside down, they did not answer. Even if they were suffocated with bags, they did not answer either. [...] Q: What kind of torture did you see inflicted on the prisoners? A: Sometimes, they were given electric shock with wires. Sometimes, they were suspended upside down. [...] There was another person, a Military Chairperson chief of army, but he was given electric shock during interrogation and died in the Sector Office. I do not know his name. Q: Did you participate in his interrogation, or not? A: That place was exactly the place where I slept, because the questioning was there [at] Ta Aun’s house. Therefore, I sat and watched them.”]. **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309880-92 [“At night I heard them beating people being interrogated, who were screaming ‘Owh! Owh! Owh!’ calling for their mother and father. That was if they were stabbed with piece of broken glass. [...] Early in the morning, I went to take a look. Once I saw the dead people in that longhouse, and the bottles used to beat and stab them, I felt pity for those who screamed. [...] Another one, the District Military Chairperson, was also brought to the sector location to be questioned. He was shocked with electrical wiring until he went limp. Another one, the guy who was District Vice Chairperson was also shocked with electrical wiring until he went limp, and I had to take him to the rice fields to dispose of him, but I did not take him. I did not dare to go as I knew that if I went I would be told to beat him to death and dispose of him.”], EN 01309895-97 [“When questioning, they sometimes tied their feet and hung them upside down. They banged their heads against the table. [...] Sometimes the prisoners’ heads were immersed in big jars of water. [...] Sometimes, they used plastic bags to suffocate [the prisoners], I became familiar with all this. Dany: [...] Regarding the questioning, did they train the interrogators in interrogation techniques? Saren: At that time, I did not do questioning, but I was there. Dany: You saw this? Saren: Yes, I did. I was at the Sector, so I was right there, went there. But I didn’t know what the interrogators were told about how to question. I did not know. [...] Dany: So at the Sector Office, one form of torture was of immersing a person’s head in a big jar of water? Saren: In fact, the big jars [...] were not set up. It having been a school, the water and so on were already there. Then people were suspended upside down, their heads were immersed in water and their heads were banged against each other. Dany: Did you see this? Saren: I saw it. Two female siblings were arrested and tied up but not shackled. They were tied up, trussed up, right in front of the longhouse and left there. The following morning, they had vanished. Having been [un]able to find them anywhere, we peered down into the well. They were down the well but still alive. Both of them had jumped into the well. Then that guy Hum, who somehow knew what to do, used a bamboo pole to hook them up out of the well. He placed a hook between the joints and lifted them up all by himself. Dany: Could he lift them? Saren: Yes. Dany: Did he hook them up out of the well? Saren: Yes. He brought them up out of the well. The well was pretty deep, about 4-5 metres deep. Dany: Where was this? Saren: There at Prey Totueng.”].
- 151 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A220-221 and A223, EN 01331743-44 [“Two or three of [Ao An’s] defence unit came connect electrical wire to shock prisoners there in the place where I slept. [...] But Ta An’s defence unit came to do interrogation and applied electric shock. [...] Q: Do you remember the names of those in Ta An’s defence unit who interrogated and tortured the three prisoners? A: I remember clearly only one, named Run.”].
- 152 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A233, EN 01331746 [“When I first went to work in the sector office, I guarded at the defence post location, and the interrogation place was maybe 50 meters from there. I was not used to such a situation, and it was precisely at this time that I heard

those sounds of screaming and groaning. At dawn, it occurred to me to take two or three of us to go look, and we saw one corpse and broken bottle pieces there. I heard the screams of those being beaten once every three or four nights.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309880-91 [“At night I heard them beating people being interrogated, who were screaming ‘Owh! Owh! Owh!’ calling for their mother and father. [...] Dany: And you said that then, at night, you could hear people being interrogated. Did you see pieces of broken glass being used for stabbing? Saren: Yes, I did. I did not see that at night but I saw it the following morning. At night I just heard the screaming and moaning, and the cries, ‘Mom! Help me.’ Dany: I see. How often did you see that? Saren: Two or three times. If you’re talking about hearing, it was almost constantly. I heard the sound of people being beaten until it fell silent. [...] Dany: So when the prisoners were being beaten and were screaming, could the Sector Com and the Office Chairperson hear it? Saren: Most likely they would hear it because they were the same distance away.”]. *Contra*, **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A138, EN 01331731 [“Q: Did the prisoners scream? A: No, even if their throats were cut; they did not groan. I saw them taking two prisoners to be killed by cutting their throats at Wat Tameak Pagoda, and there were no screams.”].

153 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A139 and A210-211, EN 01331731 and EN 01331742 [“Do you know if the prisoners died of torture during the detention in the Sector Office, or not? A: One died every once in a while. [...] There was another person, a Military Chairperson chief of army, but he was given electric shock during interrogation and died in the Sector Office. I do not know his name. Q: Did you participate in his interrogation, or not? A: That place was exactly the place where I slept, because the questioning was there [at] Ta An’s house. Therefore, I sat and watched them.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309880-91 [“Early in the morning, I went to take a look. Once I saw the dead people in that longhouse, and the bottles used to beat and stab them. I felt pity for those who screamed. [...] Dany: So once the screaming and questioning was over, the next morning you saw those dead inside the Sector Office compound. Saren: Yes, right there in the Sector Office compound.”].

154 **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309897-98 [“Oh! There was also this one poor thing who was tortured, like they say as a woman, banging her up with an M-79 round. Dany: Did you see this? Saren: I sure did. Seeing this, I walked away, leaving them to do whatever they would do. I went to hang out at the roadside out front. A moment later, I returned and did not see this, but I heard them say she had croaked already. Dany: In what year was it? Saren: Well ... I don’t remember the year. Dany: Where was it? Did it happen at Prey Totueng? Saren: Yes. At Prey Totueng. [...] Having been arrested, she was tied up to a house column and left there. And then these kids - I did not see whether they really did this - only they said to me that they shoved an M79 round up her ass, and then she died.”].

155 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A235-237, EN 01331747 [“I saw they took the two persons away at night at around 7 o’clock, took them from the sector office location to be killed at Wat Tameak. I remember clearly that after they were killed, they were also disembowelled. The killer walked out of the monks’ quarters and said that ‘brother, would you like a bit of meat to eat.’ And I said ‘no.’ And I rode the motorbike out from there. The next morning, I met him again, and he said that that meat was human liver. Q: Did you know the murderer? A: The [murderer’s] name was Run. Q: Was Run the person whom you previously said was in Ta An’s defence unit and who interrogated the prisoners? A: Yes. It was that Run.”].

156 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A235-238, EN 01331747 [“I saw they took the two persons away at night at around 7 o’clock, took them from the sector office location to be killed at Wat Tameak. I remember clearly that after they were killed, they were also disembowelled. The killer walked out of the monks’ quarters and said that ‘brother, would you like a bit of meat to eat.’ And I said ‘no.’ And I rode the motorbike out from there. The next morning, I met him again, and he said that that meat was human liver. Q: Did you know the murderer? A: The [murderer’s] name was Run. Q: Was Run the person whom you previously said was in Ta An’s defence unit and who interrogated the prisoners? A: Yes. It was that Run.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309900-01 [“Back when those two were arrested and brought in, I didn’t even know where they were brought in from. There were these four or five men in my group and I always went with them. There was a pit underneath a guava tree; I stood there watching. I rode my motorbike there to stand and watch. After they had cut their throats, they shoved them into the pit and slashed their bellies. I was watching but did not know what was happening, that a belly was being slashed open to take the livers. I didn’t know that. The other one was left for them to do. ‘You see, you son of a bitch, if you give answers, you will be spared.’ Then they tilted him back and cut his

throat, after which his belly was slashed and his liver take out. I was standing not knowing what was being taken, wondering what was happening. Suddenly, one of them carrying a knife was walking towards me from underneath the monks' quarters. He said to me, 'Bang! Have a bit of this to eat.' I replied, 'What is it?' I wondered what food they gave me and what they made it from. No! I thought it was likely they had used the knife which they had used to cut the victim's throat. The knife blade was blood-stained. I thought 'No! I won't eat this.' So, I left quickly on my motorbike for my location. Next morning, at my location, I asked them, 'What did you eat yesterday?' They responded, 'Livers. Bang, of those two.' Dany: At Wat Tameak Pagoda? Saren: Yes. It was at Wat Tameak Pagoda.: Dany: Was Wat Tameak Pagoda Prison also a sector prison? Saren: Yes. It was a sector prison. Dany: So there were two sector prisons? Saren: Yes, two. Dany: There was one in [Krouch] Kor and another one was at Wat Tameak Pagoda? Saren: Yes."].

157 **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A150-152, EN 01434544-45 ["Q: Did the transportation of prisoners from one district to another in Sector 41 require permission from the sector secretary? A: Yes. In this case, it was necessary to inform the sector secretary, but the permission did not need to be from the district secretary. Normally, the secretaries of both districts had to contact each other before hand, and both district secretaries had to inform the sector secretaries by either written or oral reports during their meetings. [...] Q: How did you know this? Did anyone tell you? Or did you simply notice it? A: This is my assumption about the rules and regulations at that time."]. *See also* **Annex B**: Map of Ao An's Sector Office in relation to the Case 004/2 Crime Sites.

158 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A56 and A143, EN 01374648 and EN 01374655 ["Q: Just now you said Ta Aun was the person who decided to where the trucks would be driven. Did Ta An know what was happening? A: Yes, he did. Ta An was the person who ordered Uncle Aun to do that. [...] Q: Did anyone use the sector trucks without authorisation from Ao An? A: No, they didn't. Seemingly no one would be allowed to do that unless there was authorisation from him. All ministries had to get authorisation from him."].

159 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A18, EN 01156191 ["Sector Committee received A-2 Jeeps. District Committee received CL-120 motorcycles."].

160 *See para. 17.*

161 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A20, EN 01088626 ["Q: Who ordered Lei to bring prisoners to Comrade Sub's office? A: Lei worked for Comrade Aun and An. I assume the orders must have come from Aom An."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309893-95 ["Dany: Who issued orders for such arrests? Saren: The Sector Com issued the orders. Dany: Who? Saren: It was Ta An. [...] Ta An issued the orders. Like, he issued an order to Bang Aun, the Office Chairperson, and Aun ordered Tri, the Military Chairperson. [...] Dany: How did you know that Ta An issued (an) arrest order(s)? Saren: Well, in that location, the big one was none other than him. Him being big, it's knowable he was the one who issued order(s). [...] Dany: But you did not hear directly about this? Saren: I did not. What I know is that anyone who was so big was giving the orders."], EN 01309905 ["Dany: And was there ever an occasion on which did Ta An ordered someone to do killings? Saren: He only ordered others. Never me. [...] Dany: Did you hear him tell others? Saren: Yes. Like when I heard him give orders to (the) Sector and suchlike Chairperson(s). That I heard. Dany: What did you hear? What did he say? Saren: To go make arrests here and there. But there were reports coming from the sector, at the factory(ies) and workshop(s) and so on, So he would come back with orders saying, 'Go and bring them in. There was rarely a case of mistaken identity among those arrested when going to bring them in. But if was the wrong person, they would be taken away and beaten to death anyway."]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A131-133, EN 01373694 ["Q: Did you know who else was responsible for arresting people in your sector? A: My assumption was that only Ta An was a high-ranking cadre in the sector. At that time, no one besides Ta An led Sector 41. [...] Q: Did you ever see anything that was a sign that Ta An was responsible for preparing or releasing the orders to kill people in addition to his responsibilities at the sector? A: No, I didn't. At that time, I thought he was the highest-ranking cadre who had the rights to decide anything he wanted."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 01059298 ["Usually the orders were from Sector Military to District Military, but if Phen needed arrests and could not find those people, he would request assistance from Sector Military, and that was when Ta An ordered Prak Yut directly. Sometimes Ta An took a vehicle to meet Prak Yut personally, and sometimes he sent her a letter. Regarding the arrests of the Cham, former Lon Nol soldiers, and former village and commune chiefs, that was a special case. That was why Ta An gave a direct order to Prak Yut."].

- ¹⁶² **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608 [“For example, we had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A42, EN 01374646 [“Q: What did Ta An say about Wat Phnom Pros Pagoda? A: He said that when further letters were issued by our comrades to arrest the East Zone people, the arrestees could be placed at his place where they would be given some good food to eat as parts of the political ploy and manipulation. After that they would be loaded onto the trucks and sent for execution at Phnom Pros Phnom Srei”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A86, EN 011179833 [“Q: Did you know who gave the orders to kill those people? A: Ta An, the Sector Chairman. The Sector Office was there, and the soldiers were his.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A33-37, EN 01224087-88 [“Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. [...] His name was Ta An. Q: As for you personally were you present when Ta An issued the orders to kill those prisoners? A: I was there personally when Ta An ordered the military to tell security. Q: Was Ta An at the security office when he ordered the killings? A: He was in the Inner Office. He ordered the military to go to security. Q: When Ta An gave orders through the military where were you A: I was in the Inner Office with him.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309906 [“Dany: [...] Did Ta An order the electric shock? Saren: Yes. [...] He said, ‘Hey Aun! Have Ren take him away and dispose of him.’ Coincidentally, I was sleeping there. Dany: So it was Ta An who said that? Saren: Yes. Ta [An] said that. Then Bang Aun approached me saying, ‘Ren’s taking him to dispose of him out back’ But it was already dark.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A107, EN 01059299 [“Q: Who decided who was to be taken to the upper echelon? A: Ta An did, based on the list I generated. The list I prepared also mentioned backgrounds, ranks, and duties of those people. The first list he sent back to make arrests was of the most important people. The next list was of those whose rank was lower. The list that Ta An sent back was enclosed with his annotations that this or that person could be killed at district level, or had to be sent to Sector level.”].
- ¹⁶³ **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A75-77, EN 01364062-63 [“I did see one event involving the pregnant wife of someone in the sector military, her husband, was arrested. The wife of this person in the military kept coming often to ask Ta An about her husband. Ta An ordered his military to take [her] to be killed and to cut her stomach open. Q: Was this event at Wat Ta Meak Pagoda or somewhere else? A: At the sector office, but in the paddy fields out back. Q: So the person who killed that lady was Run. Is that correct? A: I do not know who the killer was. Someone came to tell me about this. I only knew that she had already been taken to be killed.”].
- ¹⁶⁴ **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A30-40, EN 01224087-88 [“Q: When they were transported from the Sector Office to Kor Security Office did the transported people walk freely? A: They were called and placed in trucks and told that they would go to study or to attend meetings like that. Upon arriving at Kor Security Office they were called one by one to go inside room and then tied up. [...] shortly afterwards they were taken to be executed right away that night or the following night. Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. [...] His name was Ta An. Q: As for you personally were you present when Ta An issued the orders to kill those prisoners? A: I was there personally when Ta An ordered the military to tell security. [...] Q: Did Ta An ever go to that Security Office? A: He did. Q: Did you go with him? A: Yes. I went. Q: What did Ta An go there for? A: He wanted to know whether his orders were fully implemented or not. That was all he wanted to know.”].
- ¹⁶⁵ **D219/226** Penh Va Written Record of Interview, 11 March 2015, A24, EN 01088627 [“In April 1978, and after the purge of the Eastern Zone cadres, I saw Comrade May, Ta An’s right-hand man who was responsible for arresting people, riding a motorbike in front of two trucks. The first one was a Jeep A2, which Ta An was in, and the second truck was a Chinese truck which had about 20 Eastern Zone prisoners in it.”].
- ¹⁶⁶ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A58-59, EN 01374648 [“Q: Did you know if Ta An or Ta Aun received a report from all those security offices about the process of the killings at those offices? A: I went to collect those reports. He ordered me, ‘Son, you go to Kor to collect the killings the documents.’ I brought the documents to [Ao An]. He said, ‘Messenger, you go to Kor Security Office.’ Then I rode on the motorbike with him. The documents [were]

sealed in the envelope. Q: Did you know what information was in that envelope? A: I only knew that it was about security. I did not know what information it was. However, it was nothing but the report of the killings. I was with him, next to him whilst he was eating rice. He said, ‘Several people have already been taken to attend the study sessions. Soon our plan would be achieved.’]

167 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A160-161, EN 01331734 [“Q: Did Ngov come to make any contact with the sector chairperson? A: I very often saw him coming in and out of the sector office. He came there to meet Ta An. Q: Did Ngov have any contact with Aun? A: Sometimes, I saw him standing and talking with *bang* Aun.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A87, EN 01167900 [“I saw Ta Ngauv drive his car to Ta An’s office once every five days or once every week. I know this because when I was on guard outside my Commerce Office, along the way to the Sector Office, I saw Ta Ngauv drive his vehicle to the Sector Office.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A113, EN 01364069 [“I did see [Ngauv] come to the sector, because he sometimes came to meet Ta An, Bang Aun and whoever.”].

168 **D219/855** Nhem Chen Written Record Interview, 27 October 2016, A42, EN 01374646 [“After that they would be loaded onto the trucks and sent for execution at Phnom Pros Phnom Srei. Those people must have been killed as they were never seen again. Only their clothes and belongings would be returned and stored at the Sector Office.”].

169 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A59, EN 01374648 [“[Ao An] said, ‘Several people have already been taken to attend the study sessions. Soon our plan would be achieved.’”].

170 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A67, EN 01179830 [“Q: Do you know how Ta An went to inspect people in districts? A: He was in overall charge of everything in the sector. Therefore, he went to cooperatives, villages, and districts to see which cooperatives performed the best.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A31, EN 01331757 [the witness worked in the Sector Logistics Office, near Ao An’s Sector Office: “Q: Did you see Ta An everyday? A: I never saw him during the day, I only saw him at night, when he returned.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A30-31 and A35, EN 0111974-75 [“Q: Have you ever seen Ta An during your work at Prey Toteung? A: I saw him being driven in a car every day. [...] He was driven in an American Jeep every day to attend meetings at various districts. [...] I am not sure which districts he travelled to, because sometimes I saw him being driven to the east, and sometimes to the west.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A136, EN 01167912 [“Q: In your previous interview, you stated that Ta An travelled both east and west to other districts. How do you know that Ta An travelled to various other districts? A: I saw him drive to the west. Sometimes, he went with his messenger, and sometimes he went with his wife and children. [...] On one occasion, I was told that Ta An went down to help transplant rice seedlings in Trapeang Touk Cooperative with his messengers and family. [...] It is only my assumption that when he left the area by vehicle, he went to various other districts.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A7, EN 00966998 [“I met Ta An only two times. I first met him in Angkuonh Dei Village, when he was coming to visit the newly built communal kitchen. Later I saw him in Prey Chhor, when I was travelling to Kang Meas District.”].

171 **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A61, EN 01331761 [“They did come to meetings. On whatever day they came for a meeting, they meeting would they attended would be at Ta An’s house.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A54, EN 01059871 [“Q: When Ta An called the members of the Sector Committee like Prak Yut and Sim to a meeting, did you ever have any opportunity to be nearby or see them holding meetings? What did you hear? And where did they meet? A: I saw them, but I do not know what they met about. I heard them as well, but I did not understand what they were discussing. They met in a house.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A103-104, EN 01434536 [“The people on the permanent committee included Ta An, Sim, and Phal alias Phim. Phal was Batheay District secretary; Aun did not attend these meetings. There were three types of meetings: the permanent committee meetings, the Party member meetings and the general meetings. Q: Who attended the Party member meetings? A: The Party member meetings were attended by Ta An, Aun, Hooun and the district secretaries.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A13, EN 00977333 [“Ta An, who was Chairman of Sector 41, also visited that district [Kampong Siem]. He met with Prak Yut, but I did not dare to go near them to listen to their discussions.”].

- 172 **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A102, EN 01402235 ["There was no division between the military structure and the sector. When there were sector level meetings at the sector office, they all attended."].
- 173 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A76, EN 01059875 ["Q: Did he ever go to work in Sectors 42 and 43? A: Yes, he did. He went to meet Ta Sim. Ta Sim was in Sector 43 after they removed Ta Phen."]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366591 ["For Sector 43, [Ao An] went to the Sector only to Ta Sim's place."].
- 174 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A75, EN 01059875 ["He went [to Baray District] frequently. Baray District was under the administration of Sector 42."]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366589-91 ["I met Ta Poch. I knew him when I drove Ta An to Baray district. [...] Dany: Hey! Did Ta An and Ta Poch often contact each other? Pon: He came. Ta An came to see Ta Poch. Dany: He came to see Ta An but they were in different sectors? Pon: Yes. Different sectors. Andy: Not Sector 41. Pon: No. It's not. Andy: To what sector did Ta Poch belong? Pon: Ta Poch worked as Baray district committee in Sector 42. [...] The sectors were different. But, Ta An was the Zone deputy at that time. [...] So the Zone deputy could travel to sectors and anywhere he wanted."].
- 175 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A21, EN 01063610 ["Q: Were those orders related to the arrests of Cham people to be killed? A: Yes, it was the order to make arrests and smash at the same time, but we carried out execution of all the Cham people after we had already arrested people of other elements."]. See also **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.14.17-09.17.03, EN 01441015 ["Allow me to answer your question on the issue of purging the Cham. It did not start yet when I arrived, so it happened at around late -- at a later part of that year."].
- 176 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A12-14, EN 01063608-09 ["for example, all Cham people were arrested without any reason. I did not support the arrests of Cham people, but I had an obligation to follow the upper echelon's orders. [...] I attended a meeting at the Sector level which decided arrests of Cham people. I also knew that Cham people were arrested after that meeting. [...] [W]e had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. [...] After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly."]; **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A4, A12, and A15, EN 01056238 and EN 01056240 ["One day, Ta An came to meet me, and gossiped to me that the Centre Committee had begun to arrest Cham people, and he ordered me to list the names of all Cham people in my district. I did not at all know why I was ordered to list the names and seek to arrest Cham people. I delegated this task to my deputy named Nan. [...] In fact, I received orders from the Sector Committee to identify, for example, former Lon Nol soldiers and Cham people in my district. Then, I delegated this task to my deputies, namely, Nan and Sy. After they listed the names of those people, I sent the names to the Sector level. [...] Actually, I received orders from Ta An, but I am not sure if Ta An initiated the orders or he received the orders from the upper level, or what."]; **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A6, EN 01056235 ["Grandfather An did not tell me any reason. He just told me to target Cham people and former Lon Nol soldiers and arrested them."]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A48, EN 01056228 ["During a monthly meeting, Grandfather An ordered me to identify Cham people and Lon Nol soldiers in each commune."].
- 177 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A8-9, EN 01151270-71 ["I would like to clarify that I received orders from the sector level to arrest and kill all of those Cham. The orders I received were very clear about killing those Cham. [...] After the killings of the Cham people were completed, I received a report from my or the militia chief about the number of Cham they had killed. Then I sent that report to Ta An, who was at the sector level. [...] I would like to clarify once again that the orders I received were very clear: they stated that we must kill all the Cham."]. See also **D111/70** Prak Yut Written Record of Interview, 28 May 2013, A44, EN 01056219 ["Q: Besides the arrests of those commune chiefs, do you recall if Grandfather An ordered the arrests of other people? A: Yes, I received an order from Grandfather An to collect Cham people and Lon Nol soldiers. I did not know what happened to them eventually."]. See also **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 01059298 ["Usually the orders were from Sector Military to District Military, but if Phen needed arrests and could not find those people, he would request assistance from Sector Military, and that was when Ta An ordered Prak Yut directly."].

Sometimes Ta An took a vehicle to meet Prak Yut personally, and sometimes he sent her a letter. Regarding the arrests of the Cham, former Lon Nol soldiers, and former village and commune chiefs, that was a special case. That was why Ta An gave a direct order to Prak Yut.”].

178 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.40.10-14.43.10, EN 01431666 [“Regarding the question they asked me about the killings in my district, I would like to clarify to all of you that concerning this issue, I covered from the first to the second point in my talk. I told that I was not involving myself in the killings that it came from the order from the upper echelon to me. For my side, I had deputies who I managed them to do. I did not carry out the order myself. The order came from Ta An. I tell the truth that I was not involved in the killing. I simply relayed the order to my subordinates and sometimes I knew about the implementation and sometimes I did not know.”]. See also **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.22.59-09.25.42, EN 01441018 [“I was chief of the entire Kampong Siem district, and on the issue of purging the Cham people, I, myself, alone, did not have the discretion to carry out the purge without the order from the upper echelon. Despite the fact that I had the capacity of taking charge of the entire district, I, myself, did not have the authority to make any arbitrary arrests without allowing the upper echelon know about this. In fact, I only carried out the orders from the upper echelon. Q: I understand that you were obliged to carry out the order that you received. My question is, the order you received from the sector secretary, was the order to arrest and kill all the Cham, or was the order for you to determine which Cham people would be arrested and killed? A: I received an order either to smash or to kill the people. I, myself, did not involve in the smashing of the Cham people directly.”].

179 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.43.10-14.47.13, EN 01431667-68 [“There was an order from the sector level to us to purge the Cham. And I, myself, was also wondering why the Cham were wanted to be purged. [...] And regarding the Cham people, I myself was also wondering why the Cham -- the name of the Cham people were wanted to be purged. But the order came from the upper echelon, so I simply implemented it.”].

180 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.47.13-14.49.42, EN 01431668 [“But when we calculated the total number, I told him that I knew only the total number but I did not know how many Cham people living in each village. So he told me that the total number 1,600 Cham people from Trean commune would be purged.”]. See also **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.47.13-14.49.42, EN 01431669 [“During the purge, I only knew that Cham people had been taken away and killed. I was told by him, based on the instructions from the upper echelon.”].

181 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.49.42-14.50.24, EN 01431669 [“The upper echelon instructed me to identify all Cham people within that commune.”] (*emphasis added*).

182 **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.50.42-15.55.03, EN 01431690 [“The meeting with Ta An happened at his place in Sector 41, and the decision regarding the treatment of the Cham, I did not know where Ta An received that decision from. He told us during the meeting, but regarding the decision of the purge toward the Cham people, I simply followed the order because he was my superior. The meeting took place at his location. So that’s my short answer. Q: When you said the meeting took place at his place, are you referring to the sector office and, if so, where was the sector office located? A: The sector office was located in Prey Totueng. Q: And Prey Totueng, was that in Prey Chhor district? A: Yes, it was in Prey Chhor District.”].

183 **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.52.45-15.56.42, EN 01431691 [“ Q: [...] Who were the other district secretaries or what districts did they represent? A: From Cheung Prey district, Batheay district, Kang Meas district and Prey Chhor district and Kampong Siem district. My apology, so all together there were five districts. Q: This may have just been translation. Was one of the five districts Kang Meas district? A: Yes, it was Kang Meas district.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.29.22-09.31.43, EN 01441020 [“Referring to the meeting convened by the sector where all the 6 district heads were called to attend, indeed, I attended the meeting. And, of course, the matter happened a long time ago, so sometimes my recollection is not that accurate. However, what you have raised actually refreshed my memory. So indeed, we all attended that meeting, and I cannot recall the details about this only until you mentioned it, it clicked my memory.”].

184 **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A30, EN 01152376.

185 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A22, EN 01076946 [“During the dry season in late 1977, I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained, Rom had to report that to Prak Yuth.”].

- ¹⁸⁶ **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“All the Cham Muslims in Kampong Siem District were also arrested and executed right in the district. No Cham Muslim was spared except for Phea, who was defended by Prak Yut.”]. See also **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“The Cham were taken to be killed at the same time with the Lon Nol soldiers and officials. [...] When I came to work here, there were no Cham left at all.”]. See also **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366655 [“For example, in the Cham village which was west of my house, all the Cham people disappeared. There remained only Khmer people. Where were the Cham people? [...] When I returned back to the village, I asked the people in Cham village where the Cham people were. They were killed since that time. That was how I knew. [...] I heard the villagers say that they were killed *en masse* when the Southwest Zone cadres came.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A63-66, EN 01373689 [“There was a Cham Village named Ta Yeut Village or Kampong Svay Village located next to my village. After the Khmer Rouge war ended, we returned home and saw that this village was full of Khmer people. I asked people to find out where Cham had gone. They said Pol Pot took them to be killed. Thus, I assume that those Cham were taken to be killed, because [no] Cham was left in the village. Later, there were Cham who came to live in the village. Q: Who was responsible for killing Cham? A: I don’t know. I heard only that it was Pol Pot. I was not there at that time. [...] Q: Did the disappearance of Cham from the village happen before or after the arrival of Southwest Zone cadres? A: I don’t know. I was not in the village. But I think that the Southwest Zone cadres killed them because no one took those people to be killed before they arrived.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 14.57.17-14.59.16, EN 01438504 [“Q: [...] Can you tell us, generally, were there any Cham people in Kampong Siem district at the time you arrived there after moving from the Southwest Zone? A: Yes, there were. They lived along the riverbank. Q: And can you tell us just generally what happened to them during the time that you were in Kampong Siem district? A: I did not know what happened to them, but I heard that they were purged.”].
- ¹⁸⁷ **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 14.02.58-14.03.34, EN 01217316 [“In addition I interviewed some local cadre, including someone who worked at Rom’s office. And he is the one who in the book talks about getting the order to take ethnic Vietnamese and Chams.”]; **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 09.39.38-09.44.08, EN 01218212-14 [the expert testified to interviewing Khmer Rouge cadre Teap who had worked at the sub-district office in Krala and had become aware of a letter from Prak Yut to arrest all Cham to smash them]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431596 [“Teap, a cadre who worked at Rom’s subdistrict office, described a letter the office had received from Grandmother Yit’s district headquarters in mid 1977.”].
- ¹⁸⁸ **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431596.
- ¹⁸⁹ **D117/43** Sbrong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977.”].
- ¹⁹⁰ **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A105, EN 01098560 [“An elder woman told me that the Cham people would not be spared. She told me to take this Cham woman named Phea to live with me. She was in tears while telling me this. The Cham people were seriously mistreated during that time.”].
- ¹⁹¹ See para. 391.
- ¹⁹² **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.40.10-14.43.10, EN 01431667 [“And after people at the lower levels would carry out the order they reported to me that now those people have already been purged and then I reported back to Ta An. So I was simply a person in the middle which relayed the order from the upper level down to the lower level and from the lower level up to the upper level.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.14.17-09.17.03, EN 01441015 [“What I did was to draw up a list and submitted it to Ta An. Here I refer to the list of names of the Cham people. And after I drew up that list, I made a report to him. And that happened toward the later part of the year.”].
- ¹⁹³ **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.49.16-09.55.40, EN 01441027-28 [“After we carried out our instructions, in fact, Si made a report to me, and I further relayed the report to the sector secretary. That is how it worked. [...] I made the reports to be sent to the sector level. There were no telegrams used. In fact, messengers rode bicycles to deliver the report to him.”].
- ¹⁹⁴ **D219/138** You Vann Written Record of Interview, 8 January 2015, A55 and A106, EN 01059285-86 and EN 01052999 [“Q: After all those whose names were on the list had disappeared, did Prak Yut then report to Ta An or not? A: I heard from Phen that he had reported to Prak Yut, and then Prak Yut reported to Ta An on her

own. He said this only in reference to the 300 people whose names were on the list. [...] Q: Did they report the killings to Ta An? A: Yes, they followed his orders, so they had to report back to him after they carried out the orders. Ni reported back to him verbally or in writing via Sector Military. Sometimes, they detailed the names of those killed, and sometimes they wrote only the number. They wrote names of those killed, and they also detailed ethnicity or composition. I heard this from Ni.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 15.07.35-15.09.00, EN 01438508 [“Q: And how did you learn that Prak Yut had taken this list to the sector level? A: Because Khom told me that Prak Yut sent the names to Ta An.”].

185 **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87 [“Q: Did you know if [an] ethnic Cham name lists like the one in Kampong Siem District were compiled in other districts? A: To my knowledge, others were also compiled. After I submitted the name list I had written up to Prak Yut, they called me to attend a meeting chaired by Ta An in Prey Totueng. At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting. He explained points to be recorded and emphasized the composition of the people, for example, Cham, Chinese, Yuon, former first and second lieutenants and so on ... I did not talk with others about the list I had developed previously. We just said to one another, ‘We will be busy with another list.’”]; **D219/702.1.87** You Vann T. 14 January 2016, 15.19.48-15.28.23, EN 01194253-56. Pov Sarom alias Rom corroborates You Vann’s account that a second set of lists was required to be prepared: **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A66, EN 01098557 [“Q: How often was this list prepared? A: I prepared these lists twice. After I left the district, Uncle Nan asked me to prepare a list. Two or three months later he asked me to prepare a second list. That was the last list I was asked to prepare before I left the district in August 1978. I was there for seven months.”].

196 **D219/702.1.87** You Vann, T. 14 January 2016, 15.21.40-15.24.56, EN 01438513-14 [“Q: [...] focusing on the meeting rather than on the list, can you tell us who other than yourself attended this meeting? In other words who were the persons responsible for lists and documentation that you refer to? A: I could not tell you because I did not know those people because those people were recruited from each district. Q: So in other words, you are saying it wasn’t just people from Kampong Siem district. It was people from the other districts in Sector 41: is that correct? A: Yes, that is correct. Q: Do you know whether that included people from Kang Meas district? A: Yes, Kang Meas district was also within Sector 41 and, thus, it was within the authority of Ta An.”], 15.32.34-15.34.53, EN 01438517 [“They selected all the commune chiefs within the sector to attend that meeting and then that announcement was made during that meeting.”].

197 **D219/138** You Vann Written Record of Interview, 8 January 2015, A102, EN 01059298 [“As I said previously, they planned the preparation of the next lists by classifying the backgrounds as before. We met with Ta An, as I said before, but we did not assemble new lists due to the arrival of the Vietnamese. During that meeting, Ta An said we had to go to villages directly, compile the names, and make the list.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 15.25.57-15.28.23, EN 01438515 [“Q: [...] Do you know why you were asked to go to the villages directly this time rather than relying on lists provided by the village chiefs, as you had previously? A: Because they did not believe thus they wanted us to go to the villages directly to record who were bad people and good people.”].

198 **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87; **D219/702.1.87** You Vann, T. 14 January 2016, 15.24.56-15.28.23, EN 01438514-15 [“Q: And do you remember which categories of people were supposed to be included in this second list? A: They organized a meeting and they used a microphone and they instructed us to purge the people. But we did not purge the people yet because the lists were not generated yet because of the arrival of the Vietnamese. Q: Who was it who instructed you to purge the people using a microphone at the meeting? A: It was Ta An and Ta Mok. Q: And what people were they referring to, to be purged? A: Those people who were linked to different ethnicities and affiliations.”].

199 **D219/702.1.87** You Vann, T. 14 January 2016, 15.25.57-15.28.23, EN 01438515 [“But we did not purge the people yet because the lists were not generated yet because of the arrival of the Vietnamese.”].

200 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A47, EN 01056219.

201 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A8, EN 01151270 [“Q: Did you know that those Cham were arrested and killed? A: Yes. I would like to clarify that I received orders from the sector level to arrest and kill all of those Cham. The orders I received were very clear about killing those Cham.”].

202 *See, e.g.* **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.40.10-14.43.10, EN 01431666-67 [“I told that I was not involving myself in the killings that it came from the order from the upper echelon to me. For my side, I had deputies who I managed them to do. I did not carry out the order myself. The order came from Ta

An. I tell the truth that I was not involved in the killing. I simply relayed the order to my subordinates and sometimes I knew about the implementation and sometimes I did not know. I did not fully grasp the situation in the district. And one more thing I would like to tell you that as a woman, what happened at the lower level, sometimes I was not aware of this because they did not report to me. But I am happy that you asked so that I can tell the truth. What I told you does not mean that I tried to get myself free from this, but I simply told you the truth. I knew, I knew Ta An gave the order but I simply relayed the orders. I never did it myself.”].

203 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.29.22-09.31.43, EN 01441020-21 [“As for all the Cham people in Kampong Siem district, despite the order from the upper echelon and upon my examination of the situation, I had to distinguish who were good and who were bad or who opposed and who did not. So before the arrests were carried out, I had to make sure only bad elements were arrested, and not every Cham was arrested.”], 09.33.53-09.34.53, EN 01441021-22 [“Regarding the arrest of Cham people, whether we need to kill them or not, it -- it’s involved sector committee and there where people from the Zone committee and Uncle An was close to the Zone. When I reported, I reported that some Cham people needed to be smashed and some who were good elements needed to be kept. So since I was in my position, the killings of Cham people did take place in Kampong Siem district and there were arrests and executions but it doesn’t mean that the killing took place for all Cham. Those who were good, did not oppose or not sabotage in the district, were spared. So we purge only the bad elements that caused problem.”]; **D219/792.1.2** Prak Yut, T. 20 January 2016, 09.13.48-09.15.44, EN 01438609-10 [“Regarding the Cham people, the good and the bad elements, among those Cham people, some of them were considered good elements. This meant that the good elements did not cause any troubles within the commune. They did not oppose or they did not cause any conflict. On the other hand, the bad elements caused troubles in the villages and the commune, namely, those who opposed or those who protested against the village chief or the commune chief or those who disliked *Angkar* or disliked the village chief or a commune chief, although it was not a life and death conflict, they were considered bad elements because they expressed their opposition and they were considered difficult. However, this does not mean that those people who caused conflict had to be arrested. What I mean is that, we had difficulty dealing with those people within the communes. Villagers were living mixed together, and that caused difficulty.”].

204 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.43.10-14.47.13, EN 01431667-68 [“It was in 1977. There was an order from the sector level to us to purge the Cham. And I, myself, was also wondering why the Cham were wanted to be purged. And I was not sure how many Cham people living in my district. So I told them that I was -- I did not grab the exact number of people living in Kampong Siem District. [...] And regarding the Cham people, I myself was also wondering why the Cham -- the name of the Cham people were wanted to be purged. But the order came from the upper echelon so I simply implemented it.”]. See also **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.36.30-09.39.03, EN 01441022-23 [“I, myself, was also doubtful why the upper echelon instructed us to purge specifically the Cham people. I was reluctant. When I received and saw the letter from the upper echelon, I was doubtful, but I still needed to follow the order.”]; **D219/792.1** Prak Yut, T. 20 January 2016, 09.28.20-09.31.12, EN 01197315 [“Q: Do you know why the people who were arrested -- the Cham people who were arrested, do you know why they were arrested? A: No, I did not know the reasons for the arrest. I was not really sure why the Cham people were arrested, and that was the affairs decided by the upper echelon.”].

205 See II. Ao An’s Acts, Conduct, Role, and Responsibility – 4. Ao An’s Conduct of the Purge in the Central Zone - The Beginning of the Purge Against Cadres (paras 19-25) and The Purge of Ordinary Civilians (paras 26-35).

206 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.47.13-14.50.24, EN 01431668 [“So he told me that the total number 1,600 Cham people from Trean commune would be purged. [...] The upper echelon instructed me to identify all Cham people within that commune.”].

207 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.25.42-09.29.22, EN 01441019 [“Q: Let me read to you an excerpt from your interview, E319/33.3.8, answer number 8. You testified, quote: ‘I would like to clarify that I received orders from the sector level to arrest and kill all of those Cham. The orders I received were very clear about killing those Cham.’ And continuing in the next response, answer 9, quote: ‘The orders I received were very clear. They stated that we must kill all the Cham. I had no choice other than to carry out the orders.’ End of quote. Madam Witness, the order you received to arrest and kill all the Cham, was that one that was -- did the sector secretary only give that order to your district, or did he give it to all the districts in

Sector 41? A: Allow me to clarify the order coming down from the sector level. I was in Kampong Siem district, and we received such an order.”]

208 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.39.03-09.49.16, EN 01441023-26 [describing her efforts to save Phea and concluding “And allow me to say that because I raised her and I decided to keep her, and is now my in-law, she’s still alive till today. And that is the truth because I thought of her and I pitied her. [...] Q: [...] Is it correct that sector secretary An made an exception for Pheap because of your relationship with her, but for other Cham, you were required to identify and arrest them? Is that correct? A: I knew that was not a proper act to do because I could not save all the Cham people within the district. However, that’s what I did. [...] At that time, I had a pity for Pheap, and her life was spared. However, no other Cham people were spared, nor did I ask to spare any other Cham to Ta An. And this does not mean that I intended to kill those Cham people, but I did not think of other Cham people at that time. My mind was about Pheap, and not about other Cham people.”]

209 **D117/27** Deu Ran alias Phea Written Record of Interview, 26 September 2013, A9-10, EN 00977415 [“At that time, I heard Prak Yut talking to some people whose ranks were similar to hers, saying that she had received a letter from the upper level ordering her to arrest me because I was Cham. But at that time Prak Yut did not tell me. About one month later, she called and told me that I had only two choices-first, being sent to jail in Battambang, or second, being killed there. [...] That letter was sent from the sector level, and only my name was mentioned: everyone knew I was Cham.”]

210 **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A105, EN 01098560 [“An elder woman told me that the Cham people would not be spared. She told me to take this Cham woman named Phea to live with me. She was in tears while telling me this. The Cham people were seriously mistreated during that time.”]

211 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.47.48-09.49.16, EN 01441026.

212 *See VI. Crimes and Crime Sites - F. Wat Batheay Security Centre.*

213 **D117/26** Put Kol Written Record of Interview, 25 September 2013, A28, EN 00977336 [“He told me that thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979. He told me that thousands of people had been arrested and killed in Kampong Siem District, and that the orders had been given from the upper level to the zone level, then to sector and district levels.”]

214 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A27-28 and A159, EN 01167888 and EN 01167916 [“[Ao An] spoke about marriage planning. They planned to raise new forces, to increase the population to 15 or 20 million in the next 15 or 20 years. Q: Did he explain why? A: He said that this was the Asian plan, referring to Pol Pot’s plan. [...] I want to speak more about the ‘forces in Asia’. Their plans were to increase the number of people aged between 15 and 20 to 20 million and to fight for and retake Prey Nokor and Khmer Surin by 2001. Ta An said this, but he said this only once.”]

215 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A138, EN 01167912 [“Q: Yesterday you said that during meetings, Ta An spoke about the plan to increase the population. How did he intend to achieve this goal? A: By marrying off workers from ministerial offices and cooperatives. He specifically mentioned this point.”]

216 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A139, EN 01167912 [“Q: Did he say what people should do after their marriage? A: He said that after their marriage, people should love each other as married couples and had to produce children. When their children turned two years old, the people had to send them to political schools.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 15.40.03-15.43.25, EN 01194262 *confirming* **D219/138** You Vann Written Record of Interview, 8 January 2015, A80, EN 01059292 [“Prak Yut told me that Ta An, Sector Commander, announced the rule (that those who had married had to sleep together. He said it was necessary to do that for national progress. I did not understand this.”]

217 **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A135-136, EN 01309809 [“Q: In the sector conference you attended with Kc Pok, did they discuss marriage? A: They did. Q: Can you please give an account of this topic, if you still remember? A: After [Kc Pauk finished talking] about digging canals, at the end he said we would arrange for the adult comrades to have families, to have children and grandchildren before it was too late. The age for marriage was between 20 - 30 years old. Many had remained single until that day, those over in transportation.”]

218 *See the evidence cited in fn. 1553 below.*

219 *See the evidence cited in fn. 1574 below.*

- 220 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A35, EN 01059867-68 [“Q: Among the dam sites that he visited, did you ever drive him to Anlong Chrey Dam? A: Anlong Chrey? I do not remember Anlong Chrey. Anlong Chrey might have been located in Kampong Siem, I don’t know. Oh! That was Skun. Now it is called Anlong Chrey. Before, they called it Prey Char Village, south of Skun. I have been to Prey Char. He always went to that dam. They called it the Sector Dam.”].
- 221 *See paras 279-280.*
- 222 **D219/285** Ho Hoenun Written Record of Interview, 21 April 2015, A18, EN 01116059 [“I remember [Ta An] saying that we had to work hard to finish the work we were assigned. Otherwise we would be considered the enemies. He also told us about the number of people joining in the construction of the dam in this sector. He said there were 20,000 people working on the dam construction.”].
- 223 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A18, 01076885 [“I often heard [Ta An] announce [...] the necessity of determining the identity of the enemy, such as former-government officers, capitalists, feudalists, and CIA and KGB agents as well.”].
- 224 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, EN 00184025 [“The party has a single firm organizational discipline”], art. 2(2)(B), EN 00184031-32 [“The duties of Party members [...] Internal duties [...] B. Respect Party organizational discipline unconditionally, with the highest awareness”].
- 225 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 4(1), EN 00184033 [“Each Party member, regardless of position, must absolutely respect and follow Party discipline. Respecting Party discipline and organization is respecting the Party political line. Party ideological principles and stances. Party organizational stances, and Party statutes.”].
- 226 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 6(5), EN 00184037 [“At the designated times, lower echelon must report to upper echelon on the situation and work done. Also at each designated time, upper echelon must report to lower echelons regarding the general situation and regarding instructions which they must carry out.”].
- 227 **D1.3.15.1** Craig Etcheson Written Record of Analysis, 18 July 2007, paras 58-73, EN 00142840; **D219/870** Ry Nhor Written Record of Interview, 10 November 2016, A49, EN 01373688 [“The sector secretary was in charge of only those in the sector, including the military. I did not know the sector structure. I knew only that Ta An had the highest position.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A122, EN 01374653 [“[Ao An] was in charge of all sections, including the security of all the districts I have just described. He issued orders for all of those districts.”]; **D193/61.1.3** Touch Chamroeun Written Record of Interview, 30 July 2015, 197, EN 01143009 [“Q: Did Ta An control both the military sector and the civil sector? A: Yes, he did. The military side had commanders and controllers of their own, but they were also under Ta An.”].
- 228 **D219/870** Ry Nhor Written Record of Interview, 10 November 2016, A49, EN 01373688 [“The sector secretary was in charge of only those in the sector, including the military. I did not know the sector structure. I knew only that Ta An had the highest position.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A122, EN 01374653 [“Q: Did you know if Ta An was responsible for security in Chamkar Leu? A: He was in charge of all sections, including the security of all the districts I have just described. He issued orders for all of those districts.”]; **D193/61.1.3** Touch Chamroeun Written Record of Interview, 30 July 2015, A197, EN 01143009 [“Q: Did Ta An control both the military sector and the civil sector? A: Yes, he did. The military side had commanders and controllers of their own, but they were also under Ta An.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A4, EN 01374642 [“He [Sok] received orders from Ta An of the Sector.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A56, EN 01331760 [“Sokh worked there at the sector office. [...] Sokh was military chairperson.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A54, EN 01059285 [“Did [Kampong Siem District deputy military chief] Phen attend Sector level meetings frequently? A: He rode his own motorbike to attend Sector level meetings two or three times a week, but I did not know with whom he went to meet. He received orders from the Sector Military. I was aware of this because he and I worked in the same office. After he returned from meetings, he chatted with me.”], A96, EN 01059297 [“Phen went in and out of the Sector Military base continually”], A98, EN 01059297 [“Q: What were the duties of the Sector Military? A: They managed the work of the District Military. For example, if Ta An ordered people taken to be killed, Sector Military referred this order to District Military to conduct the arrests. After Phen came back from the Sector Military Office, he reported to Phon. Phon referred the report to Prak Yut. I heard this from Ni. In fact, District Military personally conducted arrests. For example, they ordered the arrests of 10 people, so District

Military went to various villages to arrest three or four people from this or that village and took them to the Tuol Beng Security Office. They arrested the exact number of people written on the list before they transported all of them by Sector vehicle from Tuol Beng Security Office. Sometimes they took those people to the Sector Military Office, but I did not know why. This was only what I had heard from Ni. Arrests were mostly conducted at night. District Military did not have vehicles, except motorbikes, but the Sector Military did. I did not know how often Sector Military ordered District Military to arrest people.”]. A106. EN 01059299 [“Q: Did they report the killings to Ta An? A: Yes, they followed his orders, so they had to report back to him after they carried out the orders. [Kampong Siem District military cadre] Ni reported back to him verbally or in writing via Sector Military. Sometimes, they detailed the names of those killed, and sometimes they wrote only the number. They wrote names of those killed, and they also detailed ethnicity or composition. I heard this from Ni.”].

229 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 7(3), EN 00184038 [“During the time between one Sector or City Conference to another, the highest operational organization for that Sector or City is the Sector or City Committee.”], art. 16(2)-(3), EN 00184042-43 [“The tasks of the Sector-City Committee are: [...] 2. Constantly and tightly grasp the popular masses in the unions and cooperatives and in the Revolutionary Army within its Sector-City framework politically, ideologically, and organizationally [...] 3. Constantly and tightly grasp the District organizations, the Branch organizations, the cadres, and Party members along with all the core organizations of the Sector in regards to personal histories, politically, ideologically, and organizationally”].

230 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 16(4), EN 00184042-43 [“The tasks of the Sector-City Committee are: [...] administer discipline in the Sector-City framework”].

231 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 13(4), EN 00184041-42 [“The tasks of the District Committee are: [...] 4. [...] maintaining a system of reporting to upper echelon on the situation and work of the district.”].

232 **D219/702.1.87** You Vann, T. 14 January 2016, 14.12.13-14.13.30, EN 01438493 [“Q: And who was the chief of Kampong Siem district? A: It was Prak Yut.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A19, EN 01059865 [“Q: Do you remember if Yut was Secretary in charge of Kampong Siem District? A: Yes.”]; **D117/43** Ssong Yann Written Record of Interview, 7 May 2014, A4-5, EN 01034899 [“The Southwest cadres came to replace the previous cadres in 1977, around May [...] Yeay Prak Yut was on the committee of Kampong Siem District”]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A4, EN 01031702 [“Yeay Prak Yut who was on the committee of Kampong Siem District”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366569 [“Yeay Yuth came first, then Ta Sy and then Ta Chea.”].

233 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025315 [“Kan was in charge of Kang Meas district”]; **D219/870** Ry Nhor Written Record of Interview, 10 November 2016, A6, EN 01373685 [“Kan was a district secretary”]. *See also* **D219/813.1.4** Ry Nhor DC-Cam Statement, 24 May 2016, EN 01366629-30 [“When [Taing and Sreng] were taken away, Yeay Rom was in charge of Kang Meas District [...] She worked about five to six months; the Southwest Zone cadres arrived. [...] A Kan was appointed as deputy chief of the district [...] After three months, she was arrested [...] Kan took complete control.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A20, EN 01059865 [“Q: Do you remember the name of Kang Meas District Committee? A: That person’s name was Kan”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366568-69 [“Dany: He [Kan] came to oversee Kang Meas? Pon: Yes! But, Kan was picked from the military. [...] It was more likely that he was picked from the military because mostly soldiers were placed to be in charge. [...] Dany: So, Kan was Kang Meas district’s Secretary? Pon: Yes.”]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A1, EN 01113701 [“From 1976, Kan, who came from the Southwest Zone, was promoted to be the district secretary replacing Sun.”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A2, EN 01044605 [“I remember that Kan was Kang Meas District Secretary then”]; **D219/602** Nib Kimheng Written Record of Interview, 16 November 2015, A20, EN 01185783 [“There was a Kan who was District Committee. Everyone knew his name because he was in charge of the entire district. I worked in a different section from him.”].

234 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025314 [“[Sim] was in charge of the whole Prey Chhor alone.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, EN 00903206 [“Sim was [...] in charge of Prey Chhor district”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A15, EN 01059864 [“Ta Sim was Prey Chhor District Committee, and he worked closely with the province

too.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A31, EN 01067814 [“Sim was the Prey Chhor District Secretary”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335722-23 [“Dany: What about over in Prey Chhor, who was it over in Prey Chhor? Ngov: Prey Chhor was Ta Sim.”], EN 01335721 [“Dany: Ta An was Sector 41 Com, is that right? Ngov: Yes, Dany: Who was his deputy? Ngov: The deputy was Ta Sim.”]; **D93** Khun Saret Written Record of Interview, 16 September 2011, EN 00746820 [“[Sim] served as chief of the District Office - the District Chief.”].

235 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A21, EN 01059865 [“Phim (his name during the war, he was later called Phal) was Batheay District Secretary (He died in Chamkar Leu).”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366571 [“Phim was in Batheay district. [...] He was a soldier in the army.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A81, EN 01224111 [“The Batheay District Committee was Ta Phim.”]; **D219/813.1.4** Ry Nhor DC-Cam Statement, 24 May 2016, EN 01366641 [“The sector deputy chief was in Batheay District. Batheay District chief was Phim. Later, when So Yan alias Phim in the East Zone was arrested, he changed his name to Comrade Phal.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25-26, EN 01067813 [at the Sector Security Office the witness “made a record of data in order to report to Aun, the Sector Office Chairman [...]. After receiving information from me, Aun reported to the Sector Committee (some of its members were District Committees, for example, Sim and Phal, the Bantheay District Committee). Q: Do you recall who were on the Sector Committee with Grandfather An? A: I only recall Sim and Phal. As for Prak Yuth, she had been transferred to Sector 41.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309870 [“The Batheay District Com at that time [was] Bang Pheum”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A45, EN 01057786-87 [“Q: When did the arrest of Ta Sao take place in relation to the arrival of Phim? A: As I remember, they arrested Ta Sao between a fortnight and one month after Phim arrived, and only after Phim had learned the work in the district.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“Q: Who was the district chief at the time? A: The district chief [was] named Phim.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A4, EN 01067782 [“the new District [Batheay District] Secretary was Phim”].

236 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025315 [“[Mon] was in charge of Cheung Prey district.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A81, EN 01224111 [“The Cheung Prey District Committee was Ta Mon.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A21, EN 01059865 [“Mon was Cheung Prey District Secretary”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A31, EN 01067814 [“Mon was the Cheung Prey District Secretary”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335723 [“Dany: And Choeng Prey? Ngov: Mon.”]; **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A7, EN 01116057 [“I recall a person by the name of Ta Sao who was on the Cheung Prey District Committee. He was later replaced by Mon who was a cadre from the Southwest Zone.”].

237 **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366555 [“Dany: So what was Bong Aun tasked to do once he arrived at the Sector? Pon: He undertook to manage the Sector Office. First Ta Am was the Chairman and then Bong Aun. He was after Ta Am. Dany: So, first? Pon: Ta Am. Dany: Was Ta Am the Office Chief? Pon: Yes! Bong Aun came after Ta Am.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335724 [“Dany: Did you hear that Ta Aim was arrested, or not? Ngov: Yes, Dany: Since you used to work with him, did you know when he was arrested the reasons they arrested him? Ngov: We didn’t know, because all such matters were secret matters. Once he was arrested, it became known that the arrest, they spoke of the arrest talking only about betraying the Party. Regarding by what sort of activities, that was something imperceptible to us.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A11, EN 00966963 [“Prak Yut’s husband who had come with us from Kampot to Kampong Cham went to work at Prey Totueng with Ta An.”]; **D219/234.1.2** Prak Yut DC-Cam Statement, 13 August 2013, EN 01064282 [“Dany: The rest did not work, even your husband who had already been removed? Yut: He held no position. He slept idly. Dany: It means that he did nothing at the office or cooperative or field? Yut: They had him work as Office Chairman. Dany: Of the district? Yut: District Office Chairman. Dany: Sector Office or District Office? Yut: It was in the Sector. They only announced that we would be assigned to stay at the Sector but we did not know much what to do.”].

238 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A140, EN 01179841 [“Aun was Ta An’s deputy.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A56, EN 01331760 [“Aun

and Sokh worked there at the sector office. They were all from a Zone to the west. Aun was office chairperson and Sokh was military chairperson.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A29, EN 01111974 [“Ta Aun was both head of the sector office and head of sector commerce, whilst Ta An was the Sector Secretary.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A61, EN 01331721 [“Q: Please clarify this point. Please tell us the names of the Sector Chairperson and all the members of the Sector Com. A: The chairperson’s name was Ta An. And Aun was Office Chairperson, put in charge by the Sector Com as next in line after Ta An.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309862-63 [“The Sector Chairperson was called Bang Aun. I even know where his family home was. [...] Next came Aun, who was in charge of the Office. [...] Like with mobile units, where they were going to work and the like, that was the Office Chairperson, and it was with the Office Chairperson that I went around.”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366555 [“Dany: So what was Bong Aun tasked to do once he arrived at the Sector? Pon: He undertook to manage the Sector Office. First, Ta Am was the Chairman and then Bong Aun. He was after Ta Am.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335726 [“Dany: Your wife was in the Kang Meas Office. You were in the Sector Office. Who was promoted to replace Ta Aim, once he had been arrested? Ngov: Aun was promoted. Dany: Aun was promoted to Office Chairperson. Did you know this Aun before, or not? Ngov: At the Sector Office Aun was the Chairperson of the Defense Unit staying with Ta An. Once Ta Aim was arrested and gone, they had Aun take charge as Office Chairperson. There was no appointment, but we said there was no one other than him, so the new Office Chairman could only have been Aun, who ran the work.”].

²³⁹ **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A14-A15, EN 01224104 [“Ta Hum was the military chairman. [...] Sok previously had been in health, but later he was transferred to the military after Ta Hum was arrested.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A173, EN 01331736 [“Q: Do you remember the person named Hum, who had the status of Chairperson of the Military? A: I do. He was Chairperson of the Sector Military.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309903 [“Initially, A Pe Hum was chairperson, the Military Chairperson, who was also my boss. Dany: Was he Sector Military Chairperson? Saren: Yes.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366642 [“Dany: Among the sector bodyguards, who was the chief? Nha: It was Hum, who came from the Southwest Zone.”]. See also **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A139, EN 01373694 [“There were Pon, Moeun, Hum, Lay, Than, [...] They were Ta An’s bodyguards.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A61, EN 01059287 [“[Ta Mok] went to Prey Chhor and Kampong Siem once or twice a month. I saw him being driven to Kampong Siem District by Hum, Ta An’s driver.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A27, EN 00966991 [“Ta An often travelled with five other persons who were his bodyguards and chauffeurs. I still remember that one of his chauffeurs was Hum.”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366559 [“Hum was also there [at the Sector Office]. He was a soldier.”].

²⁴⁰ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A4, EN 01374642 [“[Sok] received orders from Ta An of the Sector.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335727 [“Dany: When you came to Sector 41, who was in charge of the army, the Sector 41 Army? Ngov: For the army, the name was Sok.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A14, EN 01224104 [“Sok previously had been in health, but later he was transferred to the military after Ta Hum was arrested.”], A96, EN 01124112 [“Could you explain more about tasks of Sok at the sector? A: He was promoted to Sector 41 Military Chairman. Sok became Sector Military Commander around November 1977. [...] Sok was also in charge of Kor Security Office”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A56, EN 01331760 [“Sokh worked there at the sector office. [...] Sokh was military chairperson.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A117-118, EN 01331728 [“Q: When those persons were detained in the motor pool without walls, who did they have keep an eye on those detainees? A: We took turns doing so with Ta An’s defence unit. Q: Do you know who the chief of the defence unit was? And do you remember some of those in the defence unit? A: The chief of the defence unit was none other than Sok.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A52-53, EN 01167892 [“Do you know who Sokh reported to? A: He reported to the Sector, meaning Ta An. Q: How do you know that Sokh reported to Ta An? A: Because he worked under the leadership of the Sector Secretary.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015,

A126, EN 01402240 ["At that time, there was an attack by the Vietnamese soldiers and Sokh led the sector military to fight against the invading Vietnamese soldiers. This happened toward the end of the Khmer Rouge regime. At that time, there was no one in charge of the military, so Sokh took the charge."].

241 See para. 142.

242 See para. 144.

243 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A18, EN 01088626 ["Comrade May served as the chief of the bodyguard unit. He escorted and protected Aom An everywhere."], A24, EN 01088627 ["In April 1978, and after the purge of the Eastern Zone cadres, I saw Comrade May, Ta An's right-hand man who was responsible for arresting people, riding a motorbike in front of two trucks. The first one was a Jeep A2, which Ta An was in, and the second truck was a Chinese truck which had about 20 Eastern Zone prisoners in it."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A118-119, EN 01331728-29 ["In fact, Mory, Pon and Lay were defence unit and drivers for Ta An [...] [they] were from Kampot, Southwest Zone"]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309865 ["I went with Aun and so on, Aun and May. May was directly and personally with the Sector Com, but had a house there too, and went with Aun and me to her [Sophat, the Ou Svay Commune Com] house."], EN 01309908 ["Dany: Was May a driver for [Ao An]? Saren: May was his personal driver. May took him anywhere. At that time, there were two drivers: May and Pon. As for Pon I have forgotten about him. I do not know where he is."], EN 01309924 ["They just came and brought me in. May was the one who brought me in, and a driver. They said 'Ren, let's go back to our place.' Chhoeun, Chhoeun! Released Ren. I was unlocked in a flash, I have a charmed life."]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366651-52 ["There were only five to six bodyguards who were from the Southwest Zone. [...] They were May, Mocun, Lay, Hum and others. [...] Pon was from the Southwest Zone. [...] May [An's driver] died of sickness. [...] Mocun was a bodyguard. The others were A Hum, A Lay, and A Pon. [...] They all knew how to drive. [...] he [May] was transferred from the bodyguard to take charge of tractor plowing the agricultural fields in Batheay District [...] Dany: Was that the reason he got married to the girl in that district? Nha: That's right"]; **D219/752** Lor Venghuor Written Record of Interview, 28 April 2016, A34, EN 01300141 ["Q: What was [An's] messenger's name? A: His name was May. He is deceased."].

244 **D193/61.1.3** Touch Chamroen Written Record of Interview, 30 July 2015, A204, EN 01143010 ["Q: What did the word 'ministry' mean? A: The ministries were at sector level. The office was higher than the ministries. Ta An's office was higher than all the ministries, for example, the ministry of logistics, or the ministry of handicrafts. Those ministries were all at the sector level."], A239, EN 01143015 ["Q: Then, you gave the reports to your wife, forwarded them to Ta An. Is that correct? A: My wife forwarded the reports to Ta An. However, I think that he might have further forwarded the reports to the office chief, Ta Aun, who was in charge of all these matters."].

245 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A2, EN 01088621 ["Meng was the chairperson of crafts for Sector 41"].

246 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A33, EN 01088628 ["Q: You said that Aom An called upon cadres from the sector level to attend a meeting where he announced that he was the new Secretary of that Sector. It happened in March 1977 when he first arrived. Do you recall any of those participants in that meeting and whether they are still alive now? A: I recall that Meng and Ta Yim were on stage and made commitments before Ta An. I noticed that Meng had a handgun attached to his waist. However, Meng and Ta Yim were taken to be killed under Aom An's orders."].

247 **D219/825.1.2** OCIJ Prisoner List, Item No. 4085, EN 01222486.

248 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A16, EN 01111973 ["I reported to the Sector Logistics Office head called Koan who was a woman."].

249 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A2, EN 01088621 ["Lai served as the chairperson of the garage."].

250 See para. 249.

251 See paras 19 and 27.

252 See para. 119.

253 See para. 281.

254 See para. 147.

255 See para. 252.

256 See para. 159.

257 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A52, EN 01224108 ["Orders from Ta An came to Ta Ngauv. As I told you, the orders were to do whatever necessary to do two trucks in one night."].

258 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A50-51, EN 01224107 ["Q: Do you know who was in charge of the killing site at Kor? A: Ke was a killer. He came from Trayornng Pong village, Cheung Prey district. He did by himself and also ordered his minor subordinates. Q: Was Ke responsible for the killings at Kor? A: Yes. Ke received orders from Ta Ngauv. and both of them were killers."].

259 See para. 52.

260 Among the commune chiefs who can be identified based on the evidence on the Case File are the following: **Kampong Siem District: Vihear Thom Commune:** Chea. See **D219/138** You Vann Written Record of Interview, 8 January 2015, A43, EN 01059282 ["Ta Chea was Vihear Thom Commune Chief."]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["Ta Chea, male, served as chairman of Vihear Thom commune."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A14, EN 00977334 ["Ta Chea, the Chief of Vihear Thom Commune is another. He was from Tram Kak District, Takeo Province."]. **Krala Commune:** Rom (Prak Yut's cousin). See **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A3, EN 00967004 ["Actually my elder cousin, Prak Yut assigned me as Chief of Krala Commune because I had just delivered a baby."]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["After Ta Loeung was transferred to Koh Roka commune, Rom (female) rose to become chairwoman of Krala commune."]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A6, EN 00966997 ["Rom was the commune chief of Krala."]; **D117/27** Deu Ran alias Phea Written Record of Interview, 26 September 2013, A2, EN 00977414 ["Rom was Chief of Krala Commune."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A19, EN 00977334 ["Q: Do you remember a lady named Rom? A: I remember her, she was the Chief of Krala Commune. Her husband, Phon, was the commander of the district military."]. See *contra* **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A55, EN 01098556 ["I already stated that no district chief appointed me as the commune committee member. My elder cousin had me work at Krala Commune and I received orders from Nan. The latter had me work with people in a section of the commune while they were responsible for the other section. I knew they were committee members of Krala Commune. I was ordered to prepare a list of names of those in the commune."]. **Kaoh Mitt Commune:** Si (who also served as Prak Yut's deputy). See **D219/138** You Vann Written Record of Interview, 8 January 2015, A43, EN 01059282 ["Ta Si was Kaoh Mitt Commune Chief and PRAK Yut's deputy."]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A8, EN 00966998 ["Q: Do you remember who were on the District Committee with PRAK Yut? A: I remember that Ta Si was Prak Yut's deputy. Ta Si did not show up often. I think that Ta Si was more powerful than Prak Yut. Maybe he had his superior(s) at the high level. Ta Si came from the Southwest Zone."]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A14, EN 00966964 ["I remember that the persons working closely with Prak Yut were Nan (male), chief of the district office, and Sei (male). I did not know what I position Sei was holding, but he looked like a powerful person. Both Nan and Sei came from Takeo Province, but I had no idea which commune or district they had come from."]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A40 and A48, EN 01098554-55 ["Q: When at this office, do you recall who was on the district committee? A: Yes. I do. Uncle Sy and Prak Yuth were. [...] Q: In Kampong Siem District what rank did Uncle Sy hold? A: I am unsure if he was the chairperson or deputy chairperson. But I am sure he worked in the district office. I noticed that my sister, Yuth, appeared to have been deprived of her rights. I noted that Sy was more prominent in doing activities. He never consult with my sister."]. **La'ang Commune (also spelled Ro'ang):** You Vann. See **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["Van, female, served as chairwoman of La'ang commune."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A14, EN 00977333 ["I still remember some, such as Van (female), the Chief of L'ang Commune."]. **Trean Commune:** Phan. See **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A31, EN 01056218 ["Q: Who were the members of Kampong Siem District? A: [...] Grandfather Phan, Trean Commune Chief, was the second member"]. **Kokor Commune:** Nan. See **D219/138** You Vann Written Record of Interview, 8 January 2015, A43, EN 01059282 ["Ta Nan was Kokor Commune Chief. Hum was Kokor Commune Deputy. Hum became Kokor Commune Chief after Ta Nan became Ro'ang Commune Chief."]. **Ampil Commune:** Van (male, not You Vann). See **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["Ta Van, male, served as chairman

of Ampil commune.”]. Ou Svay Commune: Saut. *See* **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Ta Saut, male, served as chairman of Ou Svay commune.”]. Rumchek Commune: Kim. *See* **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Kim, female, served as chairwoman of Rumchek commune.”]. Koh Tontin Commune: Moeun. *See* **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Moeun, female, served as chairwoman of Koh Tontin commune.”]. Kang Meas District: Peam Chi Kang Commune: Pheap (wife of Kang Meas District Secretary Kan). *See* the evidence cited in fn. 1058.

261 **D1.3.15.1** Craig Etcheson Written Record of Analysis, 18 July 2007, para. 84, EN 00142846 [“The ‘Branch’ was the lowest level of organization in the CPK hierarchy. It primarily existed in Communes, Villages and Cooperatives [...] The Branch was also required to maintain ‘a system of reporting to upper echelon on the situation and work of the Branch, etc.’”]; **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 6(5), EN 00184037 [“at each designated time, upper echelon must report to lower echelons regarding the general situation and regarding instructions which they must carry out.”].

262 Amongst those who can be identified based on the evidence on the Case File: Kampong Siem District: Head of the District Office: Nan (who may also have served as the third member of the Kampong Siem District Committee). *See* **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 [“Ta Nan, male, served as chairman of the Kampong Siem District Office.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A8, EN 00966998 [“Nan was the third in command and chairman of the district office as well. He came from the Southwest Zone too.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A14, EN 00966964 [“I remember that the persons working closely with Prak Yut were Nan (male), chief of the district office, and Sei (male). [...] Both Nan and Sei came from Takeo Province, but I had no idea which commune or district they had come from.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A9, EN 00977333 [“Q: Can you remember who the members of the district committee with Prak Yut were? A: I remember that there were two men; one was Si and one was Nan [deceased].”]. District Military: Phon (husband of Krala Commune Secretary Rom) served as chief and Phaen was deputy chief. *See* **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A9-10, EN 00967005 [“Q: What did Phon, your husband, do at that time? A: He was the Chief of the District Military. Q: Where was his office located? A: His office was at the District Office. In daytime he trained his soldiers in the compound of Voat Angkuonh Dei Pagoda.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A47, EN 01098554-55 [“Q: According to the information we have received your husband, Phon, was responsible for security. Is that correct? A: So far as I recall my husband had a role in the district army. He trained the soldiers daily. He travelled far away from home every month or two. He guarded the Chroy Chek Dam in the district. I do not know where this dam was located.”]; **D219/702.1.87** You Vann, T, 14 January 2016, 14.13.30-14.15.24, EN 01194234 [“Phon was in charge of the [Kampong Siem] district army and his deputy was Phaen; however, both of them passed away.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Phon, the husband of Rom, served as the district military commander.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A19, EN 00977334 [“Her husband, Phon, was the commander of the district military.”]. District Security: Ni. *See* **D219/138** You Vann Written Record of Interview, 8 January 2015, A16, EN 01059275 [“Q: Who supervised Tuol Beng Security Office? A: Ni, like me, was from Takeo.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A56, EN 01059286 [“Ni was also in the District Military structure. His rank was under Phen. Ni was in charge of the District Security Office, and he worked there until the Vietnamese arrived.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Comrade Ni, male, was in charge of Kampong Siem district security.”]; **D219/702.1.87** You Vann, T, 14 January 2018, 14.16.44-14.19.31, EN 01194235-36 [“Q: Do you recall, who was the head of district security for Kampong Siem district? A: Ni was chief of security. Q: And where did Ni come from? A: Ni came from Takeo.”]. Kang Meas District: District Security: Han/Horn. *See* para. 301. Batheay District: District Military: In/En. *See* para. 250.

263 *See* paras 144-145.

264 *See* para. 231.

265 *See* para. 250.

266 *See* paras 301, 304-305.

267 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 6(5), EN 00184037 [“At the designated times, lower echelon must report to upper echelon on the situation and work done. Also at each

designated time, upper echelon must report to lower echelons regarding the general situation and regarding instructions which they must carry out.”]

268 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A52, EN 01224108 [“Orders from Ta An came to Ta Ngauv. As I told you, the orders were to do whatever necessary to do two trucks in one night.”]

269 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“we had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. [...] After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”].

270 **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A158, EN 01434546 [“Q: Do you remember any occasion when someone did not obey Ta An’s order? A: I never saw anyone disobey him.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A77, EN 01374650 [“Q: Did you ever experience a case in which someone did not abide by Ta An’s orders? A: No, I did not. Ta An was very good at using nice words to make people implement his orders. Every time he ordered us to do things we just felt persuaded to follow his orders. He was politically cunning.”].

271 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 13(4), EN 00184041-42 [“The tasks of the District Committee are: [...] maintaining a system of reporting to upper echelon on the situation and work of the district.”].

272 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“we had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. [...] After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”].

273 See para. 52.

274 See para. 147.

275 **Generally: D179/1.2.5** Prak Yut, T. 26 January 2012, 14.02.41-14.04.14, EN 00774569 [“I was the secretary of Kampong Siem district. I reported to the sector, and my report was in writing. I did that once a month. It was about the plan implementation within the district. I also reported on the situations. Q: And this was a written report. How was it sent to the sector secretary? Was it sent by telegram or was it sent by messengers? A: The report was sent through messengers, messengers who lived with me. They were not made informed of telegram.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.55.40-09.57.24, EN 01441029 [“Q: You’ve testified that you and the other district chiefs attended zone level meetings every three months. Where were the -- where were the zone level meetings held that you attended every three months? A: The meetings were held at the office of Ta Pauk in Kampong Cham. The sector committee and the zone committee were there to attend to the meetings, and that is to review the work plans, namely, the dry season rice production or the building dykes. And the meetings were held there at the zone’s office. And that happened every three month”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A56-61, EN 01056229-30 [“Q: Besides the monthly meetings in the sector, did you attend other meetings in the zone level? Where was the meeting held? A: I attended the zone level meeting at the zone office of Grandfather Pauk in Kampong Cham province; the meeting was held once in every three months. Q: What was the meeting about? A: The meeting was about security issues in the zone and in the sectors such as economy, building dams and canals and about all the sections including economy, culture and social work. The meeting raised positive and negative points and right and wrong actions. Q: Who chaired the meeting? A: The meeting was chaired by Ke Pauk. Q: Who participated in that meeting? A: The meeting participants were all the secretaries of the sectors and the districts in the Central Zone. Q: Could you describe the activities during the meeting? A: Ke Pauk chaired the meeting, and the secretaries of the sectors and the districts made a report about general situation in the districts and the sectors. Q: Did they say about arrest [of people] during the meeting? A: During the meeting, they did not mention it; they just said about general situation such as building people livelihood and constructing canals and dams. Ke Pauk just had us follow up the situation and reported irregularities from the districts to the sectors and from the sectors to the zone.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A42, EN 01224088 [“He received [orders to kill people] through Zone messengers.”], A46-49, EN 01224088 [“Q: Did you ever go with Ta An to meetings in Kampong Cham? A: Yes, I did. Q: Meetings with the Zone Committee? A: Zone Committee meetings. All three sectors were

called to the meetings. Q: Who organized those meetings? A: Uncle Pork. Q: Could you attend the meetings with them, or could you hear what was discussed in the meetings? A: I heard some. For example, he went to meetings to give orders to the district and commune levels to carry out, and he told them to do whatever was necessary to arrest all enemies”]; D219/855 Nhem Chen Written Record of Interview, 27 October 2016, A31-35, EN 01374645 [“A: At the meeting I attended [in Kampong Cham], they only talked about the arrests of cadres. For civilians, he [Pauk] gave orders to the districts instead. [...] Uncle Ke Pauk would order the cadres of the sectors to attend a study session. Then, the district level referred his order to the commune level. [...] It was agreed to be carried out in this manner in all three sectors. They agreed on this for all the sectors of the zone.”], A40-42, EN 01374646 [referring to “further letters [...] issued by our comrades to arrest the East Zone people”], A79-86, EN 01374650-51 [“Q: [...] you said that Ta An received orders from the Zone to kill people. So, did he receive those orders from the Zone via that messenger verbally or in writing? Or how did they send the message from the Zone to Ta An? A: He received the orders in letters that the messenger delivered to him. Q: How did you know that that letters were about the killings? A: I met and chatted with his bodyguard who said [they] sent a letter to the sector by a messenger. The letter was about the killings of people. (The witness added that the words ‘bodyguard’ and ‘messenger’ referred to the same people). I asked that bodyguard what he was doing there. He said he had come to deliver the letter related to that work. Thus, I understood that the work was only about killing people. Q: Do you mean that the Zone messenger knew the essence of that letter? A: Yes, he did. He was his nephew. He told me that he was Ke Pauk’s nephew. I did not know he was his close nephew until he told me so. He asked me whether or not I was Ta An’s nephew. I said I was not. I told him Ta An was from the Southwest Zone, I was from the Central Zone. Q: Do you remember the name of that messenger who claimed himself as Ke Pauk’s nephew? A: It was a long time ago, so I don’t recall it. I heard that he was known by his alias as Comrade Voeun. I did not know his real name. [...] Q: Were the letters he delivered encoded, enveloped or stamped? A: Yes, they were. Definitely they were enveloped and stamped with proper signature. Q: Was the letter handed over to Ta An first-hand or through someone? A: I went to meet him and he passed it to me to be delivered to Ta An. He told me to just give his message to Uncle Aun in case he was not around. I noticed that the letter was written and stamped properly.”], A58-59, EN 01374648 [“Q: Did you know if Ta An or Ta Aun received a report from all those security offices about the process of the killings at those offices [Kor, Phnom Pros and Batheay]? A: I went to collect those reports. He ordered me, ‘Son, you go to Kor to collect the documents.’ I brought the documents to him. (The witness was referring to Ta An). He said, ‘Messenger, you go to Kor Security Office.’ Then I rode on the motorbike with him. The documents [were] sealed in the envelope. [...] I only knew that it was about security. I did not know what information it was.”], A130-134, EN 01374654 [“He [Ta An] went to Phnom Penh once or twice a year. He did not go to Phnom Penh frequently. Q: Why did he go to Phnom Penh? A: He went to attend the Party Centre meetings. He was invited to attend them. Q: Who went to attend the meetings in Phnom Penh? A: I only saw him going with Ta Aun. Only two of them, who were the chairman and deputy chairman, went there. Q: Did he ever talk about the essence of meetings in Phnom Penh? A: No, I didn’t. I never went there. When they frequently held meetings in Phnom Penh, I had already stopped working with him.”]; D219/731 Nhem Chen Written Record of Interview, 15 March 2016, A36-38, EN 01224106 [“Q: Did [Ao An] go to meetings in Kampong Cham? A: Yes, he went to have meetings with Ta Pork. [...] High level cadres from the sectors attended the meetings. Q: Did you recognize any other Sector Committees? A: I did not.”], A72 and A75, EN 01224110 [“He [Ao An] went to Kampong Thom and Phnom Penh [...] They invited him to share his experience in Sector 40, 41, and 42.”], A87, EN 01224111-12 [“Q: Did you know why district committee meetings were organized? A: The meetings were to deliver orders from upper level, construction meetings, and genocide. All the District Committees were from the Southwest. The meetings of district committees and commune chief level were held at Wat Tameah. There were meetings from village level up.”], A90, EN 01224112 [“Q: Did you know who was in charge the killings of cadres? A: It seemed there were orders from above. Ke Pork called the sectors, and Ta An ordered the security office to dig up the grass roots and all.”]; D219/732 Nhem Chen Written Record of Interview, 17 March 2016, A42, EN 01224088 [“He received them [orders to kill people] through Zone messengers.”]; D117/50 Im Pon Written Record of Interview, 23 May 2014, A32-33, EN 01059867 [Ao An’s driver confirms that he drove Ao An to zone level meetings, and when the Zone committee was absent, Ao An managed the work]; D219/485 Tep Pauch Written Record of Interview, 28 August 2015, A1, EN 01151276 [“When I was Baray District Committee, I had to attend Sector-level meetings with Oeun and sometimes Zone-level meetings with Ke Pauk. I met Ta An at the Zone-level meetings, but we did not talk to each other

about anything specific.”]; **D219/249** Suon Kanil Written Record of Interview, 28 March 2015, A3, EN 01095783 [“Q: Did you ever see Ta An? A: Yes, I did. I noticed that he came to attend the meetings at the Zone once a month as Sector 41 secretary and a member of the Zone Committee.”], A8, EN 01095783 [“As far as I can remember, Ta An and other Sector Secretaries were coming in a military jeep. In general, he was accompanied by a driver and a messenger.”]; **D117/20** Lin Seng Written Record of Interview, 5 March 2013, A8, A15, and A17, EN 00900989-90 [“I sometimes accompanied Ke Pauk to attend meetings with the Centre in Phnom Penh. When Ke Pauk was attending the meeting, I and other messengers of the other Zones and Sectors secretaries were waiting for him in a place called K-7 which was located near the Royal Palace. [...] At that time Ke Pauk was about to leave for a meeting in Phnom Penh [...] I knew that Phnom Pros was the place where they killed people, but I never went inside it. I used to travel with Ke Pauk through that place to the airfield to board the plane when Ke Pauk was going to attend the meeting in Phnom Penh.”]; **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A19, EN 01167887 [“Q: Who attended the meetings [at Wat Ta Meah Pagoda]? A: Ta An, the Sector Secretary; Ta Aun, Sector Office Chairman; Ta Am, Industry Chairman of the agricultural areas of Andoung Kraloeng, which were home to bean, corn and cotton plantations; Oeun (female), Women’s Chairperson from Andoung Kraloeng; and Met (female), chairwoman of the cotton plantation.”], A29-31, EN 01167889 [“Q: Did you see Ta An attending meetings aside from those at Wat Ta Meah? A: No, because Wat Ta Meah was the main meeting place. Q: How many meetings did Ta An attend? A: Five or six meetings. Q: During the meetings at Wat Ta Meah with Ta An, were any prisoners held at the pagoda? A: There were not yet any prisoners.”], A34, EN 01167889 [“Q: How did you know that the meetings at Wat Ta Meah were organised by the Sector cadres? A: Because the invitations were sent by the Sector Office to those they wanted to attend, including me.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 01059298 [“Sometimes Ta An took a vehicle to meet Prak Yut personally, and sometimes he sent her a letter. Regarding the arrests of the Cham, former Lon Nol soldiers, and former village and commune chiefs, that was a special case. That was why Ta An gave a direct order to Prak Yut.”], A107, EN 01059299 [“Q: Who decided who was to be taken to the upper echelon? A: Ta An did, based on the list I generated. The list I prepared also mentioned backgrounds, ranks, and duties of those people. The first list he sent back to make arrests was of the most important people. The next list was of those whose rank was lower. The list that Ta An sent back was enclosed with his annotations that this or that person could be killed at district level, or had to be sent to Sector level. Those decisions were made prior to the arrests of those people. Ta An never ordered District Military to do any investigations after all those people had been arrested. All the lists were sent back to District Military through Sector Military.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A25-26, EN 01057783 [“After receiving the interrogation reports, I sent them to District Committee Phim. Then I waited for the decisions from the district level. Then I received the lists of the prisoners who had to be taken to be killed and those who had to be released. Q: How did they send the decisions of the district level to you? A: They sent them to me by district messenger.”]; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025326 [“for the secretaries of the Zone, they had their own schedules. For example, when they held a congress, they called me to attend. The Zone held its congress first before the national congress. For example, during the congress, they spoke about implementation of the policies, work plans of defence and construction. [...] After the Centre had approved the work plans, the Centre called us to attend the congress with them. [...] Dany: Did you ever attend the meeting with the Centre in Phnom Penh? An: Yes, I did. At the Sector rank, all attended the meeting there. [...] For me, I went to meetings in Phnom Penh only when I was called.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309920 [“Mostly, the Zone instead invited the Sector(s) to meet at Kampong Cham.”]; **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167238 [Sat Pheap stated that during the Southwest Zone occupation, Wat Ta Meak was used as a school of politics. The training was delivered by Ao An. The training sessions could last up to seven or eight days. Ke Pauk would arrive to officiate the opening of the training and would leave soon after he offered the opening comments. Sat Pheap participated in more than six of these training sessions.]. See also **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A23-24, EN 01373701 [“In was Phim’s messenger in charge of military in the whole district. [...] In arrested people. He mainly went to arrest people directly.”], A40-41, EN 01373703 [“To my knowledge, the interrogation reports of prisoners were made and given to the district secretary Phim. He took them and came up with the plans whether to smash or not to smash those people depending on the offenses they were accused of committing. [...] To my best recollection, after I submitted the reports to him he took them to the upper level

first. If the upper level told him to kill [any prisoners] then he would go ahead with the killings.”], A73, EN 01373705 [“the person who delivered letters from the district to the sector was In. There were four or five other messengers, but Phim always sent him for the job. In was Phim’s confidant. For me, they kept an eye on me because I was associated with the traitorous network. So, they made me take care of the prisoners instead. Regarding the arrest plans, they did not let us know. They did not let the local people know. The arrests were conducted by In.”]. *But note* **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746987 [“Q: To whom did the [Batheay] prison chief have to report? A: The prison chief had to report to the office chiefs. They were not the people in the district. Most of them were from the southwest region.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A9, EN 01059274 [“Commune chiefs received reports from village chiefs, and sometimes reports were made during weekly meetings. [...] Village chiefs also came to report in person to the commune chief.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076939-40 [“The village chiefs would report to [commune chief] Rom directly about which Yuon families and which Lon Nol soldiers were found. [...] I was also responsible for keeping records and statistics of people, cattle, and rice. The statistics included the numbers of births and deaths, including those taken to be killed. Each village had to provide data to me four times a month. After collecting all information, I gave it to Rom. Then Rom sent it to Ta Nan who was in charge of the district. The statistics were important because they were used to calculate food rations. For example, if one or two families were taken to be killed, the food for those villages was reduced. All communes were required to provide statistics. I knew this because Ta Nan called all the commune chiefs, including me, to attend the meetings to receive the order. At that time, Ta Nan gave all the forms to us to complete. When there was any change in any one of the forms, Ta Nan would inform us of the change.”], A22, EN 01076946 [“During the dry season in late 1977, I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained, Rom had to report that to Prak Yuth. I heard them talking when Ycay Yuth arrived at the Commune Office.”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210446 [“The role of unit chiefs or heads was the same as being a village chief. They reported to the Chief of the commune.”]. **An meetings with district secretaries:** **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A25-29, EN 01056217 [“After that meeting [two day meeting in Kampong Cham Province], Grandfather An chaired a meeting in Sector 41 Office located in Prey Chhor district. [...] Grandfather An gave instruction regarding digging canals and building dams. [...] Grandfather An also advised us to assign the military and security of the district. [...] The meeting was held once a month every month in Prey Chhor district.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A54, EN 01059871 [“Q: When Ta An called the members of the Sector Committee like Prak Yut and Sim to a meeting, did you ever have any opportunity to be nearby or see them hold meetings? What did you hear? And where did they meet? A: I saw them, but I do not know what they met about. I heard them as well, but I did not understand what they were discussing. They met in a house.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A61, EN 01331761 [“Q: Did you ever see other district chiefs come to the sector office to attend meetings with Ta An? A: They did come to meetings. On whatever day they came for a meeting, they meeting would they attended would be at Ta An’s house.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A25, EN 01373701 [“Q: Do you know whether Phim, the [Batheay] district secretary, ever went to attend meetings at the sector office? A: Phim went to have meetings about planning every half a month or every month. But, I don’t know what plans they had. They had such meetings at the sector.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A18, EN 01063609 [“I received orders from Grandfather An, and I forwarded the orders to Grandfather Chea.”], A22, EN 01063610 [“I received the orders during monthly meetings of the Sector with participation of all the district committees. Written orders were not sent to me through messengers or other people.”], A12-13, EN 01063608 [“I would like to explain that those who were arrested following orders from the Sector had been implicated by others, but I did not know who had implicated them. Those people had social status; for example, they were former Lon Nol soldiers. I did not know why those people were arrested; for example, all Cham people were arrested without any reason. I did not support the arrests of Cham people, but I had an obligation to follow the upper echelon’s orders. [...] I attended a meeting at the Sector level which decided arrests of Cham people.”]; **District secretaries meetings & communication with their subordinates:** **D219/138** You Vann Written Record of Interview, 8 January 2015, A1, EN 01059272 [“As Commune Committee Member, I had to write reports about deaths of people in the commune, production work, and new births. I reported to Prak Yut every single week. I produced the reports myself and took them to Prak Yut at the Kampong Siem District Office. Other

communes in Kampong Siem District did the same thing I did. Every three weeks the entire Kampong Siem District Commune Committee came to meet with Prak Yut. During those meetings, she always told us to help re-educate people and urge them to increase production.”], A3, EN 01059272 [“After wedding ceremonies, Commune Chief Nan had me write reports about numbers of couples from my commune married at the District Office.”]. A16, EN 01059275 [“We attended monthly meetings at the District Office together, but Prak Yut had separate meetings with the military and the Security Office.”]; **D117/38** Kruoch Kim Written Record of Interview, 24 April 2014, A11, EN 01056737 [“Yeay Yut attended meetings with the mobile unit once a week or once every fortnight. She held the meetings at Wat Thmei Pagoda, Chrouy Chek, and Kaeprae Dam.”]; **D219/27** Prak Ny Written Record of Interview, 14 October 2014, A35, EN 01044889 [“I think that Phon made verbal report during meetings because he never had me help him write any report.”], A50, EN 01044891 [“Phon gave verbal reports during monthly meetings at the district office.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076940 [“Sometimes, I joined the commune and district meetings about work plans only. I was not allowed to attend important meetings because I was not from the Southwest Zone. Rom never told me what was discussed in those meetings. However, sometimes after the meetings, Rom called a meeting among village chiefs and advised them to search for internal enemies such as the Yuon and Lon Nol soldiers and officials. The meetings were held at the commune office with village chiefs once a week, or sometimes not that frequently. [...] Voeun and I also attended meetings.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A11-12, EN 01373699 [“When the former chief of the [Batheay] district was arrested I worked with the district chief by the name Phim in the district office. I delivered letters from the district office to communes. [...] The letters sent to each commune were meant to summons the cooperative chiefs to attend meetings at the district office.”], A14-16, EN 01373700 [“During the meetings [at the Batheay District office], the district chief would ask the cooperative chiefs to come to get the plans for building canals, increasing agricultural production and making fertilizers from excrements for paddy fields. This was what I could overhear while I was on guard duty outside. Q: Did you ever hear anyone at the district office talking about the plan to arrest enemies? A: Yes, I did. While I was working at the district office I was told to be [vigilant] and strengthen the spirits against the enemies. The district secretary told us that in a meeting. Q: Did the district secretary ever order you or anyone else to arrest people? A: The district secretary mainly gave orders to the military to do so. The orders came from the district secretary.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A27, EN 01057783-84 [“I only attended the meetings at district level. I never took part in meetings at Sector level. I had to make the presentations for the Security Office. This means I had to provide the number of prisoners in the Security Office, the number of prisoners who had been killed, the number of prisoners who had been released, and so on. Those meetings were held at the District Office located east of the national road. I was the only Security Office Chairman who was present at those meetings. Sometimes, for general meetings, the chairmen of the cooperatives attended. In those meetings, they cautioned us to be constantly vigilant of thieves.”]; **D5/761/1** Much Savocurn Civil Party Application Report, 28 February 2013, EN 00915136 [“In 1977, the applicant knew that Yeay Yut was chief of district, Ta Sey (position unknown) worked with Yeay Yut; Ta Leak and Ta Loeun (position unknown) were from the Southwest Zone. The applicant used to attend a meeting chaired by Yeay Yut and Voeun (female) in Trapeang Russei Village. Participants in the meeting were told that they would be considered enemies for having [been] found stealing rice and/or food; and those with poor work performance would be summoned to attend self-criticism sessions; or they would be sent to be killed at Tuol Beng (probably in Tuol Beng Village, Krala Sub-district, Kampong Siem District, Kampong Cham Province), and at Phnum Bros (Probably located in Krala Sub-district, Kampong Siem District, Kampong Cham Province)”].

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D219/732 Nhem Chen Written Record of Interview, 17 March 2016, A40, EN 01224088 [“[Ta An went to the Kor Security Office because] he wanted to know whether his orders were fully implemented or not. That was all he wanted to know.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A34-35, EN 01059867 [“Q: Now, let’s talk about the main responsibilities of the Sector Committee, Ta An at Sector 41. As far as you remember, what were his main daily responsibilities? As far as you remember, did he always work in his office, or did he go to other places? Which places did you take him to? A: Most of the time he went to dam and canal construction sites. He sometimes went to the districts. [...] He always went to that dam [Anlong Chrey]. They called it the Sector Dam.”], A37-38, EN 01059868 [“Q: When he arrived at the site, did he meet the chairperson, or did he go to see the workers in general? What did he do as far as you could see? A: Sometimes, he held meetings with the chairpersons. After the meetings, he walked and

inspected the labour. Q: In addition, did he also go to the district offices such as Yeay Yut's Kampong Siem District? A: Yes, he did."], A69, EN 01059873 ["When Ta Pok was absent, he [Ao An] arranged the work at worksites and ministries in Kampong Cham. He met people there."]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A19, EN 01088541 [the Civil Party Applicant was told by his father, family members and friends about Ao An visits in the area: "After I was discharged from the army in February or March, I was transferred to a cooperative in the sector where Ta An was the Secretary. Ta An always went to villages and communes in order to speak with people. For example, in Wat Ni Krauth Pagoda in Peam Chi Kang Village, Ta An told the people to grow vegetables for their own consumption and store some of them in the warehouse. However, in fact, people could not eat even a bunch of bananas. If they saw people taking a bunch of bananas, they would take them to be killed. It meant that Ta An told people to eat crops so that those people would be taken to be killed."]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A59, EN 01224108 ["Q: How many times did Ta An go to Kor Security Office? A: Once a month or once every two months, when there were orders from above he went."], A8, EN 01224111 ["there were few districts I went to with him, and for Kampong Cham, sometimes I was not allowed to accompany him, because he thought it was not necessary."]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A31-33, EN 01331757 ["Q: Did you see Ta An everyday? A: I never saw him during the day, I only saw him at night, when he returned. Q: Do you remember what kind of vehicle he used when going outside the sector office? A: His vehicle at that time was a soldier-color Jeep. Q: When going outside the office, was Ta An escorted by his defense unit? A: There was a defense unit going with him."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A70, EN 01331722 ["Q: Do you remember where you went when you accompanied Ta An? A: I went to Kampong Siem District, the location of the Anlong Chrey Dam, Skun and Cheung Prey."], A72, EN 01331722 ["He went to meet the district governor, Yeay Yut. He went down to look at Anlong Chrey Worksite. Skun was close to Anlong Chrey, Cheung Prey District."], A184-186, EN 01331738 ["Q: Did you know whether Aun visited this [Krouch Kor] security office once in a while? A: Bang Aun visited it once in a while. Q: When he went there, you accompanied him, right? A: I accompanied him there. [...] Upon arrival, he sat and chatted with Ngov. I went and sat outside."]; **D117/60** Sum Pet Written Record of Interview, A16-17, EN 01044585-86 ["At that time when all of the mobile units had arrived they held a large meeting and announced that Anlong Chrey Dam was a Sector worksite [...] The meeting was from 7 a.m. to 12 pm, and they talked about building dams, good work, and increasing production. At that time, I only knew that the Sector Chairman was the meeting leader, but I did not see his face because there were quite a lot of people. I never saw him directly; I just heard by rumour that he was Sector Committee An"]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A5, EN 001113702 [regarding the meeting on the opening of Tuol Kok Khou Dam: "Tens of thousands of people from all the mobile units attended this meeting. The chiefs of the mobile units were present. They include Ta An who presided over the meeting. But I did not see him clearly because I sat so far from the meeting itself. Ta An arrived after everyone was already seated. The people attending the meeting were assigned to sit separately depending on their mobile units and the districts they belonged to. When Ta An arrived everyone stood up and applauded. Then there was an introduction to the chairs of the meeting from the low ranking to the high ranking persons. Ta An was also announced as the chair of the meeting, I knew from my mobile unit chief that Ta An was the sector secretary and he was the top ranking cadre at the meeting."]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A32-33, EN 01224106 ["I remember Ta An went to have meetings in Batheay at the security site. [...] I went to Kampong Cham, Kor, and Batheay."], A59, EN 01224108 ["Q: How many times did Ta An go to Kor Security Office? A: Once a month or once every two months, when there were orders from above he went."], A67, EN 01224109 ["He [Ao An] went to a meeting one day [at Kor] when prisoners were being killed. I saw them with their hands tied and being walked to a square pit. I saw that. I was young. I stood behind a tree and watched. My leader asked me what I was doing, and I told him that I was urinating. Prisoners were hit with the back of hoes."], A69-70, EN 01224110 ["I went once more to Wat Batheay with Ta An to a meeting on construction. At the time I came with Uncle Sok there was killing. [...] Yes, the meeting was on construction and food rations."]; **D107/5** Orm Kim Eng alias Theng Written Record of Interview, 18 February 2012, A7, EN 00787225 ["Ke Pauk came in his car to see this site once."]; **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A13, EN 00630446 ["Q: Based on your knowledge, who did order the arrests and execution of people at Phnom Pros? A: I have no idea, but as far as I know Ta Pauk was the secretary of the zone, so, I can suppose that he could be responsible for the arrests and execution of those people. Everytime people were sent to Phnom Pros for

execution, I always saw a stocky man coming along. I did not know his name, but later Choeun told me that he was called Ta Pauk.”]; **D107/4** Vorng Sokun Written Record of Interview, 17 February 2012, A25, EN 00787239 [“I used to see him [Pauk, the Zone Secretary] coming there [Phnom Pros].”]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644192 [“One witness confirmed that Ke Pauk, the zone secretary visited the place.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210525 [“He [witness Niv Sun] never saw Comrade An. He was always in his office. Sometimes he went to open new work sites.”]. *Contra*: **D117/50** Im Pon Written Record of Interview, 23 May 2014, A49-51, EN 01059870 [denying that he drove Ta An to any of the security offices including Krouch Kor, Phnom Pros, Tuol Beng, or Kok Pring].

277 *See* **X. Individual Criminal Responsibility – B. Modes of Liability – Committing via Joint Criminal Enterprise**.

278 *See* **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, arts 6(5), 18-20, EN 00184037 and EN 00184043-44; **D1.3.15.1** Craig Etcheson Written Record of Analysis, 18 July 2007, paras 41-57, EN 00142835-40.

279 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A29-30 and A36, EN 01374645-46 [“Q: [...] Let’s come back to the meeting in Kampong Cham. At that meeting, did they discuss how to seek and arrest the enemy? For example, did Ta Pauk give advice on how to arrest the enemy? A: Yes, he did. In short, at that time he ordered action to be taken to arrest the enemy in the districts on a continuous basis. The actions had to be taken quickly in order to meet the set plans. Q: During that meeting in Kampong Cham, did he mention what kinds of people or what groups of people were the enemy to be arrested? A: Yes, he did. In short, those people within the lines of the previous generation of chiefs, such as Uncles Taing, Sreng and Seng, were all to be arrested. [...] He said, ‘If you catch fish, make sure you do not make the water muddy. When you pull out weeds, you must extirpate all its roots!’ I was young, so I was ignorant. They would wipe out educated people.”]. *See also* **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A90-91, EN 01224112 [“Q: Did you know who was in charge the killings of cadres? A: It seemed there were orders from above. Ke Pork called the sectors, and Ta An ordered the security office to dig up the grass roots and all.”].

280 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A40-41, EN 01224106 [“I caught some of it, like about the enemy. We had to do whatever could be done to arrest all the enemies, to catch the fish without muddying the water. Q: Who said that? A: Ke Pork said that there were orders from upper echelon. He said that when digging up grass, dig it up roots and all.”].

281 **D103.1.39** Ao An VOA Khmer Interview, *Atrocities Suspect Says He’s ‘Not Fearful of Tribunal, Hell’*, 11 August 2011, EN 00750163 [“He said even though he had been ordered by Khmer Rouge military commander Ke Pauk to kill supporters of Lon Nol’s regime, he hid them in the fields of the collectives. [...] He told his superior he had ‘cleaned,’ or killed, them, ‘but they were on the farm.’”].

282 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025325 [“Dany: What did you do when you worked with Ke Pauk? Did you get along well with him at that time? An: No problem.”].

283 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A24, EN 01374644 [“Q: How did Ta An respond to those instructions [to arrest enemies] from Ta Pauk? A: He did not respond in any way. He only said he was determined to accomplish the work as planned by the Party.”], A38 and A40-41, EN 01374646 [“Q: At the meeting in Kampong Cham, did they discuss where they would take those arrestees? A: They just said they would take them to Wat Tameak Pagoda, but the senior-ranked ones would be sent to Phnom Pros Mountain, and the next level would be taken to Kor Security Office. The zone cadres would be taken to Phnom Pros Mountain, and the ordinary people would be sent to Batheay District Security. [...] Q: I want to ask you about the method of sending the arrestees to Phnom Pros Mountain. When did they start talking about the dispatch of those arrestees to the places where they were assigned? Who talked about that? A: Only Uncle An did. The killings started to rise dramatically [...] after Ta An went there. [...] Such things did not happen under the old sector.”].

284 *See* para. 15.

285 **D1.3.29.7** Kaing Guek Eav alias Duch UNHCHR Interview, 4-6 May 1999, EN 00184998 [“Concerning Ke Pauk, he was a full rights member of the central committee, chairman of the Central Zone, and later when he went to fight the Yuon he was the deputy commander under Professor Son Sen (deputy commander of the high command headquarters of the army).”]; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346158 [“In the [Central] Zone, Ta An took over my father role because my father was busy

with his work on the battlefields along with the border.”]; **D1.3.30.13** Telegram 02 from Comrade Pauk to Respected Committee 870, 12 April 1978, EN 00185199-200 [describing fighting in the East Zone]; **D1.3.30.16** Telegram 10 from Comrade Pauk to Beloved and Missed Committee 870, 4 May 1978, EN 00185254 [describing fighting in the East Zone]; **D1.3.30.17** Telegram 11 from Comrade Pauk to Missed Brother, 6 May 1978, EN 00003537 [describing fighting in the East Zone]; **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678698-703 [describing Ke Pauk’s involvement in fighting in the East Zone]. See also **D1.3.30.3** Telegram 16 from Comrade Pauk to Respected and Loved Chief of 870 [describing the situation in Oudar Mean Chey].

286 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025319 [“Dany: [...] Who was in charge of Sector 42 then? An: It was under Ke Pauk’s younger brother named Oeun.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, A9, EN 00903205 [“Oeun [...] was Sector 42 Secretary.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379173 [“in Sector 42 whose secretary [was] named Oeun.”]; **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A216, EN 01000693 [“There were three people in the zone committee: Ke Pauk, Ta An and Oeun”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309917 [“Dany: Do you know who the Chairperson of Sector 42 was? Saren: I am not quite sure, but I heard the name Oeun. Dany: So, Sector 42, you heard Oeun? Saren: I don’t know, I’m not certain.”]; **D219/789** Chhean Choeurn Written Record of Interview, 28 June 2016, A17, EN 01331695 [“Q: Do you know who the Secretary of Sector 42 was? A: At that time, it was Ta Oeun. His name was Oeun.”]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A4, EN 00900988 [“I still remember that Ta An was the secretary of Sector 41, Oeun who was my elder brother was the secretary of Sector 42, and Chan was the secretary of Sector 43.”]; **D6.1.384** Tep Poch Written Record of Interview, 4 July 2009, EN 00351702 [“Q: To what sector did Baray District belong? A: Sector 42 and Oeun (died of HIV/AIDS) was the sector secretary.”]; **D6.1.980** Saray Hean Written Record of Interview, 10 March 2010, A1, EN 00491734 [“Comrade Oeun was the secretary of Sector 42 which composed of Prek Prasap district, Chamkar Leu district, Steung Trang district, Baray district, and Taing Kauk district.”].

287 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025313 [“Chan was the secretary of Kampong Thom [...] Dany: Was he the secretary of what Sector in Kampong Thom? An: Kampong Thom 43.”]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A4, EN 00900988 [“I still remember that Ta An was the secretary of Sector 41, Oeun who was my elder brother was the secretary of Sector 42, and Chan was the secretary of Sector 43.”]; **D117/21** Chann Sang Written Record of Interview, 24 May 2013, A6-7, EN 00950665 [“The secretary of Sector 43 was Sim (dead). Sim was also a cadre from the Southwest Zone. Sim was the secretary of Sector 43 from 1977 to 1979. Q: Did you ever know a cadre named Koam Chann alias Chan? A: I never heard the name Koam Chann, but I heard about Chan when they announced that he had been a traitor. I would like to specify that Chan had been the secretary of Sector 43 until his arrest in 1978, and then Sim replaced him. I had never met Chan and never worked for him. I remembered that in 1978 Sim announced that Chan had been a traitor, and he was coming to replace Chan.”].

288 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025331 [“Dany: After Chan had been arrested who replaced him as secretary of Sector 43? An: Phen.”]; **D117/18** Pech Chim Written Record of Interview, 28 February 2013, EN 00903203; **D118/259** Pech Chim Written Record of Interview, 19 June 2014, A126, EN 01000682 [“Phen went to Kampong Cham with me and [was] assigned as the Sector Committee [Chairman] in Kampong Thom Province.”]; **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A32-35, EN 01309795 [“Q: When you first arrived in the Sector 42 with other Southwest cadres, were there any cadres from Southwest Zone being sent to other sectors? A: There were. Bang Phen was sent to be sector secretary in Kampong Thom of Central Zone. Q: Whom did he replace? A: I do not know. He went to work there. Q: In your answer number three in previous record, ERN 01117710, you said the Sector 43 Secretary whose name was Sim. Could you please clarify, who was the Sector 43 Secretary when you arrived? A: Sim was there before, then Phen later replaced him. Phen is also dead. Q: Was Phen or Sim the Sector Secretary after the congress? Or what? A: Sim went there before, Phen later. Phen was already the Sector 43 Secretary.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“Another person was Phen who was the deputy of Sector 13 in Takeo province, but he is now dead. After I stayed in the Central Zone for 1 year, Phen was ordered back to Kampot and disappeared ever since. And another person from the Southwest Zone was Sim; he might be the deputy secretary of the Treang district.”].

289 **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A32-35, EN 01309795 [“Q: When you first arrived in the Sector 42 with other Southwest cadres, were there any cadres from Southwest Zone being

sent to other sectors? A: There were. Bang Phen was sent to be sector secretary in Kampong Thorn of Central Zone. Q: Whom did he replace? A: I do not know. He went to work there. Q: In your answer number three in previous record, ERN 01117710, you said the Sector 43 Secretary whose name was Sim. Could you please clarify, who was the Sector 43 Secretary when you arrived? A: Sim was there before, then Phen later replaced him. Phen is also dead. Q: Was Phen or Sim the Sector Secretary after the congress? Or what? A: Sim went there before, Phen later. Phen was already the Sector 43 Secretary”]; **D117/21** Chann Sang Written Record of Interview, 24 May 2013, A6-7, EN 00950665 [“The secretary of Sector 43 was Sim (dead). Sim was also a cadre from the Southwest Zone. Sim was the secretary of Sector 43 from 1977 to 1979. Q: Did you ever know a cadre named Koam Chann alias Chan? A: I never heard the name Koam Chann, but I heard about Chan when they announced that he had been a traitor. I would like to specify that Chan had been the secretary of Sector 43 until his arrest in 1978, and then Sim replaced him. I had never met Chan and never worked for him. I remembered that in 1978 Sim announced that Chan had been a traitor, and he was coming to replace Chan.”]; **D6.1.650** Pech Chim Written Record of Interview, 25 August 2009, EN 00379172 [“Another person was Phen who was the deputy of Sector 13 in Takeo province, but he is now dead. After I stayed in the Central Zone for 1 year, Phen was ordered back to Kampot and disappeared ever since. And another person from the Southwest Zone was Sim (fiftr): he might be the deputy secretary of the Treang district.”].

²⁹⁰ **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 7(1), EN 00184038.

²⁹¹ **D1.3.36.1** Khieu Samphan Written Record of Interview of Charged Person, 13 December 2007, EN 00156749-50; **D6.1.93** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 25 November 2008, EN 00242903-04; **D1.3.27.5** Masato Matsushita and Stephen R. Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, Lonh aka Lorn Interview, EN 00177050 [“The Central Committee had around 30 members including full and candidate members, mostly tambon secretaries, secretary of Regions, deputy secretary of Regions, member of Regions.”]; **D6.1.1063**, Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 5 May 2008, EN 00204353; **D1.3.15.2** Timothy Carney, *The Organization of Power*, EN 00105140-41; **D117/36.1.20** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, March 2004, EN 00393581.

²⁹² **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025326 [“Q: Did you ever attend the meeting with the Centre in Phnom Penh? A: Yes, I did. At the Sector rank, all attended the meeting there. [...] For me, I went to meetings in Phnom Penh only when I was called.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A130-134, EN 01374654 [“He [Ta An] went to Phnom Penh once or twice a year. He did not go to Phnom Penh frequently. Q: Why did he go to Phnom Penh? A: He went to attend the Party Centre meetings. He was invited to attend them. Q: Who went to attend the meetings in Phnom Penh? A: I only saw him going with Ta Aun. Only two of them, who were the chairman and deputy chairman, went there. Q: Did he ever talk about the essence of meetings in Phnom Penh? A: No, I didn’t. I never went there. When they frequently held meetings in Phnom Penh, I had already stopped working with him.”].

²⁹³ **D1.3.15.2** Timothy Carney, *The Organisation of Power*, in Karl Jackson, *Cambodia 1975-1978 Rendez Vous with Death*, EN 00105151-52 [identifying Central Zone Deputy Secretary An as one of the likely members of the Central Committee based on “his important position”], EN 00105140 [“At the top, the Central Committee, as of August 1978, had about thirty members [...] counting full and candidate members. [...] Most were regional and sector secretaries and deputy secretaries or, presumably, senior commanders.”]; **D1.3.36.1** Khieu Samphan Written Record of Interview of Charged Person, 13 December 2007, EN 00156750-51 [“In the central committee, the only persons who had real power were the chairman of the military unit and the zone secretary and sector secretaries. [...] The central committee consisted of more than 30 members, but I don’t remember the names of all those members.”].

²⁹⁴ **D6.1.503** Norng Soplhang Written Record of Interview, 28 March 2009, EN 00483968-69; **D6.1.786** Iep Duch Written Record of Interview, 1 November 2007, EN 00223512-13; **D117/36.1.22** CPK Central Committee Directive, 11 July 1977, EN 00305412; **D6.1.473** CPK Central Committee Directive, 20 June 1978, EN 00275220.

²⁹⁵ **D6.1.473** CPK Central Committee Directive, 20 June 1978, EN 00275220.

²⁹⁶ **D6.1.850** CPK Standing Committee Minutes, 19-21 April 1976, EN 00183421; **D1.3.24.1** Minutes on the Standing [Committee’s] Visit to Northwest Zone, 20-24 August 1975, EN 00850973-74; **D6.1.1085** Tha Sot Written Record of Interview, 19 January 2008, EN 00226110; **D6.1.4** Oeun Tan Written Record of Interview, 9 October 2008, EN 00235131; **D6.1.727** Soutr Toeung Written Record of Interview, 2 December 2009, EN 00414594-98; **D6.1.1081** Seng Lytheng Written Record of Interview, 4 December 2007, EN 00223564;

D6.1.1083 Sa Vi Written Record of Interview, 5 December 2007, EN 00204060; **D6.1.1084** Yim Laing Written Record of Interview, 18 January 2008, EN 00204732; **D6.1.438** Ov Yae Written Record of Interview, 13 January 2009, EN 00282818.

297 **D1.3.24.2** CPK Standing Committee Minutes, 9 October 1975, EN 00183394 [“Each sector must have total mastery in the sense of implementing the Party line and the decisions of the Party [...] In order to achieve objectives, for one thing there must be a stance of special high responsibility by grasping the general Party lines, in particular the line of contacts with one’s section must follow the lines clearly, and the process must be clear in the sense of implementation with initiative and management.”]; **D1.3.29.4** Kaing Guek Eav alias Duch Written Record of Interview, 7 August 2007, EN 00147524 [“Policy was, in general terms, the political line, the long-term main ideas of the Party. The line here is the political line. [...] A political line is disseminated throughout the country, it is taught and studied and implemented throughout the country. And the political line of the Communist Party of Kampuchea regarding those arrested was not implemented only with the birth of S 21 it began before Office 13 was even created.”]; **D6.1.1066** Kaing Guek Eav alias Duch Written Record of Interview, 5 September 2007, EN 00147583 [“Every year, I was called by Son Sen to attend a study session where the Party lines were illustrated. There were 100 or 200 participants in that study session.”]; **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 23, EN 00184045 [“The tasks of the Central Committee are: 1. Implement the Party political line and Statute throughout the Party. 2 Instruct [...] all Zone and Sector – City organizations and Party organizations responsible for various matters to carry out activities according to the political line”].

298 **D6.1.786** Iep Duch Written Record of Interview, 1 November 2007, EN 00223512 [“The Khmer Rouge leadership, after it was known that 870 was the Center level, doing anything and everything originated from there.”].

299 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, art. 30, EN 00184047 [“The Party absolutely opposes the principle and stance and the spirit of implementing Party Statute autonomously, individually, and by clique. The single organization which has decision power to revise the Communist Party of Kampuchea Statute is the General Conference representing the Communist Party of Kampuchea nationwide.”].

300 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, EN 00184025 [“The Party absolutely opposes any political, ideological, or organizational violation of organizational discipline through independentism, liberalism, sectarianism, [...] which destroys Party solidarity and unity, and absolutely opposes any creation of cliques to break up the Party.”], art. 4, EN 00184033 [“Any Party member or any Party echelon opposing the Party political line, Party ideological stances [...] commits Party discipline violations which are punishable, lightly or severely”].

301 *See X. Individual Criminal Responsibility – B. Modes of Liability – Committing via Joint Criminal Enterprise.*

302 *See, e.g., D191.2* Ao An DC-Cam Statement, 1 August 2011, EN 01025326 [“Q: Did you ever attend the meeting with the Centre in Phnom Penh? A: Yes, I did. At the Sector rank, all attended the meeting there. [...] For me, I went to meetings in Phnom Penh only when I was called.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A130-134, EN 01374654 [“He [Ta An] went to Phnom Penh once or twice a year. He did not go to Phnom Penh frequently. Q: Why did he go to Phnom Penh? A: He went to attend the Party Centre meetings. He was invited to attend them. Q: Who went to attend the meetings in Phnom Penh? A: I only saw him going with Ta Aun. Only two of them, who were the chairman and deputy chairman, went there. Q: Did he ever talk about the essence of meetings in Phnom Penh? A: No, I didn’t. I never went there. When they frequently held meetings in Phnom Penh, I had already stopped working with him.”].

303 *See, e.g., D191.2* Ao An DC-Cam Statement, 1 August 2011, EN 01025326 [“for the secretaries of the Zone, they had their own schedules. For example, when they held a congress, they called me to attend. The Zone held its congress first before the national congress. For example, during the congress, they spoke about implementation of the policies, work plans of defence and construction. [...] After the Centre had approved the work plans, the Centre called us to attend the congress with them.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A56-61, EN 01056229-30 [“Q: Besides the monthly meetings in the sector, did you attend other meetings in the zone level? Where was the meeting held? A: I attended the zone level meeting at the zone office of Grandfather Pauk in Kampong Cham province: the meeting was held once in every three months. Q: What was the meeting about? A: The meeting was about security issues in the zone and in the

sectors such as economy, building dams and canals and about all the sections including economy, culture and social work. The meeting raised positive and negative points and right and wrong actions. Q: Who chaired the meeting? A: The meeting was chaired by Ke Pauk. Q: Who participated in that meeting? A: The meeting participants were all the secretaries of the sectors and the districts in the Central Zone. Q: Could you describe the activities during the meeting? A: Ke Pauk chaired the meeting, and the secretaries of the sectors and the districts made a report about general situation in the districts and the sectors. Q: Did they say about arrest [of people] during the meeting? A: During the meeting, they did not mention it; they just said about general situation such as building people livelihood and constructing canals and dams. Ke Pauk just had us follow up the situation and reported irregularities from the districts to the sectors and from the sectors to the zone.”]. See also paras 18 and 86 *supra*.

304 **D6.1.808** Nuon Chca Speech, 16 January 1977, EN 00168467 [at a mass rally in Phnom Penh marking the ninth anniversary of the Cambodian Revolutionary Army: “after 1960 our Revolutionary Organization clearly decided that political action and armed violence must be used to overthrow and crush the enemy.”]; **D6.1.753** *Revolutionary Flag*, September-October 1976, EN 00450507 [“The concrete experience of our revolutionary movement had taught us that we had to use political violence and armed violence to defeat the enemy.”]; **D6.1.739** *Revolutionary Flag*, September 1977, EN 00486236 [“The first form of struggle was to use revolutionary political violence and revolutionary armed violence. That is, we used revolutionary violence in both political and struggle and armed struggle by using revolutionary. This violence was the force to resist the enemy and strike the enemy.”]; **D6.1.737** *Revolutionary Flag*, August 1975, EN 00401491 [“the Party must use revolutionary violence and must assemble the people to use revolutionary violence to oppose the reactionaries and the oppressor classes and to oppose the colonialists and imperialists. For self-defense and self-liberation it is imperative to use violence, whether political violence or armed violence.”]; **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491412 [“The strategic line of the Party [...] was set in 1960 [...]. It was imperative to attack and bring down the feudalists, capitalists, and reactionaries in Kampuchea.”]; **D6.1.532** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498231 [“The new line of the new Party [...] specified that the ‘exploiting classes’ were the primary enemy of the Cambodian revolution and ‘the tools of the American imperialists.’ Thus, the Cambodian people had to smash the ‘feudalist regime’ whether by peaceful methods or by other methods. [...] we must be ready at all times to use non-peaceful means if the imperialists and the feudalists ... are stubborn and force us to use those means”].

305 **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, EN 00184025 [“The Party must have high-level revolutionary vigilance toward all enemy activities and trickery, direct or indirect, overt or secret, which have the intent to destroy the Party by every means.”]. Art. 5(5), EN 00184035 [Party leadership committees: “Must have a strong and correct stance of revolutionary vigilance, maintaining secrecy, and defending revolutionary forces at all times in all action, work, speech, attitude, in life, in every way, in short and long term both inside and outside the Party”].

306 **D1.3.20.2** DK Constitution, 5 January 1976, Art. 10, EN 00184836 [“Actions violating the laws of the people’s State are as follows: Dangerous activities in opposition to the people’s State must be condemned to the highest degree. Other cases are subject to constructive re-education in the framework of the State’s or people’s organisations.”].

307 See, e.g., **D117/36.1.5** FBIS, *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, EN 00166772 [“Traitors Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret and Sosthene Fernandez are the chieftains of the traitors and ringleaders of the treacherous antinational coup d’etat [...] the national congress declares it absolutely necessary to kill these seven traitors”]; **D6.1.355** Khoem Samhuon Written Record of Interview, 6 March 2009, EN 00293365 [“At that time in May 1975, I knew there was an order from the senior Son Sen, the supervisor, to arrest those who were high ranking civil servants of Lon Nol regime who denied leaving Phnom Penh city, and the patients who were Lon Nol soldiers being treated in Preah Ketomcalca hospital.”]; **D6.1.1050** Statement submitted by Amnesty International to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Allegations of Human Rights Violations in Democratic Kampuchea*, August 1978, EN 00271506 [DK refugees allege: “Summary executions of many people because of their position under the former administration [...]. Many refugees have alleged that large-scale summary executions of officers of the former Republican army occurred in 1975 and early 1976, sometimes involving their family dependants, and that many officials of the former administration were either executed or ‘taken away’ and never heard of

again.”]; **D1.3.29.1** Ieng Sary Interview by Stephen Heder, 17 December 1996, EN 00417605-06 [“as for soldiers that they took away and killed, what they decided or specified about the senior civil servants, I did not participate in that. [...] that was someone else’s decision. [...] It was decided afterwards, as far as I know, after 17 April, around the 20th as far as I know, meaning they decided to do whatever was required to keep that group from being able to rise up and oppose the revolution. From what I was told, that group had post-defeat plans, plans to kill the Khmer Rouge after they entered the city and then to take back power. [...] they said that when they had searched the houses of military officers, they were full of grenades and all kinds of weapons. That is, they were prepared to make a coup”]; **D6.1.535** Division 164 Meeting Minutes, 9 September 1976, EN 00657356 [“The soldier elements must be rounded up.”]; **D6.1.284** DK Letter of Confirmation from Mean in Nhaeng Nhang Commune to An, September 1977, EN 00322161 [explains to An, the Chairman of Kraing Ta Chan, that the three former military officers listed were sent to him “because it was decided by the Party, since they got their (high) ranks [...] they were arrested because they were (high) ranking.”].

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See VI. Crimes and Crimes Sites – I. Persecution and Genocide of the Cham.

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See, e.g., **D6.1.473** CPK Directive, Guidance of the Central Committee of the CPK on the Party’s Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea, 20 June 1978; **D179/1.2.7** Kaing Guek Eav alias Duch, T. 19 March 2012, 14.53.58-14.56.35, EN 00792602 [“those who had been accused of being spies and they were supposed to be interrogated at the office and smashed.”], 15.37.43-15.40.48, EN 00792610-11 [“Q: You answered earlier that those people who were brought to -- or arrested to M-13 were spies. Could you tell the Court what those people were like? A: [...] they were accused of -- as spies and they were later to be smashed, but I was of the view that not all of them were spies. [...] Q: Was there any orders to do so, to interrogate and torture those people? A: [...] It was the Party’s policy. Those who were admitted to the -- the liberated zones were considered as spies.”]; **D219/702.1.75** Ban Seak, T. 5 October 2015, 13.45.35-13.51.11, EN 01409572 [“When I went to see [Brother Oeun], I asked him the reasons of those purges. He said that the plan came from the upper echelon. They wrote clearly in black ink that first, all the CIA, and secondly, all the KGB had to be smashed.”].

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See, e.g., **D6.1.739** *Revolutionary Flag*, September 1977, EN 00486228 and EN 00486233 [“Kampuchean society was divided into five distinct classes: the working class, the peasant class, the petty bourgeoisie class, the capitalist class, and the feudal class. [...] Once we made the analysis of the contradictions within Kampuchean society, how did we determine who were the enemies of the revolution [...] and who were revolutionary forces? There were two enemies who had to be fought: the first was imperialism, particularly American imperialism. The second was the feudal class, the landowners, the reactionary compradors.”]; **D322/8.1.26** *Revolutionary Flag*, August 1977, EN 00399240 [“The no-good classes holding power in the cooperatives, what is their true nature? They are counter-revolutionary”]; **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491412 [“The strategic line of the Party that was set in 1960 when the determination was made that it was imperative to [...] attack and bring down the feudalists, capitalists, and reactionaries in Kampuchea.”]; **D6.1.73** DK Meeting Minutes, *Minutes of Meeting with the Organization’s Office, 703 and S-21*, 9 September 1976, EN 00178150 [“Heighten the outlook of revolutionary vigilance in view of the increasingly very sharp contradictions and the ever strong class hatred of the enemies of the Kampuchean revolution”].

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See II. Ao An’s Acts, Conduct, Role, and Responsibility – 4. Ao An’s Conduct of the Purge in the Central Zone – The Purge of Ordinary Civilians.

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D6.1.73 DK Meeting Minutes, *Minutes of Meeting with the Organization’s Office, 703 and S-21*, 9 September 1976, EN 00178150 [“Heighten the outlook of revolutionary vigilance in view of the increasingly very sharp contradictions and the ever strong class hatred of the enemies of the Kampuchean revolution”]; **D6.1.473** CPK Directive, *Guidance of the Central Committee of the CPK on the Party’s Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea*, 20 June 1978, EN 00275219 [the CPK claimed it would not harm anybody “Except for the resolute opposition group against the Party, Revolution, People and Democratic of Kampuchea who oppose successively as a network without changing their minds, who refuse to live with the Party, Revolution and People of Kampuchea; and instead, they resolutely bend down their heads crawling to serve the Yuon aggressor who swallows of the territory, the Soviet expansionist and its clique, the American imperialism and its clique, that the Party and the Kampuchean people must eliminate

them.”]; **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, Art. 5, EN 00184034-36 [“To raise the quality of Party leadership [...] various criteria must be established as the factors for deliberation in selecting cadres into the various leadership committees of the Party. [These include:] Must have a strong and correct stance of revolutionary vigilance, maintaining secrecy, and defending revolutionary forces at all times in all action, work, speech, attitude, in life, in every way, in short and long term both inside and outside the Party [...] Must have good, clean, and correct life morals, not corrupt or raffish, and not involved with the enemy. Must be vigilant toward liberalism in living.”]; **D6.1.1131** *Revolutionary Youth*, February 1978, EN 00278714 [“our present and future task is to constantly raise high our spirit of revolutionary vigilance”]; **D6.1.1146** CPK Meeting Minutes, *Minutes of Meeting regarding Propaganda Works*, 1 June 1976, EN 00182723 [“Have more revolutionary vigilance, especially the enemies burrowing within, [...] Basically, enemies are destructed. Even so, they still attempt to destroy us. In terms of viewpoint and standpoint, we must be more vigilant.”]; **D6.1.939** Phnom Penh Domestic Service broadcast, *Khieu Samphan’s Speech at Anniversary Meeting*, 15 April 1977, EN 00419513 [“We must wipe out the enemy in our capacity as masters of the situation [...] we must further steel ourselves, remain alert, constantly maintain the spirit of revolutionary vigilance and continue to fight and suppress all stripes of enemy at all times.”], EN 00419517 [“We must uphold our spirit of revolutionary vigilance at all times against the enemy from all quarters, both at home and abroad”]; **D6.1.774** DK Government Meeting Minutes, *First Meeting of the Council of Ministers*, 22 April 1976, EN 00143467 [“[The enemy’s] aim is to attack the leadership apparatus by dark means. Therefore, we must raise the spirit of revolutionary vigilance even higher.”]; **D6.1.740** *Revolutionary Flag*, October-November 1977, EN 00182549-50 [“[The] risky [cadres] must be purged, [...] the contemptible traitors who are concealed [from] within wear the label of the organization, [...] we have been able to sweep cleanly away more than 99% of the contemptible major concealed enemies boring [from] within, [...] we shouldn’t let the enemies strengthen and expand. There must be constant shock assaults.”].

³¹³ **D1.3.20.2** DK Constitution, 5 January 1976, EN 00184836 [Article 9 refers to people’s courts “defending the democratic rights and liberties of the people”]; **D6.1.83** David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison*, EN 00192813 [“After the Khmer Rouge victory of 17 April 1975, the judicial system in Cambodia disappeared. There were no courts, judges, laws or trials in DK. The ‘people’s courts’ stipulated in Article 9 of the DK Constitution were never established.”]; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078543 [“in arresting and punishing people, the Khmer Rouge did not go through the process of obtaining a court decision, and thereby violated their own constitution.”]; **D6.1.863** Kaing Guek Eav alias Duch, T. 18 May 2009, 10.07.08-10.13.40, EN 00328458 [“The word ‘smash’ mean[s] the person was not to be released. If he was released then he would not be smashed, [...] this did not go through the judicial process because there was no law, no court, the Standing Committee govern[ed] all the three main powers.”]; **D1.3.29.2** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 3 October 2007, EN 00149915 [“The CPK’s Special Branch was utterly unique. It did not employ any laws whatsoever. It relied exclusively on the Party line”]; **D6.1.1231** UN Commission on Human Rights, *Question of the Violation of Human Rights and Fundamental Freedoms in any part of the World, with Particular Reference to Colonial and other Dependent Countries and Territories*, 30 January 1979, EN 00078660 [“Chapter 7 of the Constitution of Democratic Kampuchea contains two brief articles concerning the administration of justice and the appointment of judges (article 9) and defining forms of punishment (article 10). However, it is alleged in the materials that there is a total absence of judicial process or courts in the country and punishment of offences tends to be entirely of a summary character.”].

³¹⁴ See, e.g., **D1.3.29.8** Kaing Guek Eav alias Duch, Diagram of Security Office Network, EN 00198898; **Witness Statements: D118/103.3** Kaing Guek Eav alias Duch Final Written Submission, 23 November 2009, para. 69, EN 00412111 [“There were at least 196 Santebal Offices in the Democratic Kampuchea”], paras 70-72, EN 00412111 [describing the organizational supervision of the security offices and how confessions were sent up the chain of command]; **D6.1.160** Sum Alat Written Record of Interview, 10 June 2008, EN 00242126-27 [Q: During the Khmer Rouge period, were you aware of any security office or killing site? A: During the period, I knew about the existence of the following security offices: Prey Sloek security office also known as Kraing Tasam located in Krakor district which was 7 or 8 kilometers from the place where I lived. It was merely a detention ‘prison’. [...] I have a friend who was arrested and taken to security office 07 also known as Trapaing Chorn security office in Bakan district. He disappeared until today. Security office at Tuol Tapev in Kampong Krabey village, Viel commune, Kandieng district, [...] Charoek

security office located on Charoek village, Kanchor commune, Kandieng district. Artillery security office known as mortar fort office [...] [in Pursat province]. I know it was a security office because I saw people being detained in the cells and the military told me they were prisoners.”]; **D6.1.80** Chan Khan Written Record of Interview, 31 March 2008. EN 00195544-45 [regarding Office 13]; **D6.1.1061** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 29 April 2008. EN 00185475-76 [describing M-13 and S-21]. EN 00185477 [“the general principle in the security centres and in S-21 in particular was that all persons arrested had to be executed except for a few and only temporarily”]; **DK Documents: D6.1.268** Correspondence from Chim in Trapeang Thom Thboung Commune to the Party, 17 September 1977. EN 00363653-54 [reporting on the torture and interrogation of prisoners]; **D6.1.1176** S-21 Interrogation Log, 11 April 1978 [list of interrogated prisoners]; **Analytical Reports: D1.3.32.1** DC-Cam DK Prison List, 23 August 2006 [list of 195 prisons throughout the country]; **D6.1.525** DC-Cam DK Prison List, 18 February 2008; **D6.1.524** DC-Cam Burial Report, 18 February 2008 [list of prisons and burial sites throughout DK and the estimated number of victims at each]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 17 October 1995 [describes various locations used as prisons and execution sites around Kampong Cham Province]; **D1.3.10.8** DC-Cam Mapping Report, 1997: khet Kampong Cham, 13 March 1997 [describes various locations used as prisons and execution sites around Kampong Cham Province]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998; **D1.3.10.9** DC-Cam Mapping Report, 1997: khet Kampong Thom, 14 May 1997 [describes various locations used as prisons and execution sites around Kampong Thom Province]; **D1.3.10.13** DC-Cam Mapping Report, Kampong Thom Province, 14 July 1998; **D1.3.10.16** DC-Cam Mapping Report, Kampong Thom Province, 10 August 1999; **D6.1.1232** DC-Cam Mapping Report, 1997: khet Takeo, 1 April 1997 [describes various locations used as prisons and execution sites around Takeo Province]; **D1.3.10.14** DC-Cam Mapping Report, Takeo Province, 11 August 1998; **D1.3.10.10** DC-Cam Mapping Report, 1997: khet Banteay Meanchey, 29 April 1997 [describes various locations used as prisons and execution sites around Banteay Meanchey Province]; **D1.3.27.10** DC-Cam Mapping Report, Banteay Meanchey Province, 20 August 1998; **D1.3.10.17** DC-Cam Mapping Report, Banteay Meanchey Province, 21-25 June 1999; **D1.3.10.11** DC-Cam Mapping Report, 1997: khet Pursat, 23 May 1997 [describes various locations used as prisons and execution sites around Pursat Province]; **D1.3.10.15** DC-Cam Mapping Report, Battambang Province, 17 August 1998; **D1.3.27.11** Henri Locard, *Research Notes on Democratic Kampuchea Prison Network: Northwest Region*, May 2007; **D1.3.10.21** Henri Locard, *Niredev Region: the Southeast*, 11 July 2007 [report on prisons in Kandal, Kampong Speu, and Kampot provinces]; **D6.1.1048** Henri Locard, *Siem Reap Province: New North Region*, 30 May 2007 [report on prisons in Siem Reap Province]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007 [report on prisons in Sectors 41 and 42 of Kampong Cham Province]; **D1.3.11.17** Henri Locard, *Kompong Thom - Uddor Region*, 30 May 2007 [report on prisons in Sector 43 of Kampong Thom Province]; **D1.3.27.6** Neang Vorn, *Brief History of Kraing Ta Chan Genocide Center*, 5 March 1996 [report from the Culture and Fine Arts Office regarding Kraing Ta Chan prison in Kus Commune, Tram Kak District, Takeo Province, Southwest Zone].

315 **D1.3.19.1** “Decision of the Central Committee Regarding a Number of Matters”, 30 March 1976, EN 00182809 [granting “The right to smash, inside and outside the ranks” as follows: “If in the base framework, to be decided by the Zone Standing Committee. Surrounding the Center Office, to be decided by the Central Office Committee. Independent Sectors, to be decided by the Standing Committee. The Center Military, to be decided by the General Staff.”]. See also **D6.1.863** Kaing Guek Eav alias Duch, T, 18 May 2009, 10.17.08-10.26.58, EN 00328460-61 [referring to the 30 March 1976 decision: “this document, gives the right or delegates the power to make a decision to smash, to execute people, both within and outside the ranks to four groups of people. [...] the power delegated to the four groups was fully exercised. [...] through the period from the 30th March 1976 to the 7th January of 1979 the CPK implemented these organizational lines very strictly and fully.”].

316 See, e.g., **D179/1.2.7** Kaing Guek Eav alias Duch, T, 19 March 2012, 15.55.05-15.57.25, EN 00792616 [“‘Smash’ means executed. You know they are used interchangeably because they’re the same terms. The ultimate goal is that the person is dead.”]; **D6.1.863** Kaing Guek Eav alias Duch, T, 18 May 2009, 10.03.35-10.13.40, EN 00328458 [“[people] were executed secretly without the knowledge of their family members. [...] The word ‘smash’ mean[s] the person was not to be released. [...] this did not go through the judicial process because there was no law, no court, the Standing Committee govern[ed] all the three main powers.”]; **D6.1.1267** Telegram 254 from North Zone Secretary Se to Committee 870, 10 January 1978, EN 00182757-

58 [describes the struggle against military enemies as well as the enemy's espionage activities at the rear that are trying to help "bad elements" escape to collect and further increase their enemy forces; reports that the underground enemy activities have been successful in destroying collective production and cattle]; **D6.1.499** Telegram 324 from North Zone Secretary Se to Committee 870, 10 April 1978, EN 00340540 [report concerning various matters in the North Zone, including "The internal situation: [...] We are continuing to purge the remaining group continuously, including those who oppose our revolution openly and secretly. [...] As for the enemy who are the wild bandits, [...] we arrested and smashed them repeatedly, and we are still continuing to search for them.": **D6.1.1200** Reports from An at Kraing Ta Chan Security Centre (Educational Office of District 105) to Party, July-Aug 1977, EN 00276593 [handwritten annotation by Prak of Tor. 13 (Sector 13) instructing An, the Chairman of Kraing Ta Chan prison: "Please smash them all. On 7/8/77, Tor. 13; Prak"], EN 00276594 ["It is okay to smash 7/8/77; Tor. 13; Prak"], EN 00276596 [instruction from District Secretary Kit to An which states: "Concerning the issue of all the prisoners who were arrested from Chieng Torg commune [...] they are to be interrogated in order to find out their whole networks, then smash them"]].

317 *See, e.g.*, **D1.3.29.2** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 3 October 2007, EN 00149915 ["The CPK's Special Branch was utterly unique. It did not employ any laws whatsoever. It relied exclusively on the Party line and the major and minor Party decisions issuing from the mouth of Pol Pot. [...] It employed exclusively criminal methods (torture to obtain responses, then smash; anyone arrested had to be smashed).": **D6.1.1061** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 29 April 2008, EN 00185477 ["the general principle in the security centres and in S-21 in particular was that all persons arrested had to be executed except for a few and only temporarily [...]. The only decision to be made was the timing of the execution.": **D6.1.1222** Report to the Party for the Month of July 1977, EN 00276557 [informs the Party that during the month of July 1977, 39 of 81 prisoners [at Kraing Ta Chan Security Office] were 'swept away']; **D6.1.1226** Report to the Party for the Month of November 1977, EN 00276555 [informs the Party that during the month of November 1977, 92 prisoners [at Kraing Ta Chan] were 'purged,' and 1 (a Lieutenant Colonel) was 'removed to Sector' by Angkar]. *See also* **D6.1.1050** Statement submitted by Amnesty International to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Allegations of Human Rights Violations in Democratic Kampuchea*, August 1978, EN 00271506-07 ["recent refugee reports indicate that a number of civil and military leaders of the present administration were summarily executed in 1977 [...]. Chieu Kien, who worked as a carpenter in a factory of Kompong Kol (Battambang province) [...] has alleged that 11 'members' of the factory were executed in February and early March 1977 for having connections with 'traitors' who had tried to organize opposition. [...] Arrest and subsequent disappearance of people considered to have committed acts 'hostile' to the State or to the authorities. Many refugees have reported the disappearances of members of their families, neighbours or colleagues who were taken away on the orders of the authorities and never heard of again."].

318 *See, e.g.*, **D6.1.1200** Reports from An at Kraing Ta Chan Security Centre (Educational Office of District 105) to Party, July-Aug 1977, EN 00276596 [instruction from District Secretary Kit to An which states: "Concerning the issue of all the prisoners who were arrested from Chieng Torg commune [...] they are to be interrogated in order to find out their whole networks, then smash them"]; **D6.1.268** Correspondence from Chim in Trapeang Thom Thboung Commune to the Party, 17 September 1977, EN 00363653-54 [informs the Party that they brought in four people who had been implicated by Phuong the night before, and now, based on hot and cold methods of interrogation, one of the new arrestees implicated two more people as part of the "network"].

319 *See, e.g.*, **D6.1.737** *Revolutionary Flag*, August 1975, EN 00401501-02 ["smashing espionage groups and smashing saboteurs that want to wreck and destroy our revolution, we will continue to smash the defeated enemy remnants to consolidate our victory. [...] the external enemies and internal enemies still exist. [...] If we are constantly revolutionarily vigilant [...] the enemy will be unable to do anything"]; **D6.1.542** *Revolutionary Flag*, June 1977, EN 00446862 ["Attack the enemy, sweep clean the foreign agent enemies, the embedded enemies, the class enemies; don't let them be able to keep trying to carry out activities, even a little.": **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185342 ["Our duty is therefore is to attack absolutely, powerfully and successively these CIA, Yuon and KGB agents, to attack them and attack them again so that they are liquidated and successively liquidated again and again. Only if they are attacked in this manner will their veteran forces be completely smashed along with their remnant forces and their new forces.

We find ourselves in a situation where we are on the offensive, have mastery and are advancing to trample the enemy and seize successive victories, whereas the enemy is being smashed to smithereens, scattered to the winds and liquidated.”]; **D6.1.743** *Revolutionary Flag*, July 1978, EN 00428291 [“During the first 6 months of 1978, our Party has impelled forward the countrywide movement to sweep cleanly away the concealed enemy boring from within, including in the Party, in the collective masses and in the Revolutionary Army, gaining a victory that is almost equal in meaning to the great victory of 17 April 1975”]. EN 00428296 [“Political, ideological, and organizing work are the revolutionary work of regularly carrying out shock assaults against the concealed enemy boring from within every day, hurting their traitorous stance so that they teeter [...], hurting their ideology so that they are terrified [and] panicked [...] every day, harass and badger them so that there is no place where they can hide and find repose [...]. If they remain recalcitrant [...] and don’t listen to the truth of the revolution and don’t improve themselves, they will be punished by the people and masses without fail.”], EN 00428303 [“in the great mass movement to attack and smash the aggressive, expansionist, territory-swallowing, genocidal Yuon enemy and in the great mass movement to sweep cleanly away the concealed enemies boring from within who are CIA agents, Yuon running dog agents and KGB agents”].

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See, e.g., **D6.1.939** Phnom Penh Domestic Service broadcast, *Khieu Samphan’s Speech at Anniversary Meeting*, 15 April 1977, EN 00419513 [“We must wipe out the enemy in our capacity as masters of the situation, following the lines of domestic policy, foreign policy and military policy of our revolutionary organization. [...] we must further steel ourselves, remain alert, constantly maintain the spirit of revolutionary vigilance and continue to fight and suppress all stripes of enemy at all times.”]; **D322/8.1.23** *Revolutionary Flag*, April 1977, EN 00478496 [excerpts from a speech given by “the Comrade Party Representative” on the second anniversary of the 17 April victory: “As for the enemies that are ‘CIA’, ‘KGB’, ‘Y[uan]’ agents, the cheap running dogs of the enemy that sneakily embedded inside our revolution and our revolutionary ranks, they are in a state of extreme loss of mastery because their major and intermediate apparatuses have fundamentally been smashed and the forces that remain have been fundamentally scattered, like rats being hit and falling from their nests into the water and being chased and struck by the people and annihilated. We must continue to strike them and trample them from our position of absolute advantage and must constantly be on the offensive against them during 1977 to smash them even more so they cannot raise their heads.”]; **D322/8.1.26** *Revolutionary Flag*, August 1977, EN 00399235-36 [text of the speech given by a “Party Organization Representative” (believed to be Nuon Chea) at the West Zone Cadre Conference on 25 July 1977: “In this Zone there are embedded enemies. In the Sectors there are embedded enemy elements. In the districts, there are also embedded enemy elements, and so on. After we seized victory throughout the country, they came to bore holes to seize state power back from us, Zone state power, Sector state power, District state power. [...] It is imperative to prepare forces to attack, attack and smash the enemy and the no-good elements embedded inside and controlling the cooperatives.”]; **D6.1.815** FBIS, DK Media Reports, *Jeng Sary Hosts Banquet for Burmese Delegation - Jeng Sary Speech*, 31 August 1977, EN 00168723 [“During the past 8 months our Cambodian people and Revolutionary Army have striven seethingly and arduously to increase production and successfully defend and protect our national independence, sovereignty and territorial integrity [...] by smashing all maneuvers of enemies of all stripes.”].

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See, e.g., **D1.3.24.2** CPK Standing Committee Minutes, 9 October 1975, EN 00183403-04 [discussing whether two comrades (Mean and Phan) are enemies or not: “Must be careful about speech that he is seen as a traitor which would lead him to not see the future. We will analyze the circumstances of his fleeing appropriately, and don’t disseminate it. [...] The matter of Comrade Phan must be kept really quiet, the reports must be analyzed because the spies give shifty responses. Finding his history through our own networks is better. Enemy networks cannot be believed. But his activities must be watched”]; **D6.1.1146** CPK Meeting Minutes, *Minutes of Meeting regarding Propaganda Works*, 1 June 1976, EN 00182723 [regarding the radio station: “Have more revolutionary vigilance, especially the enemies burrowing within, for fear that they may have laid bombs. So, guarding and check-in-and-out regime are needed. Basically, enemies are destructed. Even so they still attempt to destroy us. In terms of viewpoint and standpoint we must be more vigilant.”]; **D6.1.774** DK Government Meeting Minutes, *First Meeting of the Council of Ministers*, 22 April 1976, EN 00143467 [“Defend the revolutionary state authority, the fruits of the revolution, defend the Party, the people, the Army, independence, sovereignty, etc. [against] every form of enemy activity, both overt and covert. We must always be in high revolutionary vigilance, always be in mastery.”]; **D6.1.73** DK Meeting Minutes, *Minutes of Meeting with the Organization’s Office, 703 and S-21*, 9 September 1976, EN 00178150

[in response to an unauthorised distribution of leaflets that criticised the Organization, the meeting attendees speculate about who distributed them and what action to take: “This is not a problem coming from the outside. [...] The enemy wants us to no longer to trust units of 703 and 180. ... These activities are part of an overall enemy plan. We have to be on guard against an enemy assassination of the Organization. [...] Heighten the outlook of revolutionary vigilance in view of the increasingly very sharp contradictions and the ever strong class hatred of the enemies of the Kampuchean revolution [...] As for Security I suggest that it increase its surveillance of enemy situations.”]; **D64/1.1** Ek Hen Written Record of Interview, 5 March 2008, EN 00205049-50 [“In 1978, Nuon Chea also led a study meeting at Borei Keila, with about 500 people attending, workers and personnel. The content of the study meeting was about: [...] defending the territory so the Yuon would not invade; about the North Zone group’s treason; about Koy Thuon’s treason; not letting workers to join in the treason [...] he told us about the purge of those connected to Koy Thuon.”]; **D118/242** Khoem Bocun Written Record of Interview, 21 May 2014, A87 and A91, EN 01057690-91 [“Q: How often did you attend meetings at the Sector 13 Office in Takeo Province? A: I attended them from time to time, about two or three times a month. [...] Q: You shared your reports about the situation in your village and commune with the others. Did the meeting chairperson give any instructions or specific orders to identify the enemy? A: Yes, they talked about the enemy [...] The upper echelon instructed us on who the enemies were, and I took those instructions back to the villages. They told us to seek out the opposition. They did not say enemy. In those Sector meetings, mostly the district levels gave impressions and comments. As for me, I just recorded what they raised in those meetings to be implemented in the villages and commune.”]; **D118/274** Bun Thoeun Written Record of Interview, 10 July 2014, A30 and A34, EN 01031975-76 [“Once a year, all commune-level cadres attended summary report meetings at the sector level. [...] They also discussed security matters. They reminded us to be careful with those who often got sick and those who damaged equipment for agricultural cultivation because they could be enemies or C.I.A. spies... etc. They also warned the commune level that if many people died from starvation, the commune committee could also be accused of being enemies.”]; **D6.1.688** Bun Thien Written Record of Interview, 17 August 2009, EN 00384406-08 [“Q: What was discussed during the sector-level meeting at Phnom Kheng? A: [...] The meeting was about politics, military, economics. [...] aimed to strengthen the Communist Party of Kampuchea. [...] We were told to observe if there was hidden enemy burrowing from inside. If there was such a case, we would have to report to the upper echelon. The hidden enemy burrowing from inside could be those who broke ploughs, hoes or carrying sticks, those who pretended to be sick, etc. The upper echelon emphasised that those who performed these activities were the hidden enemy burrowing from the inside: these activities were the obstacles for our revolutionary movement.”]; **D119/155** Lach Chheanlong Written Record of Interview, 3 September 2014, A41, A43-44, EN 01045565 [“I attended a major meeting led by the District Committee at Phnum Leab Mountain in late 1976. [...] In the meeting Yeay Chaem said that during this cultivation season, we have to screen for high-ranking persons to be killed, and this was done in order to save rice for those who have no tendencies toward the old regime. [...] At that time there were about 70 or 80 attendees ranking from the unit chairpersons up.”]; **D85/5.1.4.2** Pao Bandet Written Record of Interview, 25 August 2011, A4, EN 00981159 [“I knew Yeay Chem because she had come to Preah Netr Preah Commune to attend a meeting in 1977. During the meeting, she talked about [...] internal enemies and being careful about internal enemies”]; **D85/4.1.5** Pao Bandet OCIJ Interview Transcript, 2 September 2011, EN 00808742 [“Q: Did [Yeay Chaem] only talk [during a meeting in Preah Netr Preah Commune] about increasing productivity? A: Yes and the internal enemies. [...] The internal enemies were those who committed subversive acts. [...] The internal enemies meant that the people who led opposition in the base villages.”].

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See, e.g., **D6.1.737** *Revolutionary Flag*, August 1975, EN 00401501 [describing tasks being carried out by the Revolutionary Army forces: “as for defending Phnom Penh and smashing espionage groups and smashing saboteurs that want to wreck and destroy our revolution, we will continue to smash the defeated enemy remnants to consolidate our victory.”]; **D6.1.746** *Revolutionary Flag*, October-November 1975, EN 00495804 [“the foreign affairs policies are always full of true elements of storming attack against the imperialist enemies, the storming attack against the feudalist, landlord and capitalist enemies. Therefore, if they are meticulously and properly enforced, neither the imperialist enemies nor the anti-Revolutionary classes can take any opportunity to fight back our Revolution.”]; **D6.1.100** *Revolutionary Flag*, July 1976, EN 00268917 [“we stand upon socialist revolution, continuing class struggle inside the national society, inside the ranks of the revolution, inside the Party, and inside the cooperatives and unions, inside the Revolutionary Army, until the forces of socialist revolution smash and scatter all opposing forces so that the

country can be defended.”]; **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491398 [“The traitor strings that we smashed successively were organized traitor strings, systematic strings, that had existed since the national democratic revolution period. However, during that period, they could live with us. In socialist revolution, they were segregated out. 1976 was a year of these class combat inside our revolution and inside our Party. Many germs appeared. All the traitor strings appeared. [...] In summary, this year we wage socialist revolution profoundly to an important extent. This has emerged as a good factor in eradicating traitors embedded inside the Party, inside the Army, and among the people”]; **D6.1.1131** *Revolutionary Youth*, January-February 1978, EN 00278711 [“every aggressive action and espionage activity to bore holes from within in attempts by the American imperialists and their servants to make coups against our Democratic Kampuchea has been repeatedly attacked, broken, defeated, and smashed to bits”]; **D219/370.1.15** *Revolutionary Youth*, October 1978, EN 00539981 [“We must always see the state of difficulty of the enemy, not in order to fear the enemy or to unreasonably over-evaluate them, but so that we will always have high revolutionary vigilance and be ready to smash their aggression and have advance mastery at all times.”], EN 00539982 [“Therefore, we revolutionary youth are joining the fight to smash the enemy on the forward battlefield strongly, and are joining the fight to sweep clean the embedded enemies boring holes from within”].

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See, e.g., **D219/702.1.62** Telegram 60 from North Zone Secretary Se to Committee 870, 5 September 1977, EN 00517923-24 [“The situation of internal enemy: At the bases, offices, ministries, and military offices, we have uncovered many enemies who are burrowing from within either through the spying of their anti-revolution activities or through the implications. Those enemies who were former officials, policemen or soldiers of the previous regime were discovered one after another. Comparing to the earlier time, the number of enemies who are burrowing from within are decreasing and mainly only a few of their accessories are left under cover.”]; **D132.1.165** Telegram 313 from North Zone Secretary Se to Committee 870, 19 March 1978, EN 00436995-96 [“Situation of the enemy burrowing from within: In this dry season, the remained enemies re-emerged and took actions against us in the worksites. These enemies contacted with the [former] policemen, sold[i]ers and government officials. They mingled themselves as the ‘New people’. After they acted against us, we knew them clearly and we systematically purged them. Right now, some police men, soldiers, and government officials escaped after more than 20 people were purged. More actions will be taken to arrest more people.”]; **D6.1.499** Telegram 324 from North Zone Secretary Se to Committee 870, 10 April 1978, EN 00340540 [“The internal situation: [...] The situation is normal. We are continuing to purge the remaining group continuously, including those who oppose our revolution openly and secretly.”]; **D6.1.1267** Telegram 254 from North Zone Secretary Se to Committee 870, 10 January 1978, EN 00182757-58 [Measures taken in response to enemy espionage activities include: “Strengthening the cooperatives, especially by basing on the base class to sweep out the underground enemy as well as the bandits. Sectors and Districts should take the measures of searching the enemy and attack the enemy at the entrance gate when we can grasp the enemy trick.”]; **D6.1.794** Telegram 100 from Brother San of Office 560 to Northwest Zone Secretary Muol Sambat alias Nhim, 6 November 1977 [reporting on the situation in Sector 5, regarding internal enemies, arrests and food rations. Copied to Saloth Sar alias Pol Pot, Nuon Chea, Ieng Sary alias Van, Penh Thuok alias Vorn Vet alias Vorn, Son Sen alias Khieu alias 47]; **D1.3.30.10** Telegram 00 from Division 164 Secretary Meas Mut to M-870, 31 December 1977, EN 00184995 [“We who have the duty to defend the maritime spearhead would like to [...] Vow determination to fashion forces who are a tool absolutely to defend the Party, to defend the state power of the collective worker and peasants, and to defend the socialist Kampuchean motherland by sweeping cleanly away and without half-measures the uncover elements of the enemy, whether the Yuon or other enemies.”]; **D132.1.7** Report from Division 164 Secretary Meas Mut, 1 April 1978, EN 00183357 [“in sum, the number of Yuon who have been captured and shot death from 27 March 1978 through 30 March 1978 is 120 head”]; copied to Uncle (Saloth Sar alias Pol Pot), Nuon Chea, Ieng Sary alias Van, and Documentation]; **D6.1.466** Telegram 54 from Sarun to Nuon Chea, 23 April 1978, EN 00296220 [report regarding the search for Yuon spies; copied to Uncle (Saloth Sar alias Pol Pot), Nuon Chea, Ieng Sary alias Van, Penh Thuok alias Vorn Vet alias Vorn, and Documentation].

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D6.1.1159 Minutes of Meeting of Secretaries and Logistics Officers of Divisions and Independent Regiments, 15 December 1976, EN 00233718 [“Must screen dangerous elements out of the units. [...] The results of grasping the biographies this time were good, but there are still some comrades who are hiding their histories. Be most careful about those [whose] mothers and fathers were purged or whose siblings were purged.”]; **D119/124** Nhem En Written Record of Interview, 7 May 2014, A26, EN 01055653 [“Democratic

Kampuchea policy focused on industry and agriculture, and those fields could not be developed if there were traitors in the leadership, therefore cadres accused of being traitors were killed, and Southwest cadres were sent to different Zones to smash those traitorous cadres and restore production in the industrial and agricultural fields.”]

325 **D118/274** Bun Thoeun Written Record of Interview, 10 July 2014, A30 and A34, EN 01031975-76 [“Once a year all commune level cadres attended summary report meetings at the sector level. [...] They reminded us to be careful with those who often got sick and those who damaged equipment for agricultural cultivation because they could be enemies or C.I.A. spies etc. They also warned the commune level that if many people died from starvation, the commune committee could also be accused of being enemies.”]; **D119/124** Nhem En Written Record of Interview, 7 May 2014, A26, EN 01055653 [“cadres accused of being traitors were killed and Southwest cadres were sent to different Zones to smash those traitorous cadres and restore production in the industrial and agricultural fields.”]; **D240R** Documentary Film, *Enemies of the People*, 01.02.20 [Nuon Chea Interview: “Q: You were saying you talked to Pol Pot about sweeping out traitors ... ? Nuon Chea: We had to solve the traitor problem in the way that we did so it didn’t get out of control and infect the innocent people lower down. So we dared to conclude our decision was correct. If we had shown mercy to these people, the nation would have been lost.”], 01:04:48 [Nuon Chea: “I have feelings for both the nation and the individual. But I clearly distinguish between them. If we must choose one or the other, I choose the nation. The individual I cast aside. They must be solved first.”]; **D6.1.740** *Revolutionary Flag*, October-November 1977, EN 00182548-50 [“foes and adversaries (khang-satrauv) both inside and outside the country [...] want to wreck our revolution at all times as well as by every method. [...] There are concealed enemies everywhere in our ranks, the Centre, the general staffs, the zones and the bases. It would be dangerous not to take measures in time. [...] We now consider that our Party is already strong, and that is why we have been able to sweep cleanly away more than 99% of the contemptible major concealed enemies boring [from within]. [...] In fact, we shouldn’t let the enemies strengthen and expand. There must be constant shock assaults.”]; **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235516 [regarding the creation of the Long Sword Militia unit after the Southwest Zone cadres arrived: “The reason for the unit’s creation was to arrest people. The Long Sword Militias were recruited by cadres from the Southwest Zone. [...] the Long Sword group had the authority to arrest people in the whole Kang Meas district”].

326 **D1.3.16.1** Ke Pauk Autobiography, EN 00089705-06 [“In February 77, a security vehicle from Phnom Penh came to arrest the ministry secretaries, including the ministers of agriculture, industry, commerce, and public works. [...] Also in 77, a security vehicle from Phnom Penh came and arrested 5 or 6 people from the Dambon 41 committee, 5 or 6 from the Dambon 42 committees, and 5 or 6 from Dambon 43. After the Dambon committee members were all arrested, they arrested the heads of the dambon level ministries, since each dambon had its own ministries. A little later, a security vehicle came from Phnom Penh to arrest the zone military staff committee. In summary, the dambon and ministry cadres totaled 50 to 60 persons”]; **D240R** Documentary Film, *Enemies of the People*, 01.02.20 [Nuon Chea Interview: “Q: You were saying you talked to Pol Pot about sweeping out traitors ... ? Nuon Chea: We had to solve the traitor problem in the way that we did so it didn’t get out of control and infect the innocent people lower down. So we dared to conclude our decision was correct. If we had shown mercy to these people, the nation would have been lost.”]; **D219/370.1.10** Nuon Chea Written Record of Adversarial Hearing, 19 September 2007, EN 00148699 [“The Military Committee had the task of national defense and purging internal enemies”]; **D322/8.1.23** *Revolutionary Flag*, April 1977, EN 00478501 [“It is imperative to purge, to clean up, and to sweep clean the no-good elements and the enemy elements.”]; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346151-52 [the son of Ke Pauk states that purges were carried out by Southwest cadres ‘down to the village’ level.”].

327 **D6.1.863** Kaing Guek Eav alias Duch, T. 18 May 2009, 13.53.18-14.02.07, EN 00328495 [“[Koy Thuon’s] confessions made [...] the whole Standing Committee [...] arrest en masse people from the north. It’s a massive arrest. [...] So whether anyone would be arrested first, they conducted such a plan and the plans were initiated by the standing committee.”]; **D1.3.29.2** Kaing Guek Eav alias Duch Written Record of Interview of Charged Person, 3 October 2007, EN 00149916 [“In late 1976-early 1977 Koy Thuon and whole sets of networks from the North were smashed. Middle and lower ranking cadre from the Southwest belonging to Ta Mok were gathered up and placed in the North.”]; **D6.1.880** Kaing Guek Eav alias Duch, *The Last Joint Plan*, EN 00238904-09; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346151-52

[the son of Ke Pauk states that purges were carried out by Southwest cadre “down to the village” level]; **D6.1.707** Suon Kanil Written Record of Interview, 19 August 2009, EN 00390076 [Southwest forces took control of the committees ‘from the Sector down to the cooperative’, taking over ‘about 90% of the Central Zone [leadership]’]; **D6.1.399** Seng [Sen] Srui Written Record of Interview, 20 October 2008, EN 00235516 [after the Southwest Zone cadres arrived, they created the Long Sword militia: “The reason for the unit’s creation was to arrest people. The Long Sword Militias were recruited by cadres from the Southwest Zone. [...] the Long Sword group had the authority to arrest people in the whole Kang Meas district”]; **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360752 [“Q: How many members were there in the Sector’s commerce section? A: There were approximately 20 members. [...] I would like to add that after purges were conducted at the Central Zone, there were only four main people [who] survived [...]. All others were ‘smashed’.”]; **D6.1.702** Man Heang Written Record of Interview, 10 December 2009, EN 00421084 [“They searched out feudalists and capitalists. The commune chairman came down to compile all the people’s biographies, and he made lists to let him know how many base area people and how many new people were in the commune. [...] Those who hid their backgrounds were able to survive; those who told the truth were killed.”]; **D1.3.16.1** Ke Pauk Autobiography, EN 00089705-06 [“In February 77, a security vehicle from Phnom Penh came to arrest the ministry secretaries, including the ministers of agriculture, industry, commerce, and public works. [...] Also in 77, a security vehicle from Phnom Penh came and arrested 5 or 6 people from the Dambon 41 committee, 5 or 6 from the Dambon 42 committees, and 5 or 6 from Dambon 43. After the Dambon committee members were all arrested, they arrested the heads of the dambon level ministries, since each dambon had its own ministries. A little later, a security vehicle came from Phnom Penh to arrest the zone military staff committee. In summary, the dambon and ministry cadres totaled 50 to 60 persons”].

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D1.3.22.6 *Revolutionary Flag*, May-June 1978, EN 00185343.

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D1.3.20.2 DK Constitution, 5 January 1976, Preamble, EN 00184834 [“Whereas the entire Kampuchean people and the entire Kampuchean Revolutionary Army desire [...] a national society [...] without rich or poor and without exploiters or exploited, a society in which all live harmoniously in great national solidarity and join forces to do manual labour together and increase production for the construction and defence of the country”]. Art. 2, EN 00184834 [“All important general means of production are the collective property of the people’s State and the common property of the people’s collectives.”], Art. 12, EN 00184836 [“Every citizen of Democratic Kampuchea is guaranteed a living. All workers are the masters of their factories. All peasants are the masters of the rice paddies and fields. All other labourers have the right to work. There is absolutely no unemployment in Democratic Kampuchea.”]; **D1.3.20.1** Communist Party of Kampuchea Statute, January 1976, EN 00184024 [“After the Party led and totally achieved the national democratic revolution, the Party continues to lead the socialist revolution and construct socialism in an absolute monopoly in every sector. [...] The current new strategic principles and stances of the Communist Party of Kampuchea are [...] to continue to make and to achieve socialist revolution in Kampuchea and to move forward toward Communism in Kampuchea in the future. In this historical framework, the Communist Party of Kampuchea must defend the results of the revolution and defend and construct the country well.”], EN 00184025 [“Each Party member must trust and depend upon the power of the popular masses, must remain with the great revolutionary movement of the popular masses, the worker-peasants in the unions and cooperatives and in the Revolutionary Army, in the national defense and the national construction of Democratic Kampuchea all the way until the final victory of socialist revolution and the construction of socialism during the new strategic period of revolution, moving forward to Communism in the future in Kampuchea.”]; **D6.1.1139** General Assembly First Session of the People’s Representative Assembly of Kampuchea, 11-13 April 1976, EN 00184070 [the Assembly approved the policy direction for the country, including to “Further strengthen and expand the force of great national solidarity and the entire people to be on the offensive on every battlefield or production in every sector, especially in agriculture, aiming to produce the maximum amount of rice to solve and raise the livelihood of the people ever higher and ever faster, and along with this to push the building of our country even faster in a great and miraculous leap.”]; **D6.1.772** Phnom Penh Domestic Service, *Nuon Chea’s Speech to Army Anniversary Meeting*, 17 January 1977, EN S 00004076 [“Did we fulfill the 1976 plan? Were we able to apply the rice rationing orders prescribed by the state? [...] In other words, our people have enough to eat.”]; **D6.1.532** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498303 [“when we wanted to sort out sufficient food quickly, when we wanted to escape from poverty, when we wanted to modernize agriculture, when we

wanted to lay the foundation to move in steps toward industrialization, we had to carry out socialist revolution”]; **D6.1.746** *Revolutionary Flag*, October-November 1975, EN 00495808 [“The party has to rebuild a new economy in the most rapid manner that is mainly depending on agriculture. In concrete term, our country’s degraded agriculture has to be rapidly shifted to a modern agriculture between ten to fifteen years. [...] The purposes of having such a rapid economy rebuilt especially in the agriculture are to permanently defend the country [...] The country’s reconstruction need[s] to be accelerated”].

330 **D1.3.20.2** DK Constitution, 5 January 1976, EN 00184834 [“Article 2. All important general means of production are the collective property of the people’s State and the common property of the people’s collectives.”]; **D6.1.746** *Revolutionary Flag*, October-November 1975, EN 00495826 [“in order to rapidly construct, strengthen and expand both the quality and quantity of production cooperatives to achieve 3 tons of rice per hectare in 1976 and in order to transform Cambodian traditional agriculture into a modern agriculture [...] [the cooperative] is an organized structure of basic class that has so far been serving the national democratic Revolution and they will serve the socialism Revolution and thereby build the socialism. [...] The cooperative is mandatory to mobilize the labor forces among the base peasants for all kinds of production, including agricultural and handicraft production etc. and industrial production in the long run”]; **D6.1.745** *Revolutionary Flag*, September 1978, EN 00488626-27 [the socialist revolution is strengthening and expanding], EN 00488631 [“Our Communist Party of Kampuchea led the people in making socialist revolution and organizing the collective regime. Through collective worker unions and through collective peasant cooperatives, the Party had a solid and mighty worker-peasant alliance.”]; **D6.1.822** FBIS, DK Media Reports for May 1978, EN 00170040 [17 May 1978 Report: “Our status as owners of the country and revolution means that we are responsible for and understand everything and must carry out all our work, big or small, political and technical in all the trade unions, cooperatives, work sites, departments, offices and military units”].

331 **D179/1.2.8** Kaing Guek Eav alias Duch, T. 20 March 2012, 11.16.30-11.21.24, EN 00792999-3000 [“In 1972, a cooperative was set up as an experiment. In 1973, higher level of cooperatives were created in the liberated zone.”], 14.30.14-14.31.44, EN 00793038 [“workers were first to do the work in Preah Vihear and that was a pilot programme, and then those farmers were to work in liberated zones. Cooperatives were even created a long time ago.”]; **D117/36.1.21** CPK Circular, *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, EN 00636009 [“in 1972-1973 the Party took measures to organize the people based on political consciousness in view of thwarting the economic power of land owners and capitalists, cut off private trading, control traders, dismantle the former means of production, establish new ones and organize cooperatives. Chief among the measures was the organization of cooperatives.”]; **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491424-25 [“This is a very important strategic line: control the people and seize the people [...] whatever side has the people, that side wins. [...] So then, in the work of defending the country at present and later on, it is important to have a grasp on the people. That is why the Party concentrates on grasping the cooperatives.”].

332 **D6.1.753** *Revolutionary Flag*, September-October 1976, EN 00450510 [“1972: The Party made an assesment [...] and decided to close the markets”], EN 00450513 [“we do not use currency. Currency is a most poisonous tool. It entices us at all times to return to private ownership. With currency we always want to buy this or buy that. Now no one thinks of spending money.”]; **D6.1.749** *Revolutionary Flag*, February-March 1976, EN 00517819 [“we began waging socialist revolution in 1972, in particular 1973, by dissolving private commerce and then the State conducted commerce by itself and dissolved the markets”]; **D6.1.811** FBIS, DK Media Reports, 4 May 1977, EN 00168146 [“The population is organized into cooperatives responsible for distributing food, clothing and medical supplies. There is no money.”]; **D6.1.737** *Revolutionary Flag*, August 1975, EN 00401481-84 [assessment of the situation the led up to the abolition of currency and private markets]; **D6.1.141** Sao Sarun Written Record of Interview, 17 December 2008, EN 00278694 [at a May 1975 meeting at the Cambodian-Soviet friendship school, Nuon Chea and Pol Pot were presenters: “Both of them talked about political matters, cooperative organization, currency prohibition, market and monastery closings”]; **D6.1.594** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00181943 [“For the CPK leadership, 20,000 dead was a small price to pay for demolishing, at a stroke, Cambodian capitalism”]; **D6.1.85** Nayan Chanda, *Brother Enemy: The War after the War*, EN 00192256 [“In mid-1973, to strengthen the party’s territorial and economic control, private ownership of land and the use of money were abolished”].

333 **D6.1.596** David Chandler, *Brother Number One*, EN 00393010 [“In early 1973 Cambodian Communist troops attacked government units throughout the country to extend territorial control and to set their social

programs in motion. [...] Measures adopted there included the introduction of cooperative farms, the forced movement of some of the population”]; **D6.1.195** Francois Ponchaud Written Record of Interview, 13 February 2009, EN 00333952[“I believe the decision to evacuate was part of a systematic policy by the Khmer Rouge, who had already evacuated all the towns or villages they had previously occupied. This was the case in Kompong Cham, for example, in 1973 if memory serves me right.”]; **D6.1.940** Wilfred Deac, *Road to the Killing Fields*, EN 00430758 [“The [Khmer Rouge] took with them as they retreated a half dozen captured howitzers and more than fifteen thousand people, what an official report called the ‘single greatest increase in population for the Khmer Rouge in 1973.’”], EN 00430777 [“Fifteen days after the assault began, Oudong [...] fell, the first major town to do so in three years. [...] Oudong’s inhabitants almost immediately were subjected to the Draconian CPK philosophy that was to make headlines after they entered Phnom Penh the following year.”]; **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491424 [describing cases of moving civilian populations out of urban areas: “The fighting in Banam in 1973. We took everyone in Banam Town, expelling the ethnic Vietnamese, the ethnic Chinese, the military, the police; we took everyone, drying up the people from the enemy. [...] We liberated Oudong in 1974. We pulled out all the people. [...] This is a very important strategic line: control the people and seize the people.”]; **D6.1.84** David Chandler, *The Tragedy of Cambodian History*, EN 00193314 [“When [CPK] forces overran the former royal capital of Udong north of Phnom Penh, in March 1974, some twenty thousand people were led off into the countryside, where the ‘class enemies’ among them were executed and the others put to work.”].

334 **D117/36.1.21** CPK Circular, *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, EN 00636009 [“the Party took measures to organize the people based on political consciousness in view of thwarting the economic power of land owners and capitalists”], EN 00636011 [“Before the Party had organized the cooperatives country-wide, we had still not owned the economy in our liberated zones. The feudal-land owner and capitalist classes owned it. [...] The organization of the cooperatives had abolished an economy run by land owners and capitalists.”], EN 00636037 [“The Party’s stance in the past, at present and in future is to eliminate absolutely all forms of private ownership”]; **D6.1.753** *Revolutionary Flag*, September-October 1976, EN 00450509-10; **D6.1.745** *Revolutionary Flag*, September 1978, EN 00488631 [“Our Communist Party of Kampuchea led the people in making socialist revolution and organizing the collective regime [...] During the [1970]-75 Five Year War, it was like that.”]; **D6.1.737** *Revolutionary Flag*, August 1975, EN 00401478-84; **D6.1.740** *Revolutionary Flag*, October-November 1977, EN 00182553 [describes the problem of transitioning from private to collective]. **Equality and socialism: D6.1.1127** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 September 1975, EN 00244276 [“New workers must not be treated as capitalists, university students, civil servants, school children, petty bourgeoisies, traders, and domestic compradors because they have effectively entered our circle [side].”].

335 **CPK Meeting Documents, Reports and Directives: D1.3.24.1** Minutes on the Standing [Committee’s] Visit to Northwest Zone, 20-24 August 1975, EN 00850976 [“Things are okay with the base people, but be vigilant against no-good elements among the new people taking advantage of things, because these contemptibles would not stay with us even if we were to give them sufficiency”]; **D6.1.1127** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 September 1975, EN 00244276 [“The new worker forces that will join the cooperative from tomorrow shall be strengthened and expanded. Their spiritual and political trends shall be closely monitored.”]; **D219/370.1.14** Report from M-401 to Angkar, 16 July 1978, EN 00289921-22; **D6.1.1260** Ieng Sary Statement: “The True Fact About Pol Pot’s Dictatorial Regime,” 8 September 1996, EN 00081219. **Revolutionary Flag/Youth: D6.1.743** *Revolutionary Flag*, July 1978, EN 00428291-97 [see article entitled “Pay Attention to Sweeping Out the Concealed Enemy Boring From Within Even More Absolutely Cleanly”]; **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185322-47; **D1.3.22.1** *Revolutionary Youth*, October 1975, EN 00357909 and EN 00357911 [“It is imperative to fight to struggle to build internally to be mighty, deep, and constantly seething, to inspect and monitor and help in warning and reminding one another at all times [...] it is imperative to constantly have a high spirit of revolutionary vigilance”]. **Radio Broadcasts: D6.1.800** FBIS, 2-29 January 1976, EN 00167800 [“This [the campaign to attack the enemy] liberated Cambodia as a whole and led to the building of a new and clean Cambodia, where there are neither rich nor poor, but where the people pool their strengths to build and defend the country.”]; **D6.1.804** FBIS, 4-28 May 1976, EN 00168018-19; **D6.1.818** FBIS, 12 January 1978, EN 00169523; **D6.1.820** FBIS, 15 March 1978, EN 00169871; **D6.1.821** FBIS, 17 April 1978, EN 00168819-22.

- 336 **D1.3.22.1** *Revolutionary Youth*, October 1975, EN 00357902-03 [“the production cooperative is the mighty and huge production force leading and pushing and building agriculture in our new Kampuchea. [...] After the liberation of the country, 99% of the Kampuchean people have been obliged to live in the countryside so as to be able to participate in the movement to increase production”]; **D6.1.752** *Revolutionary Flag*, August 1976, EN 00486746 [“We fundamentally rely upon agriculture to get the agriculture capital to strengthen and expand industry [...] With [the revolutionary forces of the Party and the people] we are able to quickly transform our agriculture.”]; **D6.1.1139** General Assembly First Session of the People’s Representative Assembly of Kampuchea, 11-13 April 1976, EN 00184057 [Resolution 3: “To join in solidarity with all workers in order to go on the offensive to produce tools, machines and various materials, strongly, closely, in order to serve agricultural products and serve the livelihood of the people!”], EN 00184070 [Policy direction 3: “Further strengthen and expand the force of great national solidarity and the entire people to be on the offensive on every battlefield of production in every sector, especially in agriculture, aiming to produce the maximum amount of rice to solve and raise the livelihood of the people ever higher and ever faster, and along with this to push the building of our country even faster in a great and miraculous leap.”]; **D6.1.745** *Revolutionary Flag*, September 1978, EN 00488636 [“In summary, we want to build our country very quickly, to build agriculture very quickly”]; **D1.3.30.2** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 2 April 1976, EN 00182658 [“brother and sisters throughout the Zone, both young and old, are vigorously on the offensive building the new rice field dike system according to the goals set by Angkar.”].
- 337 **D179/1.2.8** Kaing Guek Eav alias Duch, T. 20 March 2012, 11.16.30-11.21.24, EN 00792999-3001.
- 338 **D1.3.31.1** David Chandler et al., *Pol Pot Plans the Future*, CPK Standing Committee Meeting Minutes: “Party’s Draft of a Four-Year Plan for the Construction of Socialism in all Domains, 1977-1980”, EN 00104042 [“In order to gain mastery over water there must be a network of dikes and canals as the basis. There must be also canals, reservoirs, and irrigation pumps stationed in accordance with our strategy.”]; **D6.1.536** DK Military Meeting Minutes, 1 June 1976, EN 00143489 [discussions included: “A number of specific discussions related to the offensive to achieve three tons per hectare in the strategy of 100 percent self-support and 30 percent support of Angkar. [...] 2 – The matter of water pumps and water pump stations. 3 – Some technical matters in making sluice gates, canals, dike systems”]; **D6.1.1103** Khieu Samphan alias Haem, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, EN 00103782 [Khieu Samphan: “Maybe it was naïve for me to allow myself [to] become obsessed by the dam reservoir complexes, the sea walls and the canals that began to appear and which raised the prospects of modern Cambodian countryside for which I had long hoped.”]; **D6.1.1257** Ieng Sary Statement at UN General Assembly, 32nd Session, 28th Plenary Meeting, 11 October 1977, EN 00079815 [“We are studying [...] in particular the technology of agriculture in the fields of rice and rubber growing, various industrial techniques and the development of water resources.”]; **D6.1.837** DK Document Number 3: *Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector*, 19 September 1975, EN 00523572-73; **D6.1.941** Chea Sim Interview by Ben Kiernan, 3 December 1991, EN 00419370 [“In 1976, start[ed] to build irrigation dams and canals throughout the country. This was a big offensive, concerted, simultaneous and nationwide.”].
- 339 See VI. Crimes and Crime Sites – G. Anlong Chrey Dam Forced Labour Site.
- 340 **D1.3.24.2** CPK Standing Committee Minutes, 9 October 1975, EN 00183401 and EN 00183407 [“As for the military airfields, we have plans to build at different sites.”].
- 341 **D191.1.112** Nat Hoen Written Record of Interview, 23 March 2012, EN 00797023.
- 342 **D6.1.1145** Minutes of Council of Ministers’ 2nd Meeting, 31 May 1976, EN 00182679 [“For the mobile youth units, they had only temporary shelters. But [shelters] were gradually organized. Besides, there were kilns to make tiles and bricks for building houses of the general public in the future.”]; **D219/370.1.4** U.S. State Department Telegram, Subject: Life Inside Cambodia, 31 March 1976, EN 00443073 [“It is common for work groups to receive different assignments, depending upon age, sex, or marital status. Thus, in Siem Reap province, work groups of single persons aged 15 to 44 years compose a work force or kemlang which is sent farthest away to build dikes or do other heavy work. This mobile group sleeps at the work site [...] In Phnom Srok (Battambang) ten persons comprise a work group [...] The smartest people are sent the farthest and given the hardest work. Many of them were engaged in digging canals”].
- 343 See, e.g., **D1.3.31.1** David Chandler et al., *Pol Pot Plans the Future*, CPK Standing Committee Meeting Minutes: “Party’s Draft of a Four-Year Plan for the Construction of Socialism in all Domains, 1977-1980”, EN 00104042-55; **D1.3.27.4** Report from Northwest Zone Secretary Nhim to Office 870, 17 May 1978, EN

00183653-54 [“we] have advised leading and monitoring cadres so that they can further motivate this movement. [...] Expand and strengthen zone, region and district cadres to become core ones in order for the work of building forces in collectives to be stronger and better.”]; **D6.1.1145** Minutes of Council of Ministers’ 2nd Meeting, 31 May 1976, EN 00182677-84.

344 **D6.1.837** DK Document Number 3: Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector, September 1975, EN 00523569-90; **D6.1.1127** DK Document Number 6: Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party, 22 September 1975, EN 00244274-76; **D6.1.773** DK Media Report, *The Building of the Ranks of Cadres: Party Directive (Phnom Penh Domestic Service)*, 20 April 1978, EN 00010079 and EN 00010081-82.

345 **D6.1.771** CPK Minutes of Meeting on Public Works, 10 March 1976, EN 00543729.

346 **D6.1.746** *Revolutionary Flag*, October-November 1975, EN 00495803, EN 00495806, EN 00495808-11, and EN 00495813-16; **D6.1.743** *Revolutionary Flag*, August 1975, EN 00428297, EN 00428299, and EN 00428303-05; **D6.1.752** *Revolutionary Flag*, August 1976, EN 00486746, EN 00486748, and EN 00486751-52; **D6.1.768** *Revolutionary Flag*, October-November 1977, EN 00517888, EN 00517896, EN 00517902-04, EN 00517907, and EN 00517908; **D6.1.755** *Revolutionary Flag*, December 1976 - January 1977, EN 00491423; **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185323, EN 0185335, and EN 0185336.

347 **D6.1.800** FBIS, Media Reports, 15 January 1976, EN 00167833, 21 January 1976, EN 00167846-47, and 22 January 1976, EN 00167850; **D6.1.809** FBIS, 24 February 1977, EN 00168430; **D6.1.827** FBIS, 3 November 1978, EN 00170077; **D6.1.829** FBIS, 19 January 1979, EN 00169412.

348 **D6.1.1127** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 September 1975, EN 00244275-77. See also the following, which are directives that discuss the 3 ton per hectare policy: **D1.3.19.1** Decision of the Central Committee Regarding a number of Matters, 30 March 1976, EN 00182809; **D6.1.1267** Telegram 254 from North Zone Secretary Se to Committee 870, EN 00182758; **D6.1.499** Telegram Number 324 From North Zone Secretary Se to Committee 870, 10 April 1978, EN 00340542.

349 **D1.3.22.1** *Revolutionary Youth*, October 1975, EN 00357903 [“After the liberation of the entire country, 99.9% of the Kampuchean people have been obliged to live in the countryside. During this initial period [...] the cooperatives scattered all over our Kampuchean countryside are the guarantors sorting out these temporary complications and shortages [shelter, housings, food supplies, the various means and tools from production, etc.”]; **D6.1.746** *Revolutionary Flag*, October-November 1975, EN 00495826; **D6.1.899** Khieu Samphan and Nuon Chea Interviews by Meng-Try Ea and Sopheak Loeung, 9-11 June 2006, EN 00000928; **D6.1.1127** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 September 1975, EN 00244276.

350 **D342/1.1.2** DK Media Report, *Phnom Penh Rally Marks 17th April Anniversary*, 16 April 1978, EN S 00010418 [“In the field of socialist construction [...] strive for the fulfilment of the 1978 rice production plan by attaining the 3.5-ton-per-hectare and 7-ton-per-hectare targets at all costs”]. See also **D6.1.532** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498287 [Khieu Samphan admits: “the efforts to keep running non-stop to ‘wage socialist revolution and build socialism’ were carried out in a state of great turmoil. Depriving the people of rice in order to transport rice to the State to meet quotas led to a great loss of life.”].

351 **D6.1.1148** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments*, 2 August 1976, EN 00656577 [“Must understand clearly that the leading role in farming is as important as the leading role in making war. [...] [W]e must understand that the Party’s leadership in every brigade is the determined factor for a success or failure in achieving the 3 tonnes per 1 hectare plan of the Party. The leadership of each brigade must test themselves in the country rebuilding and agricultural production movements.”]; **D6.1.1149** DK Military Meeting Minutes, *Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments*, 12 August 1976, EN 00597003 [“Pay attention to educating cadres, combatants and members of the Youth League so that they absorb the duty of getting one and a half tonnes per hectare of early rice and three tonnes per hectare of late rice.”].

352 **D1.3.19.1** “Decision of the Central Committee Regarding a number of Matters”, 30 March 1976, EN 00182809 [“Objective [2]: To follow-up on plans closely and resolve problems in a timely manner in the goal of three tons per hectare.”]; **D6.1.1148** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries*

and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments, 2 August 1976, EN 00656576-77 [addresses strategies to achieve the 3 ton per hectare policy]; **D6.1.1149** DK Military Meeting Minutes, Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments, 12 August 1976, EN 00597002-03 [“2. Shortcomings: [...] the achievement of three tonnes per hectare of late rice on number one and number two category soils is not yet guaranteed.”]; **D6.1.768** *Revolutionary Youth*, October-November 1977, EN 00517902 [“Brothers actively participated in all battlegrounds, especially the battleground for the final attack to achieve the 3 tons and 6 tons [per hectare of rice production] in this 1977.”]; **D6.1.1147** Standing Committee Minutes, *Minutes of Meeting on Health and Social Affairs*, 10 June 1976, EN 00183369 [at a Health and Social Affairs meeting, the Party leadership reiterated that unless three tonnes per hectare were achieved, the Party would not be able to feed the people or defend the country]; **D6.1.750** *Revolutionary Flag*, April 1976, EN 00517866-68; **D6.1.1133** *Revolutionary Youth*, May 1976, EN 00357870-72 [describes CPK’s objective for 1976 as to increase production of paddy to get three tons per hectare on the average and throughout Kampuchea and its relevance for the Party]; **D6.1.837** DK Document Number 3: *Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector*, September 1975, EN 00523569 and EN 00523574-75.

353 See, e.g., **D6.1.532** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498281 [Khieu Samphan acknowledges the rapid expansion of high-level cooperatives].

354 **D6.1.939** Phnom Penh Domestic Service broadcast, *Khieu Samphan’s Speech at Anniversary Meeting*, 15 April 1977, EN 00419514 [“Each construction site of a reservoir, canal or dam is manned by as many as 10,000, 20,000 or even 30,000 workers. For this reason, the work progresses quickly. [...] Have these achievements been made possible by machines? No, we have no machines. We do everything by mainly relying on the strength of our people.”]; **D6.1.1262** Statement of Ieng Sary to UN General Assembly, 11 October 1977, EN 00008513 [“All these [construction of water reservoirs and dams] have been built by our workers and peasants, relying completely on their own efforts.”]; **D179/1.2.4** Prak Yut, T. 25 January 2012, 14.44.58-14.46.50, EN 00774127-28 [“Q: Do you know how much time – or how a dam was built? A: Back then there was no machine to build the dam; we used man-power, or people.”].

355 See, e.g., paras 30, 200, 293, 307, fn. 714.

356 **D6.1.1098** Submission from International Commission of Jurists under Commission on Human Rights incl. Some General Indications Concerning Violations of Human Rights in Democratic Kampuchea between 1975 and 1978, 16 August 1978, EN 00087529 and EN 00087534; **D6.1.1099** Norwegian Government, Submission of the Government of Norway under Commission on Human Rights Decision 9, 18 August 1978, EN 00087546, EN 00087561, EN 00087563, 00087564, EN 00087566, and EN 00087568-71; **D6.1.1231** UN Commission on Human Rights, *Question of the Violation of Human Rights and Fundamental Freedoms in any part of the World, with Particular Reference to Colonial and other Dependent Countries and Territories*, 30 January 1979, EN 00078652, EN 00078653, EN 00078661, EN 00078663, and EN 00078664; **D219/370.1.4** US State Department, *Life Inside Cambodia*, 31 March 1976, EN 00443074; **D6.1.894** US State Department, Memoranda for the President: *Life Inside Cambodia*, 10 May 1976, EN 00495458 and EN 00495464-5; **D6.1.893** Telegram from the US Embassy in Bangkok to the US Secretary of State and various embassies, *Khmer refugee walks out of Phnom Penh*, 1975, EN 00495556-59 and EN 00495560; **D6.1.947** Chicago Tribune, *Cambodians Flee Red Invaders*, 9 May 1975, EN 00444897-98; **D6.1.953** New York Times, *Cambodia’s Crime*, 9 July 1975, EN 00445287; **D6.1.957** Washington Post, *A Story of Terror in Cambodia*, 10 May 1978, EN 00445468; **D6.1.955** New York Times, *Refugees Depict Grim Cambodia Beset by Hunger*, 2 May 1977, EN 00445307-08.

357 **D1.3.24.1** Minutes on the Standing [Committee’s] Visit to Northwest Zone, 20-24 August 1975, EN 00850973-78; **D6.1.1090** Ros Suy Written Record of Interview, 14 March 2008, EN 00205113 [“Mr. Nuon Chea came to look at my work place. I knew that Khieu Samphan was startled to learn that cadre members did not have enough to eat, that they ate only gruel. Q: Did Nuon Chea ever speak about food and work conditions? A: He never asked; he just came to look at the warehouse (routine.)”]. See also para. 89.

358 See, e.g., **D1.3.24.1** Minutes on the Standing [Committee’s] Visit to Northwest Zone, 20-24 August 1975, EN 00850973 [“remote districts are still in need and many people are also suffering from diseases. The new people are experiencing [...] shortages of food supplies as well as shortages of medications.”]; **D6.1.1145** Minutes of Council of Ministers’ 2nd Meeting, 31 May 1976, EN 00182678-79 [“Eating ration: [...] There were two places that were short of [ration] [...] Human diseases: Still existed.”]; **D6.1.1147** Standing

Committee Minutes, *Minutes of Meeting on Health and Social Affairs*, 10 June 1976, EN 00183369 ["Only if we could get 3 tons [of crops] per hectare, then should we [be] able to have enough food for the general public. [...] In brief, the health issue was too much alleviated if compared to last year. But still there was significant shortfall of medicine"].

359 *See, e.g.*, **D6.1.755** *Revolutionary Flag*, December 1976-January 1977, EN 00491400 ["During 1976, we lacked food supplies, medicines [...] There will be no more issues of food shortages, whether in 1977 or on into the future."]; **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185337 ["We cannot utilize the 1977 produce to serve popular livelihood 100%. In amount we were able to achieve 100% paddy production, but there is a lack of staple food. Medicines and clothing [...] This is a major deficiency of ours in terms of solving the popular livelihood."]; EN 00185344 ["to continue being attentive to resolving and raising popular livelihood, so that it undergoes a further increasing development in terms of food supply, clothing, health, shelter, and training and education. In places where there are shortages there absolutely [...] must be increasing develop[ment] to assure and guarantee things."].

360 **D6.1.770** Telegram 23 from Chhin, Division 920 to Brother 89, 20 May 1976, EN 00517910-13; **D1.3.30.2** Telegram 94 from Pok to Brother Pol, 2 April 1976, EN 00182658-59; **D6.1.1266** Telegram 13 from Phuong to M 870, 31 December 1977, EN 00183641; **D6.1.977** Telegram from Lao to respected Brother, 15 November 1976, EN 00548800-03; **D6.1.1267** Telegram 254 from North Zone Secretary Se to Committee 870, 10 January 1978, EN 00182758; **D6.1.385** Sou Soeun Written Record of Interview, 5 July 2009, EN 00360113 ["Cooperative chiefs and group leaders complained about not having enough to eat while produced a lot of rice. And I did report about these requests to the district committee and the district committee reported to the upper echelon; but the upper echelon did not respond. In the meantime, they were transporting rice away."].

361 *See, e.g.*, **D6.1.197** Demographic Expert Report, 30 September 2009, EN 00385279 ["Hardship of daily life, i.e. diseases, hard work, forced movements, bad accommodation, lack of food and medications [...] etc., caused people to die far more frequently than in normal times."].

362 **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185339 ["The international status of our revolution has a leap forward character particularly over the past six months. [...] The first reason is that it is renowned the world over that Kampuchea is selling rice, and in a situation where the Yuon and some other countries are starving we are building ourselves up by ourselves and with independence/mastery are able to resolve popular livelihood."]; **D6.1.939** Phnom Penh Domestic Service broadcast, *Khieu Samphan's Speech at Anniversary Meeting*, 15 April 1977, EN EN 00419513 ["In 1976 we managed to solve our problems and fulfill the production plan. As a result, we harvested a good crop for 1977. Now we can feed our people a sufficient ration allocated by the State. We even have a surplus of grain for export."].

363 **D219/702.1.88** Seng [Sen] Srun, T, 14 September 2015, 09.50.20-09.51.35, EN 01406816-17, *confirming* **D76** Seng [Sen] Srun Written Record of Interview, 25 August 2011, A2-4, EN 00740713-14 ["Q: Were other cadres also removed from their jobs? A: They were not removed from their jobs, but they were arrested. When the Southwest Zoners arrived, the North Zoners were arrested on the allegation that they betrayed with Koy Thuon, who was the Sector Secretary. Q: How was the situation of those arrested after that? A: They all died. They were killed, especially those who were linked with the network of Thuch and Sreng. Q: Did you witness the killing or did you just heard about it? For the upper levels, I did not know, but for the local levels such as commune levels, who were accused of being the network of Koy Thuon, they were killed at Wat O Trakuon paoga. It was Ta Kan, the new Southwest Zoner, who ordered the killing."]; **D1.3.16.1** Ke Pauk Autobiography, EN 00089713 ["as I arrived in Phnom Penh, I met Pol Pot and Brother Nuon Chea. They showed me documents of all regions and ministries [...] I said, 'It is difficult to say, because all comrades are life-and-death friends. However, if Angkar has decided already, I do not have any complaint.' Some soldiers served me since 1968, but they were accused of being CIAs. I did not know what to do, except telling them, 'I just put them forward for the higher level [upper brothers]'"]. *See for confirmation of Ke Pauk's presence in Phnom Penh: D6.1.637* Kaing Guek Eav alias Duch Written Record of Interview, 22 October 2009, EN 00398230 ["I know that Ke Pauk came to Phnom Penh at the time of the purges, in early 1977, because Son Sen told me about it"]; **D219/355** Ban Seak Written Record of Interview, 26 May 2015, A10, EN 01116324 ["Q: To your knowledge, who gave the order to purge the people in the Central Zone and to kill the Cham? A: [...] I still remember what I heard from other people who said that under that regime, Pol Pot did not give all of those orders [...] They said that the one who issued those orders was Nuon Chea because he was the one who developed and put into practice the policies of the Communist Party of Kampuchea."].

D219/702.1.75 Ban Seak, T. 5 October 2015, 13.45.35-13.51.11, EN 01409570-73 [in response to question as to who provided the above information: "I heard it from Brother Oeun. When I went to see him, I asked him the reasons of those purges. He said that the plan came from the upper echelon. They wrote clearly in black ink that first, all the CIA, and secondly, all the KGB had to be smashed. Q: And did the sector secretary Oeun specifically talk to you about the role of Nuon Chea? A: Yes, he did."]; **D219/702.1.76** Ban Seak, T. 6 October 2015, 11.07.35-11.09.55, EN 01435840-41 *confirming* **D117/35** Ban Seak Written Record of Interview, 24 March 2014, A64, EN 00984882 ["To my knowledge, decisions or orders to purge or killing were made by Office 870. I had heard that Nuon Chea was Chairman of the National Assembly and was the one who gave political training to all the cadres. Therefore, decisions to purge or kill came from him."].

364 **See II. Ao An's Acts, Conduct, Role, and Responsibility – 3. Transfer to the Central Zone; II. Ao An's Acts, Conduct, Role, and Responsibility – 4. Ao An's Conduct of the Purge in the Central Zone – The Beginning of the Purge against Cadres; D6.1.379** Ke Pich Vannak Written Record of Interview, 4 July 2009, EN 00346151-52 [Son of Ke Pauk states that purges were carried out by Southwest cadre "down to the village" level]; **D6.1.707** Suon Kanil Written Record of Interview, 19 August 2009, EN 00390076 ["Southwest forces [took] control of the committees from the Sector down to the cooperative [...] [taking] over about 90% of the Central Zone leadership"]; **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235515-17; **D6.1.400** Samret Muy Written Record of Interview, 20 October 2008, EN 00235508-09; **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009, EN 00360752; **D6.1.701** Man Heang Written Record of Interview, EN 00421084. *See also* **D6.1.1047** S-21 List, "List of Prisoners Smashed on 8-7-77, North Zone" [173 prisoners from the Central (old North) Zone killed at S-21 on 8 July 1977].

365 **D1.3.22.6** *Revolutionary Flag*, May-June 1978, EN 00185336 ["A third shortcoming [...] is the shortcoming of not have eliminated in time the elements who were wrecking socialist construction. [...] It is therefore imperative to struggle to eliminate enemy state power and set up new state power. It doesn't matter whether it involves Party members or non-Party figures, old cadres or new cadres, as long as they are honest and loyal they can do it."]; EN 00185338 [describing the process of selecting 'new persons' from the masses, the Party, and the army, no matter whether they are veterans or newcomers, to replace the 'traitors'].

366 **See VI. Crimes and Crime Sites – J. Forced Marriage and Rape.**

367 **See IV. CPK Policies Relevant to the Case against Ao An; VI. Crimes and Crime Sites – J. Forced Marriage and Rape.**

368 *See* paras 94 and 95.

369 **See IV. CPK Policies Relevant to the Case against Ao An.**

370 **See IV. CPK Policies Relevant to the Case against Ao An – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites.**

371 **D6.1.525** DC-Cam DK Prison List, 18 February 2008, EN 00347406-13.

372 *See* fn. 314.

373 *See, e.g.,* **D6.1.197** Demographic Expert Report "Khmer Rouge victims in Cambodia, April 1975 – January 1979 a critical Assessment of major estimates" by Dr. Ewa Tabeau and They Kheam, 30 September 2009, EN 00385250.

374 **See IV. CPK Policies Relevant to the Case against Ao An; III. Authority Structure and Communications System – Party Centre.**

375 **See IV. CPK Policies Relevant to the Case against Ao An – Elimination of Enemies and Opposition to CPK Leadership.**

376 **See IV. CPK Policies Relevant to the Case against Ao An – Elimination of Enemies and Opposition to CPK Leadership; II. Ao An's Acts, Conduct, Role, and Responsibility – 4. Ao An's Conduct of the Purge in the Central Zone – The Purge of Ordinary Civilians.**

377 **See IV. CPK Policies Relevant to the Case against Ao An – Elimination of Enemies and Opposition to CPK Leadership; II. Ao An's Acts, Conduct, Role, and Responsibility – 4. Ao An's Conduct of the Purge in the Central Zone – The Purge of Ordinary Civilians.**

378 **See VI. Crimes and Crime Sites – I. Persecution and Genocide of the Cham.**

379 **See II. Ao An's Acts, Conduct, Role, and Responsibility; X. Individual Criminal Responsibility – B. Modes of Liability – Committing via Joint Criminal Enterprise.**

380 **D303** Written Record of Further Appearance, EN 01213488-89.

381 **See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.**

- 382 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167236 [“Ao An’s office was situated approximately 1 kilometre away from Wat Ta Meak Pagoda.”]; **D219/327** Cheng Tol Written Record of Interview, 22 May 2015, A5, EN 01112044 [“Ta An’s office was behind the present day district office near Prey Toteung intersection. It is around a kilometre to east of Wat Ta Meah Pagoda.”]. *See also Annex B: Map of Ao An’s Sector Office in relation to the Case 004/2 Crime Sites.*
- 383 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167236-37 [“Wat Ta Meak Pagoda is located in Chhrey Vien Commune, Prey Chhor District, Kampong Cham Province and accordingly was located in Sector 41 of the Central Zone. It is situated 1 kilometre west of the Prey Toteung Market intersection in Chhrey Vien Commune, Prey Chhor District along National Road # 7. The entrance to Wat Ta Meak Pagoda is located 1 km west of the Prey Toteung Intersection on National Road #7, in Chhrey Vien Commune.”], EN 01167249, Annex 8 [satellite image of Wat Ta Meak Pagoda at Latitude: 12.0616061 and Longitude: 105.2479367]; **D219/460.1** Map of Prey Chhor District; **D219/288** Chheun Lai Sim Written Record of Interview, 24 April 2015, A39, EN 01111776 [“There was a security office in Wat Ta Meas Pagoda, in Prey Toteung, Prey Chhor District.”]; **D219/542** Nut Kimmang Written Record of Interview, 6 October 2015, A1, EN 01173595 [“I lived in Ta Meah Village, formerly Sleang village, Chrey Vien Commune, Prey Chhor District.”]; **D219/288** Chheun Lai Sim Written Record of Interview, 24 April 2015, A39, EN 01111776 [“There was a security office in Wat Ta Meas Pagoda, in Prey Toteung, Prey Chhor District.”]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208328 [Wat Ta Meak prison is located within Prey Chhor. Coordinates: Latitude: N12°03’4131” Longitude: E105°14’5160”]; **D6.1.525** DC-Cam DK Prison List, 18 February 2008, EN 00347407 [Wat Ta Meak is noted as prison number 36, site number 031301, in Prey Chhor]; **D5/1095** Penh Va Civil Party Application Supplementary Information, 9 July 2015, EN 01168124 [“Wat Ta Mas Pagoda, approximately 100 metres west of Phsar Prey Totueng Market in Chrey Vieng Commune, Prey Chhor District, Kampong Cham Province.”].
- 384 **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“The district and the Sector had their respective security offices. The Sector Security Office was Wat Ta Meas pagoda, Prey Toteung.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A32, A42, and A49, EN 01167889-92 [“After Ta An took over the sector, the meetings were held at the sector level. Sometimes, Zone Secretary Ta Pauk also attended the meetings. [...] Because the temporary security office at Wat Ta Meah was a sector-level security office. [...] I think that [Wat Ta Meak] was operated by the sector level because sector soldiers guarded the security office.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A9, EN 01156188 [“Wat Tameah Pagoda was the Sector Office, so Prey Chhor District Security Office was under Wat Tameah Pagoda’s administration.”]; **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A89, EN 01174530 [“[Wat Ta Meak] was sector level.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A193, EN 01331739 [“It also belonged to the sector.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A45, EN 01364059 [“The sector security offices were in Krouch Kor and at Wat Ta Meak Pagoda.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309901 [“Dany: Was Wat Tameak Pagoda Prison also a sector prison? Saren: Yes. It was a sector prison.”].
- 385 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A23 and A10, EN 01156192 and EN 01156188 [“Wat Tameah Pagoda was a temporary detention place for prisoners from every where in sector 41. Wat Tameah Pagoda was the Sector Office and a temporary detention site for prisoners from the East Zone. [...] [The transportation of lower-level cadre] happened after Ta An came to administer this sector.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787220 [“In 1975-1976 I used to be there [Wat Ta Meak] but there was never any security office there. Only upon Ta An’s arrival did he create that Security Office.”]; **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17, EN 01185815 [“At first, the [Wat Ta Meh] pagoda compound was used to house soldiers. Later [1977], it was turned into a detention office.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A142, EN 01167913 [“After the arrival of the Southwest cadres, the pagoda was used as a political school, then as a temporary shelter, and then a security office.”], A65, EN 01167894 [“The security office was created in 1978 and continued to operate until the end of the Khmer Rouge regime.”], A152, EN 01167915 [“I cannot say when they stopped arresting people because Wat Ta Meah continued to serve as a security office until the end of the Khmer Rouge regime.”]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A24, EN 01174559 [“After Comrade Sreng left in 1977] it was used as a security office where evacuees from the East Zone were held.”]; **D219/800** So [Sau] Saren Written Record of

Interview, 19 July 2016, A192, EN 01331739 ["It was used to put prisoners in."]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A85, A89-90 and A99, EN 01373691-92 ["[I] knew that the location was used as a security office. [...] I knew only that the location was used as a security office. [...] there were prisoners in the prison. [...] It was used as a security office at the end of the regime. This pagoda was not used until the issues arose along the border"]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 26 May 2016, EN 01366644 ["Wat Tameak was a prisoner place during Ta An's time. Wat Ta Meak was really a prisoner place."]; **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A26-27 and A42, EN 01362676-77 ["I heard that Wat Ta Meah was the place where they detained prisoners. [...] I heard from the older people. They informed me that Wat Ta Meah was a place to keep people. [...] It was between 77 and 78."]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A70-71, EN 01148847 ["They took people from other villages or communes to be placed at this pagoda. [...] Wat Tamah Pagoda was the place they brought people to be detained temporarily before they moved them to other places."]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348675 ["Prisoners were probably detained there because that place was separate from any other place. I dared not to go to that place."]; **D1.3.11.7** Cheng Tol and Kun Sokha OCP Statement, 2 August 2008, EN 00210439 ["In Sreng's time, Wat Ta Meak was used as a residence. When the Southwest cadre arrived, it was turned in to a detention centre"]; **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A38, EN 01174523 ["[Wat Ta Meak] was a security site, a detention site and a secret meeting place."]; **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210548-49 ["Wat Ta Meak was not used as a security office before the Southwest Zone cadres arrived [1976 or 1977]. [...] [previously] it might have been used as a warehouse."]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210552 ["In 1977, people were purged at the commune and cooperative level. They were evacuated and some were put at Wat Ta Meak. Some of the people who were arrested were my relatives."].

³⁸⁶ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A192 and A195, EN 01331739 ["It was also a place for rallies. [...] Such meetings included commune chiefs, commune Members, brother Aun and Ta An."]; **D219/813.1.6** Meach Tauy DC-Cam Statement, 15 June 2016, EN 01348693 ["Wat Ta Meak was a place where they conducted their conference and it was a place for study. [...] It was a place where they taught their cadres. It was a place where they conducted training courses and so on."]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348674-75 ["It was a meeting office. The meeting hall was there. The temple was converted into a meeting hall. [...] Another part of the building was [converted] into a meeting hall too. The district secretaries, other cadres and the commune chiefs joined the meetings at that place."]; **D219/813.1.8** Touch Chamroeur DC-Cam Statement, 15 June 2016, EN 01348758 ["Dany: What was Wat Tameak Pagoda used for? Chamroeur: It was used for organizing big meetings."]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337101, 01337115 ["Dany: What was Wat Ta Meah? Kann: It was the place for reeducation. [...] It was a place where congress was organized."].

³⁸⁷ **D219/813.1.8** Touch Chamroeur DC-Cam Statement, 15 June 2016, EN 01348758 ["Dany: Was the wedding held in the sector office? Chamroeur: It was held at Wat Tameak Pagoda. [...] The guests were all high-ranking people."].

³⁸⁸ **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167237 ["The driveway from National Road # 7 to Wat Ta Meak Pagoda is approximately 200 metres long with residential dwellings on both sides."]. EN 01167244 [showing that National Road 7 lies to the south of the pagoda complex].

³⁸⁹ **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167237 ["The Pagoda is situated on approximately 3 hectares [of] land."].

³⁹⁰ **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167237 [descriptions of the two open-sided shelters used for training]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A192 and A195, EN 01331739 ["It was also a place for rallies. [...] Such meetings included commune chiefs, commune Members, brother Aun and Ta An."]; **D219/813.1.6** Meach Tauy DC-Cam Statement, 15 June 2016, EN 01348693 ["Wat Ta Meak was a place where they conducted their conference and it was a place for study. [...] It was a place where they taught their cadres. It was a place where they conducted training courses and so on."]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348674-75 ["It was a meeting office. The meeting hall was there. The temple was converted into a meeting hall. [...] Another part of the building was [converted] into a meeting hall too. The district secretaries, other cadres and the commune chiefs joined the meetings at that place."].

- 391 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167238 [“When the Khmer Rouge occupied the Wat Ta Meak Pagoda grounds, the wooden pagoda was torn down, and the materials were used to erect a large meeting hall approximately 30 meters north of the main pagoda along the east side of the property. The meeting hall was used for sector meetings and gatherings”]; **D219/813.1.6** Meach Taury DC-Cam Statement, 15 June 2016, EN 01348693 [“Wat Ta Meak was a place where they conducted their conference and it was a place for study. [...] It was a place where they taught their cadres. It was a place where they conducted training courses and so on.”]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348674-75 [“It was a meeting office. The meeting hall was there. The temple was converted into a meeting hall. [...] Another part of the building was [converted] into a meeting hall too. The district secretaries, other cadres and the commune chiefs joined the meetings at that place.”].
- 392 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167238 [“Witness Sat Pheap remembers that during the South West Zone period there was a Pagoda in the same location, which was used to detain people however the pagoda at that time was a wooden structure.”].
- 393 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167239-40 [“On the north of the property are three old houses on stilts. [...] [Sat Pheap said] that his mother who lived in the area at that time told him that the wooden house in the centre of the three houses along the rear fence was used to detain senior cadre of the Khmer Rouge and that Sreng had been temporarily held in it. He showed the team holes in the wood along the base of the house of which run all the way around the house[;] the holes were used to attach the iron shackles which secured prisoners”. EN 01167253-53 [photo of the house used to detain prisoners and a close-up photo of the holes through which shackles are said to have been secured]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A51-52, EN 01364060 [“Q: In the interview with the Documentation Center of Cambodia, you said that in Wat Ta Meak Pagoda there were two jails. One was in the entranceway; one was within the perimeter. Is that correct? A: That’s right. The jail in which persons were put was inside the perimeter of the pagoda. It was only when that jail was full that they took prisoners to be deposited at the location of the logistics office, the location where I was detained. [...] There were two houses at that location. [o]ne for logistics, one for detention.”].
- 394 **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309857 [“there were actually two prisons there. One area was inside; the place where they held me was at the exterior entrance.”].
- 395 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, Annex 2, EN 01167244 [sketch depicts execution and grave sites on the north, east and west sides of the pagoda]; **D1.3.11.7** Cheng Tol and Kun Sokha OCP Statement, 2 August 2008, EN 00210439 [“Kun Sokha saw a single burial pit that was about 50 metres west of the Wat [Ta Meak]. That area has since been used as a ceremonial place.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A77, EN 01179832 [“I worked as a cook at [Wat Ta Meak] pagoda for the congress chaired by Ta An. At night when I was in the pagoda, [subordinates of Ta An] took people to be killed about 20 metres away from where I was living.”]; **D219/607** Hak Kimsrocut Written Record of Interview, 16 November 2015, A15-17, EN 01184903 [“I saw that that piece of land seemed to have sunk. There was a pit that looked like it had been recently filled. Q: How many pits did you see? A: Three or four. But that one was the biggest pit. [...] The pit was four metres in diameter. The surface was sinking because the corpses were rotting.”]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141623 [Penh Va assisted with a site ID, and stated that the grounds on the north side of the pagoda property were used as execution and burial grounds]. EN 01141631 [Yeay Sroern and Kim Sreang stated that the area marked on the diagram Annex 2 as ‘execution site and grave site’ had been used to bury many bodies: there were mass graves to the north and west of the pagoda grounds too].
- 396 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167242 [“Since the fall of the Khmer Rouge in 1979 Wat Ta Meak Pagoda has undergone extensive renovations and modifications.”].
- 397 **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, 01167244-45 [Annex 2, showing the layout of the buildings during the DK period, and Annex 3, showing the buildings currently on the site].
- 398 **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“The district and the Sector had their respective security offices. The Sector Security Office was Wat Ta Meas pagoda. Prey Toteung.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A32, A42, and A49, EN 01167889-92 [“After Ta An took over the sector, the meetings were held at the sector level. Sometimes, Zone Secretary Ta Pauk also attended the meetings. [...] Because the temporary security office at Wat Ta Meah was a sector-level security office. [...] I think that [Wat Ta Meak] was operated by the sector level because sector soldiers guarded the security office.”]; **D219/498** Penh Va Written Record of Interview, 7 September

2015, A9, EN 01156188 [“Wat Tameah Pagoda was the Sector Office, so Prey Chhor District Security Office was under Wat Tameah Pagoda’s administration.”]; **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A89, EN 01174530 [“[Wat Ta Meak] was sector level.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A193, EN 01331739 [“It also belonged to the sector.”].

399 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A32 and A36, EN 01364057 [“Q: You said that at the Sector level, Ta An was the person who gave the orders at the Sector echelon. Is that correct? A: Yes. [...] Q: You also said that Wat Ta Meak Pagoda was a place guarded by the sector military. Is that correct? A: Yes.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A131 and A133, EN 01373694 [“Q: Did you know who else was responsible for arresting people in your sector? A: My assumption was that only Ta An was a high-ranking cadre in the sector. At that time, no one besides Ta An led Sector 41. [...] At that time, I thought he was the highest-ranking cadre who had the rights to decide anything he wanted.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309895 and EN 01309921 [“the big one was none other than him. Him being big, it’s knowable he was the one who issued order(s). [...] Dany: Who gave the order to arrest you? Saren: I do not know who ordered the arrest. But it can only have been Ta An. Who else?”].

400 **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A63-64, EN 01112053 [“Q: Do you know who called those cadre to attend the study sessions [at Wat Ta Meak]? A: Aun, who was chairperson of sector office, did.”]; **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A53 and A95, EN 01174525 and EN 01174530 [“Office Chairman Aun [opened and closed the meetings]. [...] [Ta Aun] was in charge of general work because he was Ta An’s deputy. He was Sector 41 deputy.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A29, EN 01111974 [“Ta Aun was both head of the sector office and head of sector commerce, whilst Ta An was the Sector Secretary.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309862 [“The Sector Chairperson was called Bang Aun.”]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337115 [“He [Aun] was Chief of Office of the Sector.”].

401 **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A45 and A53, EN 01174524-25 [“Q: Who chaired the meeting [at Wat Ta Meak]? A: Aun, the office chairman. [...] Office Chairman Aun [opened and closed the meetings.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A140-143, EN 01179841 [“Q: Do you know who was in charge of the pagoda at that time? A: Aun. Aun was Ta An’s deputy. [...] He was in charge of managing the pagoda compound. [...] I was a cook at the pagoda and I saw him [Aun] giving orders and managing the pagoda. [...] He ordered soldiers to arrest people and kill them there.”].

402 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A143, EN 01179841 [“[Aun] ordered soldiers to arrest people and kill them [at Wat Ta Meak Security Centre].”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A213, A216 and A221, EN 01331742-44 [“Bang Aun was the one who gave the order. [...] Ta Aun led the group to arrest them. [...] We took away prisoners who had been given electric shock and had gone limp. But I did not take them away for disposal. I put them on a motorbike and took them to Wat Tameak Pagoda. Bang Aun had me to take them there”].

403 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A117-118, EN 01331728 [“Q: When those persons were detained in the motor pool without walls, who did they have keep an eye on those detainees? A: We took turns doing so with Ta An’s defence unit. Q: Do you know who the chief of the defence unit was? And do you remember some of those in the defence unit? A: The chief of the defence unit was none other than Sok.”].

404 **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309923 [“Dany: Was there questioning while you were held? Saren: Yes, there was questioning. The guy named Sok was interrogator.”]

405 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A222-223, EN 01331744 [“Q: Do you remember the names of those in Ta An’s defence unit who interrogated and tortured the three prisoners? A: I remember clearly only one, named Run. [...] The [murderer’s] name was Run.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A70, EN 01364062 [“Q: Did you know those who killed them? A: The name was Run. Q: Was Run military? A: Run was in the same courier unit as me.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A86, EN 01373691 [“Q: Who was in control of Wat Tameak Pagoda? A: I am not sure who was. At that time there was someone called Run, who fled to his home at the end of regime. Later, I heard that he was lynched to death by angry people.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366644 [“Dany: Who supervised Wat Ta Meak? Nha:

During that time, what was his name? His name was A Run. After the regime defeat, he was killed. [...] His name was A Run. He was from Kang Meas District.”]

406 **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A10, EN 01151219 [“All of the guards [at Wat Ta Meak] were soldiers from the Zone. They had three vehicles. In my estimation there were about 50 to 60 soldiers.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A49 and A56, EN 01167892-93 [“I think that [Wat Ta Meak] was operated by the Sector level because Sector soldiers guarded the security office. [...] I am not sure, but I think that each group of guards consisted of between 10 and 12 members. There were only a few soldiers at the sector level. One group was assigned to protect the pagoda, and another group was on patrol at night.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A36, EN 01364057 [“Q: You also said that Wat Ta Meak Pagoda was a place guarded by the sector military. Is that correct? A: Yes.”].

407 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A14, EN 01156189 [“I think that Ta An really did go to see prisoners detained at Wat Tameah Pagoda because the internal office and the external office were close to each other. The internal office referred to Wat Tameah Pagoda, and the external office referred to Ta An’s office. Ta An’s office was small, so when there was a meeting in which cadres attended, they had to go to Wat Tameah Pagoda.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A192 and A195, EN 01331739 [“It was also a place for rallies [...] Such meetings included commune chiefs, commune Members, brother Aun and Ta An.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A80, EN 01364063 [“He had meetings there in the pagoda, calling in the district coms and the commune coms for the meetings.”].

408 **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A19 and A30, EN 01167887-89 [“Q: Who attended the meetings [at Wat Ta Meak]? A: Ta An, the Sector Secretary, Ta Aun, Sector Office Chairman [...] Q: How many meetings did Ta An attend? A: Five or six meetings.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A88, EN 01224112 [“Q: Did you go to the meeting at the Pagoda with Ta An? A: Yes, I went.”].

409 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [the Civil Party Applicant describes a meeting at a pagoda in Chrey Vien commune which was called by Ta An in March 1977, to announce his arrival and position of new Secretary of Sector 41.]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A5 and A11, EN 01156186-88 [“I went to Wat Tameah Pagoda once when Ta An called me to attend a meeting there. [...] [Ta An] talked a lot [at the meeting] but what I remember best is what he said about more killings”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A240, EN 01147930 [“I attended a big meeting there. [...] Ta An was the meeting chair person.”]; **D219/376** Written Record of Investigation Action, 26 June 2015, EN 01111626 [the OCIJ investigator clarifies that Penh Va stated he attended a meeting with 300 sector level cadres in which Ta An presided. The meeting took place in Wat Ta Meak Pagoda sometime in March 1977]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141625 [OCIJ investigators met with Sat Pheap, who stated that during the Southwest Zone occupation, Wat Ta Meak was used as a school for politics. The training was delivered by Ta An, and could last from 7-8 days].

410 **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A24-25, EN 01167888 [“[during meetings at Wat Ta Meak] Ta An normally rose to announce political messages. [...] They spoke about daily work, rice cultivation, how to improve our work and the situation of our enemies, referred to as internal enemies. He also likened them to cars whose old tires had to be removed and cut up to make shoes, meaning that these enemies had to be taken to be killed.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A5-7 and A32, EN 01167885 and EN 01167889 [“They were the meetings [inside Wat Ta Meak Pagoda] of cadres from village, cooperative and ministerial levels. [...] I also attended the meetings, which normally occurred once every month or so. [...] They were attended by many people [...] [including] the district secretary, the village chiefs who also served as cooperative chiefs, and those from the ministries. Each meeting was attended by about 100 persons. [...] After Ta An took over the sector, the meetings were held at the sector level. Sometimes, Zone Secretary Ta Pauk also attended the meetings.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A87-88, EN 01224111-12 [“The meetings [at Wat Tameah] were to deliver orders from upper level, construction meetings and genocide. All the District Committees were from the Southwest. [...] There were meetings from village level up. [...] Q: Did you go to the meeting at the pagoda with Ta An? A: Yes, I went.”]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A26-27, EN 01174559 [“Yes, the present-day temple of the pagoda was used as a meeting

hall. [...] Leaders at the commune and district levels attended meetings here.”]; **D219/606** Chea Kheang Thai Written Record of Interview, 13 November 2015, A57 and A60, EN 01184894 [“[After the Southwest Zone cadres arrived], they sent people who worked at the Sector Office to attend meetings [at Wat Ta Meah]. [...] They called people from communes and districts in the sector to attend meetings there.”]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141625 [“The training was delivered by Ta An. [...] Sat Pheap participated in more than six of these training sessions [at Wat Ta Meak]. The sessions would begin in plenary after which the participants would break off into groups of ten, each group with its own facilitator.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A81-82, EN 01179832 [“Q: Do you know what the congress [at Wat Ta Meak, chaired by Ta An] was about? A: I do not know the agenda of the training. I was just a cook for the attendees. I did not attend the training myself at all. Q: Who else attended the training besides Ta An? A: Besides Ta An, they were Kampuchean Communist Youth League, reserve Youth League and Party members. About half a month later, they were killed and a new group was trained.”]; **Construction Projects: D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A87-88, EN 01224111-12 [“The [district] meetings [at Wat Tameah] were to deliver orders from upper level, construction meetings and genocide. All the District Committees were from the Southwest. [...] There were meetings from village level up.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A114, EN 01167906-07 [“Ta An reported about a dam in Kampong Thom Province. [...] It was a Zone-level dam. They had me transport cows and husked rice to that dam. Ta An, a Sector cadre, supervised workers there who were sent from Sector 41. The dam was a Zone project to which nearby Sector had to send workers.”]; **Labour Production: D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A24-25, EN 01167888 [“[during meetings at Wat Ta Meak] Ta An normally rose to announce political messages. [...] They spoke about daily work, rice cultivation, how to improve our work”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A89, EN 01224112 [“No, the meetings were on production and the construction of the country. One hectare of field had to yield between 3 to 7 tons.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A240, EN 01147930 [“I attended a big meeting [at Wat Ta Meak in 1978]. The meeting was about the production plan to be implemented in order to reach three tonnes [of rice] per hectare. Ta An was the meeting chair person”]; **D219/541** Kim Thoeum Written Record of Interview, 5 October 2015, A44-45, EN 01174524 [“They talked about the great leap forward and encouraged people to [work] harder [at Wat Ta Meak]. [...] Q: Who chaired the meeting? A: Aun, the office chairman.”]; **Organisation of Marriage: D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A27-28, EN 01167888 [“He spoke about marriage planning. They planned to raise new forces, to increase the population to 15 or 20 million in the next 15 or 20 years. [...] A: He said that this was the Asian plan, referring to Pol Pot’s plan.”], A138-139, EN 01167912 [“Q: Yesterday you said that during meetings, Ta An spoke about the plan to increase the population. How did he intend to achieve this goal? A: By marrying off workers from ministerial offices and cooperatives. He specifically mentioned this point. Q: Did he say what people should do after their marriage? A: He said that after their marriage, people should love each other as married couples and had to produce children. When their children turned two years old, the people had to send them to political schools.”];

⁴¹¹ **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A32, EN 01167889 [“After Ta An took over the sector, the meetings were held at the sector level. Sometimes, Zone Secretary Ta Pauk also attended the meetings.”]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141625 [OCIJ investigators met with Sat Pheap who stated that during the Southwest Zone occupation, Wat Ta Meak was used as a school for politics. The training was delivered by Ta An, and could last from 7-8 days. Ke Pauk would arrive to officiate the opening of the training and leave soon after. Sat Pheap participated in more than six of these training sessions].

⁴¹² *See* **II. Ao An’s Acts, Conduct, Role, and Responsibility – 4. Ao An’s Conduct of the Purge in the Central Zone – The “Soundless War” against Traitors.**

⁴¹³ **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A141, EN 01111981 [“The [300] people were transported by trucks and placed at Wat Tameak Pagoda in Prey Chhor District.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A23, EN 01156192 [“The vehicles that transported those prisoners [to Wat Ta Meak] were American GMCs, and those vehicles were covered completely.”], A10, EN 01156188 [“I personally saw people being transported in vehicles [from Prey Toteung Market to Wat Ta Meak, after Ta An came to administer the sector.”]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A28, EN 01174559 [“At that time, the people were marched into here [Wat Ta Meah]”];

- D219/582** Toy Meach Written Record of Interview, 2 September 2015, A146, EN 01179841 [“They were escorted into [Wat Ta Meak] pagoda on foot.”]; **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210548 [“I heard this from colleagues. I learned from villagers and from my relatives that people were being gathered up. They told us they were being taken to live in a new land. They were walked to Wat Ta Meak, and then put on trucks and driven away. [...] 8 members of my uncle’s family were taken. [...] They disappeared in 1977, perhaps in June or July.”].
- ⁴¹⁴ **D219/621** Prak Run Written Record of Interview, 10 December 2015, A62, EN 01184950 [“I was detained [at Wat Ta Meak] after the Southwest group arrived.”], A43, EN 01184948 [“Q: Were there many people who were imprisoned over there [Wat Ta Meak]? A: Yes, there were. [...] I saw them bringing people to [Wat Ta Meak] every day.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“Only a small number of upper-level cadres like Comrade Lei and some lower-level cadres were taken to Wat Tameah Pagoda. I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“I don’t know the number of people who were sent away. But it may have been four people from each family. They were taken away and kept at Wat Ta Meak.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A156-159, EN 01111983 [“Every day I saw one or two trucks full of people being transported to [Wat Ta Meak] pagoda. [...] Each truck could accommodate fifty to sixty people. [...] I saw the trucks carrying prisoners for about three consecutive days.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A67, EN 01167895 [“At the time at least 300 people were transported from village and communes by lorry and allowed to spend one week there before being told that they would be sent to clear forest in Kratie Province.”]; **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17 and A20, EN 01185815-16 [“In 1977 a number of families were gathered in the pagoda. [...] My aunt’s family was amongst those who were taken into the pagoda. I went into the pagoda at a time to take my aunt some of her belongings. [...] When I got into [Wat Ta Meak, to visit the aunt] I saw many families - hundreds of families there.”]; **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A66, EN 01362679 [“Q: Where there women and children held prisoner at Wat Ta Meah? A: Yes there were.”].
- ⁴¹⁵ **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A16, EN 01151220 [“I am not sure, but I think [the prisoners] were both new people and base people.”], A11, EN 01151219 [“This event [the transportation of prisoners out of Wat Ta Meak to be killed at Phnum Pros Phnum Srei Mountain] probably happened in September 1977.”]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A15, EN 00740802 [“Q: Did you know any killing after Ta An arrived? A: At his time, people were gathered and transferred to Wat Ta Mak pagoda. They transferred people who were evacuated from Kampong Cham in 1973 and those evacuated from Phnom Penh in 1975 to [Wat Ta Meak]”]; **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A37, EN 01362676 [“Q: To your knowledge who was being detained at Wat Ta Meah? A: Mostly the people who were evacuated in 1975.”]; **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210548 [“I learned from villagers and from my relatives that people were being gathered up. My Uncle’s family were gathered up. [...] They were walked to Wat Ta Meak and then put on trucks and driven away. [...] They [the witness’ family] were taken because they were considered to be new people. They had previously been evacuated from Phnom Penh. They disappeared in 1977, perhaps in June or July.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“[15 families of new people] were told they were being sent away to new villages. Trucks came to pick the people up at Wat Ta Meak, and then they were brought to be killed at Phnum Pros Phnum Srei. [...] The 15 families that disappeared were 1975 people [...]. The disappearances took place in 1977 after the Southwest cadres had arrived.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and brother-in-law and their children were arrested. In 1977 they were evacuated and told that they were being moved to a new land. They were taken to Wat Ta Meak before being sent in trucks to a mountain. Their clothes were returned to be used at the work brigade. [...] Some of those who were taken were new people who were evacuated.”].
- ⁴¹⁶ **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A16, EN 01151220 [“Q: Do you know what categories of people were sent to be detained at Wat Ta Meah Pagoda? A: I am not sure, but I think [the prisoners] were both new people and base people.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and brother-in-law were old people, not new people. My brother-in-law was a deputy village chief. I believe this is why he was taken. [...] Six people were taken. My elder sister, her brother-in-law and their four children. They have disappeared since then.”].

- ⁴¹⁷ **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A15, EN 01167886 [“Q: Did you notice any changes while your area was under the control of the Southwest cadres? What happened at the pagoda after the arrival of the Southwest cadres? A: The former cadres [of the Central Zone in Sector 41] were arrested.”]; A79, EN 01167898 [“Most prisoners were cadres from various ministerial offices at the district and Sector levels.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“a small number of upper-level [Central Zone] cadres like Comrade Lei and some lower-level cadres were taken to Wat Tameah Pagoda. I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector.”]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A15, EN 00740802 [“Q: Did you know of any killing after Ta An arrived? A: At his time, people were gathered and transferred to Wat Ta [Meak] Pagoda. [...] Later, former cadres were also transferred [to Wat Ta Meak] but I did not know where they were taken to. I only saw that they were loaded into trucks.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“Q: Yesterday you said that [the ordinary] people arrested in communes were killed in communes, but cadre from the village level upward were sent to the district and Sector. Is this correct? A: Yes, that is correct. [...] The Sector Security Office was Wat Ta Meas pagoda, Prey Toteung. Arrests proceeded as follows. For ordinary people, they would be killed on the spot – at the grassroots. For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards send village chairpersons to the Sector, and the district would decide the fate of village deputies.”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“In 1977 people were taken away by the Southwest Zone cadres by the truckload and executed [...]. The victims were first concentrated at Voat Ta Meak and then trucked away for killing. Most of the first victims were connected to veteran 304 cadres.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“In his village, this happened to approximately 15 families of new people. They were told they were being sent away to new villages. Trucks came to pick the people up at Wat Ta Meak, and then they were brought to be killed at Phnum Pros Phnum Srey. [...] The 15 families that disappeared were 1975 people, 1973 people or people who had connections with Comrade Sreng. The disappearances took place in 1977 after the Southwest cadres had arrived.”].
- ⁴¹⁸ **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A24, EN 01174559 [“Q: After Comrade Sreng left, for what purpose was Wat Ta Meah Pagoda used? A: It was used as a security office where evacuees from the East Zone were held.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10 and A23, EN 01156188 and EN 01156192 [“I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector. [...] Wat Tameah Pagoda was the Sector Office and a temporary detention site for prisoners from the East Zone.”]; **D219/376** Written Record of Investigation Action, 26 June 2015, EN 01111627 [“Penh Va was asked what Wat Ta Meak was used for. He replied that the pagoda was used as a meeting place. But after Ta An’s arrival it was turned into a security centre. He stated that East Zone people were sent to Wat Ta Meak to be killed between 1977 and 1978.”].
- ⁴¹⁹ **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17, EN 01185815 [“In 1977, a number of families were gathered in the pagoda. They were regarded as families who had Sihanouk or Lon Nol tendencies. [...] My aunt’s family was amongst those taken into the pagoda. I went into the pagoda at a time to take my aunt some of her belongings.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208391 [Em Kim Sroan states that some prisoners were accused of being Lon Nol soldiers and hanged by their feet to confess, at Wat Ta Meak].
- ⁴²⁰ **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A39, EN 01174523 [“People who betrayed Angkar were detained [at Wat Ta Meak].”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“In 1977, people were taken away by Southwest Zone cadre by the truckload and executed [...]. The victims were first concentrated at Voat Ta Meak and then trucked away for killing. [...] The second wave [of prisoners] were those linked to those accused of stirring up trouble, ordinary people accused of being enemies, mostly because of old society connections.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A154 and A164, EN 01111983 [“Q: In your previous report you stated that you saw around 300 people being transported in Wat Tameak Pagoda. Please elaborate on that event. Who were they? A: They were ordinary people who were arrested from the villages. [...] I think that all of them were kept together as they were arrested along with all their family members.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and brother-in-law and their children were arrested. In 1977, they were evacuated and told that they were being moved to a new land. [...] Some people who held no position were also gathered and sent away. [...] They were taken away and kept at Wat Ta Meak”].

- ⁴²¹ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A209 and A221, EN 01331741-44 ["The prisoners were [...] arrested to interrogate at the sector office and then taken to Wat Tameak Pagoda. [...] We took away prisoners who had been given electric shock and had gone limp. But I did not take them away for disposal. I put them on a motorbike and took them to Wat Tameak Pagoda."]; **D219/776.1.1** So [Sau] So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309891-92 [the witness describes how a prisoner was interrogated and tortured at the Sector Office, and afterwards was taken to Wat Ta Meak by the witness].
- ⁴²² **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A57 and A60-62, EN 01167893-94 ["They were told to go to a particular place under false pretext, only to be arrested. [...] The meetings were held in much the same way as before, but normally, concerning the arrestees sent to Wat Ta Meah, their arrests occurred secretly, because they were targeted by the Sector. Q: How did you know that the arrests occurred secretly? A: We would only learn when someone was absent from the office. Q: How were those prisoners convinced of the lie? A: They were told to attend a study session."]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A60 and A62, EN 01112053 ["At the end of that regime, cadres such as the chairpersons of small and big units were called to attend the study sessions. They disappeared. [...] They were called to attend the study sessions at Wat Ta Meak Pagoda at Prey Toteung. They have disappeared ever since."]; *See also* **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337112 ["They came with invitation letters. For instance, whenever they wanted to arrest people, they would invite them to attend a meeting. When the targets were arriving, the soldier arrested them at the gun point."].
- ⁴²³ **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337093 and EN 01337101 ["I was assigned to work in the Logistics Section located outside of the Sector Office [...] He was arrested at Wat Ta Meah. [...] Dany: Are you sure that the soldiers of Ta An conducted the arrest? Kann: Yes, I am sure. Who else [would] dare to conduct the arrest while Ta An was the sector committee? Ta An took control everything. We were under Ta An's order."].
- ⁴²⁴ **D219/498** Penh Va Written Record of Interview, 7 September 2015, A23, EN 01156192 ["Yes, Wat Tameah Pagoda was a temporary detention place for prisoners from everywhere in sector 41."]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A141 and A163, EN 01111981-3 ["Q: In a report by the Cambodian Defender's Project you stated that in 1977 you saw around 300 civilians being arrested and taken to Wat Ta Meak. Please elaborate on this event. A: Yes I knew this event. [...] Q: How long were the people [placed] at the pagoda? A: For about five or six days, then they were taken out."]; A152, EN 01111982 ["[Wat Ta Meak] was like a transit place for prisoners taken from various places before they were sent out after a short detention."]; **D219/621** Prak Run Written Record of Interview, 10 December 2015, A19, EN 01184945 ["they arrested and detained me there [at Wat Ta Meak] for a month."]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A9, EN 01151219 ["According to the zone-level plan, Wat Ta Meah Pagoda was used for temporarily detaining people before sending them to various places."]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A45, EN 01174561 ["Prisoners were just held temporarily. It was not a permanent prison."]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 ["The victims were first concentrated at Voat Ta Meak and then trucked away for killing."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A243, EN 01331748 ["Q: How long were you detained there? A: It was maybe two-plus months"]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A41, EN 01364058 ["I do not remember the specific time, but it was maybe one or two months"]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309922-24 ["Dany: When you were arrested and went to Wat Ta Meak, how long were you held? Saren: Maybe almost three months. [...] Dany: so you were released after three months? Saren: Perhaps it was less than three months. Perhaps two months plus."].
- ⁴²⁵ **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167238-40 ["Witness Sat Pheap remembers that during the South West Zone period there was a Pagoda in the same location, which was used to detain people, however the pagoda at that time was a wooden structure. [...] "On the north of the property are three old houses on stilts. [...] the wooden house in the centre of the three houses along the rear fence was used to detain senior cadre of the Khmer Rouge and [...] Sreng had been temporarily held in it. [Sat Pheap] showed the team holes in the wood along the base of the house of which run all the way around the house[;] the holes were used to attach the iron shackles which secured prisoners", EN 01167253-53 [photo of the house used to detain prisoners and a close-up photo of the holes through which shackles are said to have been secured]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A51-A52,

EN 01364060 [“Q: In the interview with the Documentation Center of Cambodia, you said that in Wat Ta Meak Pagoda there were two jails. One was in the entranceway; one was within the perimeter. Is that correct? A: That’s right. The jail in which persons were put was inside the perimeter of the pagoda. It was only when that jail was full that they took prisoners to be deposited at the location of the logistics office, the location where I was detained. [...] There were two houses at that location, [o]ne for logistics, one for detention.”].

426 **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A49 and A54, EN 01362677-78 [“Based on the information from villagers they informed that there was no regular number kept in this place. Whenever it was full those detainees were taken and killed and the new people come to replace them. [...] Based on what I heard from villagers, it happened between 1977 and 1978, but I do not know how many people were taken each time.”].

427 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A207, EN 01331741 [“There were only about 30 prisoners at Wat Tamcak Pagoda.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A44, EN 01364059 [“back then there were maybe only 20 to 30 persons.”].

428 **D219/621** Prak Run Written Record of Interview, 10 December 2015, A20-21, A44 and A66, EN 01184945-51 [“They just handcuffed and shackled us. Q: Did they shackle you every day? A: Yes, they did. [...] However, they tied us five metres apart from each other. [...] They tied people in lines and put them into that place. Then they removed the ropes and shackled them.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A47, EN 01167892 [“I do not know if [persons held at Wat Ta Meah] were beaten or not, but I know that they were chained. A messenger of my wife told me that my fiancé was chained.”]; **D219/541** Kim Thoeun Written Record of Interview, 5 October 2015, A42 and A47, EN 01174523 [“I saw them [prisoners] tied up at the pagoda, but I do not know where they were brought from. [...] Their arms were tied behind their backs, and their legs were shackled.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A54, A57, and A59, EN 01364060-61 [“Q: When you were detained, were you chained? A: Yes, I was. [...] Q: Were your legs shackled throughout the entire time? A: They put me in those throughout the whole time, but at that time, I was young, so my ankles were small. I wriggled out and went to steal sugar from their jar. [...] Q: So, in that house they shackled the legs both day and night, right? A: Yes. Both day and night.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309857 [“At night I was shackled. Upon arrival, they had me sit up, and they locked from the side. I saw and selected a large shackle ring, which I put on myself for them to lock me to the pole.”], EN 01309922 [“Upon arrival, they had us sit and put those things [shackles] first, then they locked us in from the side. It occurred to me that I should select some rather big ring, the rings going on both feet, after which they pushed in the metal pole like that.”]; **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A72 and A78-79, EN 01362680 [“I saw holes in the wall where they used them to attach the steel bar for shackling prisoners. [...] Q: How did you know the holes you saw were used for shackling people at Wat Ta Meah detention center? A: The people lived around here informed that holes were drilled in the walls used to attach steel bar to shackle the prisoners. Q: Did these older people physically show you the holes in the wall that were used to shackle the prisoners? A: Yes.”]; **D1.3.11.9** Chhean Heang OCP Statement, 1 August 2008, EN 00210420 [the witness saw holes in the walls used for the iron bars]; **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167240 [Heum Tola showed investigators holes in the wood along the base of a house used to detain senior cadres, which were used to attach iron shackles which secured prisoners.], EN 01167255 [Photo 7 shows holes along the base of the house where shackles were secured to hold detainees]; **D219/607** Hak Kimsroen Written Record of Interview, 16 November 2015, A25, EN 01184904 [“I saw people with their hands tied behind their backs.”]; **D219/776.1.2** Rasmei Kampuchea, *Killings in Sector 41 after Ta An took Control*, 18 May 2016, EN 01249923 [“The Khmer Rouge military arrested Saren and held him at Wat Ta Meak. At the time, he met his cousin, Chhoeun, chairman of the Sector Logistics Office, but he told his cousin ‘Refrain from disclosing that we know each other.’ At the time, Sok, chairman of the Interrogation Unit, ordered the military to chain his legs with shackles.”].

429 **D219/621** Prak Run Written Record of Interview, 10 December 2015, A46, EN 01184948 [“They did not allow us to walk nor talk to each other.”].

430 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A73, EN 01167896 [“[Prisoners] stayed there [Wat Ta Meak] without shackles binding their hands or legs, but they were under guard.”]; **D219/542** Nut Kimnang Written Record of Interview, 6 October 2015, A42, EN 01173600 [“They walked quietly. They were escorted by armed men.”], A37-42, EN 01173600 [the witness describes how prisoners at Wat Ta Meak were sent to the commune office (present-day Chrey Vien Commune Office) when meetings

- were held at Wat Ta Meak, and walked with chains around their legs, quietly escorted by armed men]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A58, EN 01364060 [“Q: Were there any military on guard at that time? A: Yes, there were. They were on guard.”].
- 431 **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A62-65, EN 01362679 [“Based on the information from villagers, prisoners had insufficient food rations. [...] It means they did not provide enough food to those prisoners. They were given very little food to eat. [...] It was only watery gruel. [...] They were given 2 meals per day.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2017, EN 01309858 [“At that time, there was not much to eat. I only ate sugar because I had grabbed a jar of sugar to share with the prisoners.”].
- 432 **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208391 [while working, Em Kim Sroan heard prisoners begging for help, for water].
- 433 **D219/541** Kim Thoeum Written Record of Interview, 5 October 2015, A56, EN 01174525 [“The prisoners were detained temporarily at the Wat Tameah Pagoda, where they were tortured and then sent on to Kor Security Office.”]; **D219/621** Prak Run Written Record of Interview, 10 December 2015, A22, EN 01184946 [“At that time, I was imprisoned, and they also tortured us. However, they did not torture me severely, because I was young. The people older than me were beaten three or four times a day until they passed out.”].
- 434 **D219/621** Prak Run Written Record of Interview, 10 December 2015, A23-24, EN 01184945 [“They beat me with a rod and that was the same size as a toe. [...] They just interrogated me about my family members. They wanted to arrest them and take them to be killed.”].
- 435 **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208391 [Em Kim Sroan states that some prisoners were accused of being Lon Nol soldiers and hanged by their feet to confess]; **D219/776.1.2** Rasmei Kampuchea, *Killings in Sector 41 after Ta An took Control*, 18 May 2016, EN 01249923 [“The Khmer Rouge military arrested Saren and held him at Wat Ta Meak. At the time, he met his cousin, Chhocun, chairman of the Sector Logistics Office, but he told his cousin ‘Refrain from disclosing that we know each other.’ At the time, Sok, chairman of the Interrogation Unit, ordered the military to chain his legs with shackles. Later, Sok summonsed prisoners to be interrogated one at a time. Sok asked Saren why he betrayed Angkar and who educated him to do so. ‘No one educated me, I just shot the truck’ he replied. At the time, Sok was furious, kicking him three times and shouting with a menacing tone ‘You are so stubborn.’ After the interrogation did not result in any responses, Angkar released Saren and Sreang.”].
- 436 **D219/541** Kim Thoeum Written Record of Interview, 5 October 2015, A88, EN 01174530 [“I think they tortured the prisoners. I saw them tying the prisoners up and accusing them of having betrayed Angkar. The word ‘betray’ was enough to know they would be punished.”].
- 437 **D219/621** Prak Run Written Record of Interview, 10 December 2015, A22-23, A26, A42, and A66, EN 01184946-51 [“The people older than me were beaten three or four times a day until they passed out. [...] They beat me with a rod and that was the same size as a toe. [...] They severely tortured us. They beat us until we passed out. Then they splashed water over us to revive us. Then, they interrogated us again. This happened three or four times per day [every day] [...] In order to force us to speak the truth, they tortured us by using rods, chains and iron plates. [...] They tied people in lines and put them into that place. Then they removed the ropes and shackled them. Next, they started torturing and beating them.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A146, EN 01179841 [“I heard the sound of them striking the people because it was near where I lived.”].
- 438 **D219/621** Prak Run Written Record of Interview, 10 December 2015, A26 and A72, EN 01184945 and EN 01184951 [“They severely tortured us. [...] This happened three or four times per day [every day] [...] When our detention reached its end then they took us to be killed.”].
- 439 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A42, EN 01364058 [“there were only two who were released.”]. See also **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309898 [“[I] only know that in principle, they would not be released. Dany: There were no releases? Saren: No releases. There were not releases. Once a person was arrested, he or she would maybe be taken to be beaten to death and disposed of.”].
- 440 **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11, EN 01151219 [“But once, Se [...] whispered to me that [...] those people were transported to Phnum Pros Phnum Srei Mountain. He said those people were killed, because he heard a song played loudly to prevent villagers who lived close by from hearing the screaming. This event probably happened in September 1977.”]; **D219/504** Sat Pheap Written

Record of Interview, 17 September 2015, A67 and A77, EN 01167895-97 ["[300 prisoners from Wat Ta Meak] got off at Phnum Pros Phnum Srei. Loud music was played, and those people were tied up and walked into the mountainous area. [...] I noticed that when the people were sent to Wat Ta Meah they were definitely taken to be killed.": **D219/542** Nut Kimmang Written Record of Interview, 6 October 2015, A30, EN 01173599 ["I just saw them [Sreng's family] being taken to a place in a pagoda before being taken to Phnum Pros Phnum Srei Mountain.": **D219/288** Chheun Lai Sim Written Record of Interview, 24 April 2015, A39, EN 01111776 ["The killing site was located at Phnom Pros Phnom Srei Mountains.": **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210548 ["I learned from villagers and from my relatives that people were being gathered up. My uncle's family were gathered up. They told us they were being taken to live in a new land. They were walked to Wat Ta Meak and then put on trucks and driven away. [...] We assume that they died because if they were still alive they would have come back. [...] They disappeared in 1977, perhaps in June or July.": **D219/609** Samrith An Written Record of Interview, 17 November 2015, A31, EN 01185817 ["Q: Do people in general know that a number of people from Wat Ta Meh pagoda were taken to be killed there [at Trapeang Lvea]? A: Yes, they generally know that.": **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 ["Trucks came to pick up [15 families of new people] at Wat Ta Meak and then they were brought to be killed at Phnum Pros Phnum Srey. [...] The disappearances took place in 1977 after the Southwest cadres had arrived.": **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208332 ["Some victims were brought from Wat Ta Meak prison [to Tuol Trapeang Lvea]": **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A55, EN 01174525 ["They took [prisoners at Wat Ta Meak] to their security office at Kor, also known as Krouch Kor, Prey Chhor district.": **D219/620** Pall Lay Written Record of Interview, 8 December 2015, A38 and A40, EN 01184939 ["Evacuees were transported to Wat Ta Meak pagoda, and afterwards those evacuees were transported from Wat Ta Meak Pagoda to Phnum Pros. [...] Many of them [prisoners at Wat Ta Meak] were also taken here [a grave site outside of Wat Ta Meak]. If they were taken here, none of them would return.": **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A49 and A53-57, EN 01362677-78 ["Based on the information from villagers they informed that there was no regular number kept in this place. Whenever it was full those detainees were taken and killed and the new people come to replace them. [...] Based on the information from villagers they took people away once every 2 or 3 days. [...] Based on what I heard from villagers, it happened between 1977 and 1978, but I do not know how many people were taken each time. [...] They were transported by vehicle. [...] Q: What series of vehicles? A: It was [M] cinq-cents or [M] six-cent truck.": **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A14 and A15, EN 01151220 ["Q: Do you know where the people gathered up and placed in Wat Ta Meah Pagoda were from? A: To my knowledge, those people were rounded up from various cooperatives in Sector 41. [...] My understanding is that the people were taken from various places to be detained in the pagoda for four or five days, and each time there was a sufficient number, they were transported to the east and Phnum Pros Phnum Srei Mountain.": **D219/609** Samrith An Written Record of Interview, 17 November 2015, A19, EN 01185816 ["It was said that [prisoners] would be taken to Dei Thmei village.": **D219/813.1.2** Hong Heng DC-Cam Statement, 24 April 2016, EN 01353282 ["People in Wat Ta Meak were also taken to Krauch Kor.": **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 ["My sister and brother-in-law and their children were arrested. In 1977 they were evacuated and were told they were being moved to a new land. They were taken to Wat Ta Meak before being sent in trucks to a mountain. Their clothes were returned to be used at the work brigade. [...] I do not know which mountain they were taken to, although it could have been Phnum Pros Phnum Srey.": **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [the witness was told the people were taken to Phnum Pros Phnum Srey by one of the drivers who collected people in the village. After the 2nd or 3rd time the driver took people there, he was killed too. The driver's name was Chhien, Chien said he took the people there to 'do the work'.": **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211153 [general discussion with people at the Chrey Vien commune office established that prisoners were held at Wat Ta Meak before being sent to the security office that is 500 meters from Wat Kor]; **D219/641** Written Record of Investigation Action, 14 December 2015, EN 01186888 [Pal Lay states that from his understanding, detainees from Wat Ta Meak Security Centre and surrounding areas were killed and buried in Trapeang Lvea mass grave site]. See also **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A70-71, EN 01148847 ["They took people from other villages or communes to be placed at this pagoda. [...] Wat Tamah Pagoda was the place they brought people to be detained temporarily before they moved them to other places."].

- ⁴⁴¹ **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A76-77, A83 and A86, EN 01179831-33 ["There was a pagoda, Wat Ta Meak Pagoda, but it was not a security office. It was a site where military personnel were based. Ta An's soldiers were based there and people were also taken to be killed there. [...] At night when I was in [Wat Ta Meak] pagoda, they [subordinates of Ta An] took people to be killed about 20 metres away from where I was living. [...] About five persons were killed. [...] Q: Did you know who gave the orders to kill those people? A: Ta An, the Sector Chairman. The Sector Office was there, and the soldiers were his."]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A13 and A64, EN 01167886 and EN 01167894 ["They were all killed. They were arrested in 1977. Of the 100 people [including various ministry staff] sent to attend a study session in Wat Ta Meah, I think only ten survived. [...] a monk there told me that prisoners had been beaten to death and dumped in a well there."]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A42, EN 01174561 ["[Prisoners] were transferred from the commune office and held at the pagoda. Next, they were taken to be killed west of the pagoda."]; **D219/376** Written Record of Investigation Action, 26 June 2015, EN 01111627 ["Penh Va stated that East Zone people were sent to Wat Ta Meak to be killed between 1977 and 1978."]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141623 ["[Penh Va] stated that the grounds on the north side of the pagoda property were used as execution and burial grounds."].
- ⁴⁴² **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A76-77, A83 and A86, EN 01179831-33 ["There was a pagoda, Wat Ta Meak Pagoda, but it was not a security office. It was a site where military personnel were based. Ta An's soldiers were based there and people were also taken to be killed there. [...] At night when I was in [Wat Ta Meak] pagoda, they [subordinates of Ta An] took people to be killed about 20 metres away from where I was living. [...] About five persons were killed. [...] Q: Did you know who gave the orders to kill those people? A: Ta An, the Sector Chairman. The Sector Office was there, and the soldiers were his."].
- ⁴⁴³ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A236-237, EN 01331747 ["The murderer's name was Run. Q: Was Run the person whom you previously said was in Ta An's defence unit and who interrogated the prisoners? A: Yes. It was that Run."]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A70-A71, EN 01364062 ["Q: Did you know those who killed them? A: The name was Run. Q: Was Run military? A: Run was in the same courier unit as me."].
- ⁴⁴⁴ **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A64-65, EN 01167894 ["a monk there told me that prisoners had been beaten to death and dumped in a well there. [...] the authorities wanted to identify who would be pardoned and who would be killed."].
- ⁴⁴⁵ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A138, EN 01331731 ["I saw them taking two prisoners to be killed by cutting their throats at Wat Tameak Pagoda"]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309899 ["And I saw two people, the ones taken to have their throats cut at Wat Tameak Pagoda. I really did see them. Although I don't know what their story was, they were taken to be killed: their throats were simply cut."].
- ⁴⁴⁶ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A235, EN 01331747 ["I remember clearly that after they were killed, they were also disembowelled. The killer walked out of the monks' quarters and said that 'brother, would you like a bit of meat to eat.' And I said 'no.' And I rode the motorbike out from there. The next morning, I met him again, and he said that that meat was human liver."]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A68, EN 01364062 ["Q: You said that you saw two prisoners that they took out, cut their throats, and then took their livers out to be eaten. Is that correct? A: Yes, it is."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309899-901 ["their bellies were [...] slashed open to remove their livers to be fried for eating. [...] After they had cut their throats, they shoved them into the pit and slashed their bellies. I was watching but did not know what was happening, that a belly was being slashed open to take the livers. I didn't know that. The other one was left for them to do. 'You see, you son of a bitch, if you give answers, you will be spared.' Then tilted him back and cut his throat, after which his belly was slashed and his liver take out. I was standing not knowing what was being taken, wondering what was happening. Suddenly, one of them carrying a knife was walking towards me from underneath the monks' quarters. He said to me, 'Bang! Have a bit of this to eat.' I replied, 'What is it?' I wondered what food they gave me and what they made it from. No! I thought it was likely they had used the knife which they had used to cut the victim's throat. The knife blade was blood-stained. I thought 'No! I won't eat this.' So, I left quickly on my motorbike for my location. Next morning, at my location, I asked them, 'What did you eat yesterday?' They responded, 'Livers. Bang, of those two.'"]

- ⁴⁴⁷ **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17-18, A23, and A26. EN 01185815-16 [“My aunt’s family was amongst those who were taken into [Wat Ta Meak] pagoda [in 1977]. I went in to the pagoda at a time to take my aunt some of her belongings. My aunt stayed in the pagoda for only two days and two nights; after that she was taken away by a truck. Q: Did you ever see your aunt again? A: No, never. [...] About three to seven days later, I saw them bringing back some old clothes and distributing them to the mobile unit workers. [...] Q: How was she, what was her state of mind, her facial expression? A: She was sad. [...] Later on, my family knew that my aunt had been killed.”]; **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210548 [“I heard people saying that the people being gathered were being taken to Wat Ta Meak. [...] I learned from villagers and from my relatives that people were being gathered up. My uncle’s family was gathered up. They told us there were being taken to live in a new land. They were walked to Wat Ta Meak and then put on trucks and driven away. [...] My uncle’s family never returned. We assume they all died because if they were still alive they would have come back.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A80, EN 01167898 [“I was told to forget my fiancée, who was under detention at the time. I did not give any response whatsoever.”].
- ⁴⁴⁸ **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17-18, EN 01185815 [“My aunt’s family was amongst those who were taken into [Wat Ta Meak] pagoda [in 1977]. I went in to the pagoda at a time to take my aunt some of her belongings. My aunt stayed in the pagoda for only two days and two nights; after that she was taken away by a truck. Q: Did you ever see your aunt again? A: No, never. [...] About three to seven days later, I saw them bringing back some old clothes and distributing them to the mobile unit workers.”].
- ⁴⁴⁹ **D219/327** Cheng Tol Written Record of Interview, 22 May 2015, EN 00210439 [“Kun Sokha saw a single burial pit that was about 50 metres west of the Wat [Ta Meak].”]; **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A55 and A60-61, EN 01174563 [“Q: Yesterday you told us that there were graves west of your house [in Slaeng village]. Is this correct? A: They were southwest of my house. [...] They were quite small. Each of them were approximately 1.5 metres. [...] They smelled at the time.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A83, EN 01179832 [“Q: You mentioned that after the congress [chaired by Ta An, at Wat Ta Meak] there was killing. How many people were killed? A: About five persons were killed. That site was able to hold four or five persons. They probably did not want to take them to a higher-level location [Kor Security Office]. Therefore, they [killed] them and buried them close by.”]; **D219/607** Hak Kimsroeun Written Record of Interview, 16 November 2015, A9-10, EN 01184902 [“Q: In which year did you return to [Wat Ta Meak]? A: I don’t know which year it was. It was after the collapse. Q: Can you tell us what you saw upon your return? A: I saw knives and axes in my kitchen. Also sickles. My house [in Wat Ta Meak] was empty when I returned.”], A15-17, EN 01184903 [“Q: Last time you told us that when you had arrived at your house, you smelled something bad coming from pits behind your house. Can you describe that? A: I saw that that piece of land seemed to have sunk. There was a pit that looked like it had been recently filled. Q: How many pits did you see? A: Three or four. But that one was the biggest pit. [...] The pit was four metres in diameter. The surface was sinking because the corpses were rotting.”]; **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, Annex 2, EN 01167244 [map drawn by Nut Kinnang showing Wat Ta Meak as a Security Centre during the DK Southwest Zone period, identifies location of execution and burial sites on the north, east and west sides of the pagoda], EN 01167258-60 [Photos 14-16 attached to the Site ID report identify the location of burial sites]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141623 [Penh Va assisted with a site ID and stated that the grounds on the north side of the pagoda property were used as execution and burial grounds], EN 01141631 [Yeay Sroern and Kim Sreang stated that the area marked on the diagram Annex 2 as ‘execution site and grave site’ had been used to bury many bodies].
- ⁴⁵⁰ **D219/560** Written Record of Investigation Action, 14 October 2015, EN 01165542 [“The team spoke with Chan Heng whose [mother’s] house had been used as a kitchen and residence during the SWZ occupation. He told the team that at the time of their return following the fall of the Khmer Rouge they found a few big pits (mass graves) on the west side of the property where bodies had been buried. He told the team that the graves/pits were still very fresh covered when villagers came upon them, so much that the stench was hardly bearable.”], EN 01165542 [Nhong, the daughter of the owner of the property, “confirmed Chan Heng’s account of the mass graves and said that there were approximately seven pits which were located by residents after the fall of the Khmer Rouge. Nyong also showed the team a location to the north of the same area where many children’s skulls were located in one pit by villagers.”]; **D219/640** Written Record of Investigation

Action, 14 October 2015, EN 01186842 [Photo 4 depicts north side of the burial site where witness Nhung says she found a pit which contained many children's skulls].

451 **D219/619** Written Record of Investigation Action, 30 November 2015, EN 01181180 [OCIJ investigators spoke with Pal Lay, who showed the team an area [...] which was a burial ground for people from Wat Ta Meak. He saw 130 pits in total, and each pit could fit around 20 bodies]; **D219/641** Written Record of Investigation Action, 14 December 2015, EN 01186887-95 [Pal Lay's residence is on the east side of Highway 62 north east of the entrance to Wat Ta Meak Pagoda grounds. He showed the team an area approximately 800 metres to the east of his residence, where mass graves for prisoners from Wat Ta Meak were located. Annex 2 photos 1-3 depict satellite and photo images of the mass graves in the rice fields of Trapeang Lvea village.].

452 **D219/620** Pall Lay Written Record of Interview, 8 December 2015, A33, EN 01184938 ["The victims [killed and buried at Trapeang Lvea] were taken from throughout the commune and district. Many people were killed here. Even people from Tong Rong were also taken to be killed here."].

453 **D219/619** Written Record of Investigation Action, 30 November 2015, EN 01181178 [OCIJ investigators spoke with Samrith An who stated previously that there is a burial site known as Wat Ta Meak Killing Fields, located in Trapeang Lavea Village in Chrey Vien commune]; **D219/641** Written Record of Investigation Action, 14 December 2015, EN 01186888 [Pal Lay states that from his understanding, detainees from Wat Ta Meak Security Centre and surrounding areas were killed and buried in Trapeang Lvea mass grave site]; **D219/642** Written Record of Investigation Action, 12 December 2015, EN 01186846 ["Tep Mao who is 83 years old stated that he also saw the pits and that although everyone knew that people were brought from Wat Ta Meak and other places, the only people he saw being led to [Trapeang] Lvea with hands tied behind their backs were villagers from Daudie Village."]; **D219/609** Samrith An Written Record of Interview, 17 November 2015, A27 and A31, EN 01185817 ["I don't know about the location of the execution site where my aunt was killed. I just know that the nearest killing site [to Wat Ta Meak] was located near to Trapeang Lvea. [...] Q: Do people in general know that a number of people from Wat Ta Meak Pagoda were taken there to be killed? A: Yes, they generally know that."].

454 **D219/876** Chhean Heang Written Record of Interview, 13 November 2016, A37, EN 01362676 ["Q: To your knowledge who was being detained at Wat Ta Meak? A: Mostly the people who were evacuated in 1975."]; **D1.3.11.44** Ruos Chheng OCP Statement, 2 August 2008, EN 00210548 ["I learned from villagers and from my relatives that people were being gathered up. My Uncle's family were gathered up. [...] They were walked to Wat Ta Meak and then put on trucks and driven away. [...] They [the witness' family] were taken because they were considered to be new people. They had previously been evacuated from Phnom Penh. They disappeared in 1977, perhaps in June or July."]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A16, EN 01151220 ["I am not sure, but I think [the prisoners] were both new people and base people."]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A15, EN 00740802 ["Q: Did you know any killing after Ta An arrived? A: At his time, people were gathered and transferred to Wat Ta Meak pagoda. They transferred people who were evacuated from Kampong Cham in 1973 and those evacuated from Phnom Penh in 1975 to [Wat Ta Meak]"]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 ["In his village, this happened to approximately 15 families of new people. They were told they were being sent away to new villages. Trucks came to pick the people up at Wat Ta Meak, and then they were brought to be killed at Phnum Pros Phnum Srey. [...] The 15 families that disappeared were 1975 people, 1973 people or people who had connections with Comrade Sreng. The disappearances took place in 1977 after the Southwest cadres had arrived."]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 ["My sister and brother-in-law and their children were arrested. In 1977 they were evacuated and told that they were being moved to a new land. They were taken to Wat Ta Meak before being sent in trucks to a mountain. Their clothes were returned to be used at the work brigade. [...] Some of those who were taken were new people who were evacuated."].

455 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A15, EN 01167886 ["Q: Did you notice any changes while your area was under the control of the Southwest cadres? What happened at the pagoda after the arrival of the Southwest cadres? A: The former cadres [of the Central Zone in Sector 41] were arrested."], A79, EN 01167898 ["Most prisoners were cadres from various ministerial offices at the district and Sector levels."]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 ["a small number of upper-level [Central Zone] cadres like Comrade Lei and some lower-level cadres were taken to Wat Tameah Pagoda. I personally saw people being transported in vehicles. That

happened after Ta An came to administer this sector.”]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A15, EN 00740802 [“Q: Did you know of any killing after Ta An arrived? A: At his time, people were gathered and transferred to Wat Ta Mak Pagoda. [...] Later, former cadres were also transferred [to Wat Ta Meak] but I did not know where they were taken to. I only saw that they were loaded into trucks.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“Q: Yesterday you said that [the ordinary] people arrested in communes were killed in communes, but cadre from the village level upward were sent to the district and Sector. Is this correct? A: Yes, that is correct. [...] The Sector Security Office was Wat Ta Meas pagoda, Prey Toteung. Arrests proceeded as follows. For ordinary people, they would be killed on the spot – at the grassroots. For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards send village chairpersons to the Sector, and the district would decide the fate of village deputies.”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“In 1977 people were taken away by the Southwest Zone cadres by the truckload and executed [...]. The victims were first concentrated at Voat Ta Meak and then trucked away for killing. Most of the first victims were connected to veteran 304 cadres.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“In his village, this happened to approximately 15 families of new people. They were told they were being sent away to new villages. Trucks came to pick the people up at Wat Ta Meak, and then they were brought to be killed at Phnum Pros Phnum Srey. [...] The 15 families that disappeared were 1975 people, 1973 people or people who had connections with Comrade Sreng. The disappearances took place in 1977 after the Southwest cadres had arrived.”].

⁴⁵⁶ **D219/544** Chun Heng Written Record of Interview, 9 November 2015, A24, EN 01174559 [“Q: After Comrade Sreng left, for what purpose was Wat Ta Meah Pagoda used? A: It was used as a security office where evacuees from the East Zone were held.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10 and A23, EN 01156188 and EN 01156192 [“I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector. [...] Wat Tameah Pagoda was the Sector Office and a temporary detention site for prisoners from the East Zone.”]; **D219/376** Written Record of Investigation Action, 26 June 2015, EN 01111627 [“Penh Va was asked what Wat Ta Meak was used for. He replied that the pagoda was used as a meeting place. But after Ta An’s arrival it was turned into a security centre. He stated that East Zone people were sent to Wat Ta Meak to be killed between 1977 and 1978.”].

⁴⁵⁷ **D219/609** Samrith An Written Record of Interview, 17 November 2015, A17, EN 01185815 [“In 1977, a number of families were gathered in the pagoda. They were regarded as families who had Sihanouk or Lon Nol tendencies. [...] My aunt’s family was amongst those taken into the pagoda. I went into the pagoda at a time to take my aunt some of her belongings.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208391 [witness Em Kim Sroan states that some prisoners were accused of being Lon Nol soldiers and hanged by their feet to confess at Wat Ta Meak].

⁴⁵⁸ **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A60 and A62, EN 01112053 [“At the end of that regime, cadres such as the chairpersons of small and big units were called to attend the study sessions. They disappeared. [...] They were called to attend the study sessions at Wat Ta Meak Pagoda at Prey Toteung. They have disappeared ever since.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“Only a small number of upper-level cadres like Comrade Lei and some lower-level cadres were taken to Wat Tameah Pagoda. I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A15 and A79, EN 01167886 and EN 01167898 [“Q: Did you notice any changes while your area was under the control of the Southwest cadres? What happened at the pagoda after the arrival of the Southwest cadres? A: The former cadres [of the Central Zone in Sector 41] were arrested. [...] Most prisoners were cadres from various ministerial offices at the district and Sector levels.”]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A15, EN 00740802 [“Q: Did you know of any killing after Ta An arrived? A: At his time, people were gathered and transferred to Wat Ta Mak Pagoda. [...] Later, former cadres were also transferred [to Wat Ta Meak] but I did not know where they were taken to. I only saw that they were loaded into trucks.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“Q: Yesterday you said that [the ordinary] people arrested in communes were killed in communes, but cadre from the village level upward were sent to the district and Sector. Is this correct? A: Yes, that is correct. [...] The Sector Security Office was Wat Ta Meas pagoda, Prey Toteung. Arrests proceeded as follows. For ordinary people, they would be killed on the spot – at the grassroots. For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards

send village chairpersons to the Sector, and the district would decide the fate of village deputies.”]; **D219/541** Kim Thoeum Written Record of Interview, 5 October 2015, A39, EN 01174523 [“People who betrayed Angkar were detained [at Wat Ta Meak].”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“In 1977, people were taken away by Southwest Zone cadre by the truckload and executed [...]. The victims were first concentrated at Voat Ta Meak and then trucked away for killing. [...] The second wave [of prisoners] were those linked to those accused of stirring up trouble, ordinary people accused of being enemies, mostly because of old society connections.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A154 and A164, EN 01111983 [“Q: In your previous report you stated that you saw around 300 people being transported in Wat Tameak Pagoda. Please elaborate on that event. Who were they? A: They were ordinary people who were arrested from the villages. [...] I think that all of them were kept together as they were arrested along with all their family members.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and brother-in-law and their children were arrested. In 1977, they were evacuated and told that they were being moved to a new land. [...] Some people who held no position were also gathered and sent away. [...] They were taken away and kept at Wat Ta Meak”].

⁴⁵⁹ **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A24, EN 01224087 [“Kor was the Sector Security Office.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A145-146, EN 01331732 [“It [the Krouch Kor Security Office] was the Sector Security Office. [...] It was the only one belonging to the sector.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366645 [“It [the main security office] was in Kor. [...] It was Security Office Kor. [...] Kor was a sector security office.”].

⁴⁶⁰ **D1.3.10.23** Mission Report on OCP Mission to Sector 41, 8 August 2008, EN 00211153 [Meeting at Chey Vien commune office with Chan Nha, Rath Pov, Niv Sun, Chan Ya, Chhean Heang and Khun Saret: “That security office [near Wat Kor] was called Met Sop security office because Met Sop was the security chief.”]; **D1.3.10.20** Mapping Report, *Kampong Cham 2000 & 2002*, EN 00208259 [“Comrade Sop Security Office, located in Ta Kaev village, Kor commune. It was Security Office of Sector 41 of the Central Zone.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208392 [“It [Munty Santesokh Met Sop] was situated in Kroch Kor village, Kor commune.”].

⁴⁶¹ **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A24, EN 01067812 [“I heard other people [call it] Comrade Sop’s Office or Brother Sop’s Place”]; **D3/12** Bun Thim Written Record of Interview, 20 October 2010, A2, EN 00623549 [the witness worked as a medic at Krouch Commune Hospital under the control of the Southwest people: “Yes, many people were arrested [at the arrival of the Southwest people]. Most were sent to Met Sop Security Center that was [close] to this village.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208392 [“It [Munty Santesokh Met Sop] was situated in Kroch Kor village, Kor commune.”].

⁴⁶² **D303** Written Record of Further Appearance, EN 01213486 and EN 01213489.

⁴⁶³ See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.

⁴⁶⁴ See VIII. National Crimes and Crimes Not Charged – Crimes and Modes of Liability Not Previously Charged.

⁴⁶⁵ **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A28, EN 01224087 [“[Kor Security Office] was 7 kilometers away [from the Sector Office.]”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A168, EN 01111983 [“To get to that place [Kor Security Office] you need to start from Prey Toteung to the north through a path. Within a distance of seven kilometres, there is a village, and at that place you can ask the local people about the location of the prison.”]; **D219/435** Touch Chamroeun Written Record of Interview, 30 July 2015, A148, EN 01143002 [“Kor [Security Office] and Prey Totueng were close together, about one-hour bicycle ride apart. I went there once.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A144, EN 01331732 [“The Krouch Kor Security Office was there in Krouch Kor Village, maybe 10 kilometres away [from Prey Totueng].”], A172, EN 01331736 [“If one travelled from Prey Totueng, they [the security office] were about 10 kilometres, on the left hand side.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A34, EN 01179825 [“The vehicle [which was used to transport North Zone upper echelon cadres who had been arrested] was driven northwards to Kor Village, not toward Kampong Cham Province. The security office was located behind Wat Kor Pagoda.”]; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A28, EN 01309834-35 [“I had buddies who told me that if

they arrested someone and put them in a vehicle to transport them to the north. they were taken to be killed at Krouch Kor.”].

466 See para. 43.

467 **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211153 [“Wat Ta Meak - prisoners were held there before being sent to the security office that is 500 meters from Wat Kor. That security office was called Met Sop security office because Met Sop was the security chief.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A27, EN 01374644 [“He ordered Ngauv, who was the chairman of security at Wat Kor Pagoda.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A47-48, EN 01224107 [“The site [Kor] was located to the southwest [of Kor Pagoda]. [...] [I do not know] whether it was located west or south of Kor pagoda.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A34, EN 01179825 [“The vehicle [which was used to transport North Zone upper echelon cadres who had been arrested] was driven northwards to Kor Village, not toward Kampong Cham Province. The security office was located behind Wat Kor Pagoda.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A145, EN 01111982 [“Comrade Sob was in charge of the sector military, whose headquarters was about 500 metres to the east of the pagoda.”].

468 **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“[Met Sop Security Centre] was already used since 1975 headed by Met Sop, a former teacher.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A166, EN 01111983 [“[Kor Security Office was] used to keep prisoners both during Comrade Sob’s and Ta Ngov’s time.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A9, EN 01044625 [“I knew that it was a prison because I saw them taking people in vehicles to that house. My house was located near the road to that prison, so I could see many events with my own eyes.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A60, EN 01050577 [“That Security Office [in Kor Commune] functioned until the Vietnamese entered.”]; **D117/54** Socung Lim Written Record of Interview, 29 May 2014, A8, EN 01059881 [“The first Security Chairman was Sup. [...] Later when the Southwest cadres arrived they arrested and took Sup to be killed and appointed Ngauv, a cadre from the Southwest, to be the chairperson replacing Sup. Ngauv continued working until the Khmer Rouge regime collapsed.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A35, EN 01067815 [“Q: When did you stop working at Comrade Sop’s Office? A: In January 1979 before the arrival of the Vietnamese”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A106, EN 01224114 [the witness worked as a bodyguard to Ao An and then Sok from 1977: “I do not know whether [the prisoners at Kor Security Office] were killed or escaped [after the fall of the regime], because at that time Ngauv was still present at the office. I fled first.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393, Koem Lot Interview [“There were already prisoners [at the site] before 1975, but they were kept in people’s houses.”]. EN 00208399, Hun Chan Thol Interview [the witness was detained at Krouch Kor prison from September 1973 to April 1975].

469 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A41, EN 01374646 [“Q: You say the killings rose dramatically in late 1976. Did they happened dramatically before or after Ta An went to the sector? A: They happened after Ta An went there. [...] When the Southwest Zone cadres arrived they started to arrest the Central Zone cadres.”]; **D3/12** Bun Thim Written Record of Interview, 20 October 2010, A2, EN 00623549 [the witness worked as a medic at Krouch Commune Hospital from 1973 onwards, including under the Southwest cadres when they arrived in Krouch commune: “Yes, many people were arrested at that time [when the Southwest people arrived]. Most were sent to Met Sop Security Center that was [close] to this village.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A3, EN 00622274 [“I witnessed arrests of many people [after 1976] who were sent to the Sector 41 detention centre close to this place.”]; **D1.3.11.7** Cheng Tol and Kun Sokha OCP Statement, 2 August 2008, EN 00210440 [“Before the Southwest cadre people came to their region [Chrey Vicn village, Prey Chhor district], when Sreng was in charge, there were no disappearances. After the Southwest Zoners arrived in 1977 people were often ‘evacuated’ by trucks. [...] They never came back, but some of their clothes would be returned to their villages. Many people were taken away, including soldiers, 1975 people and evacuees. Too many disappeared for them to count.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“When the Southwest Zoners first arrived [to Prey Chhor district], they pretended they didn’t know what they were doing, acting dumb, and then once they had power in their hands, they began arresting everybody. They then appointed new cadres.”]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337111 [“Dany: Were there many people

arrested during the reign of Ta An? Kanx: Yes, [g]enerally speaking, during Ta An, the Southwest cadre, there were a lot of arrests made.”]

- 470 **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A5, EN 01059880 [“I saw some events at Comrade Sup Office, which was the Sector Security Office.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A24, EN 01224087 [“Kor was the Sector Security Office.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [“I do not know [what the name of the security centre was]. I only heard people calling it a security centre.”]; **D1.3.11.38** Pao Li OCP Statement, 17 November 2006, EN 00222960 [regarding the rice fields outside Krauch village, on alongside the canal from Toek Chha leading to the Sector 41 Security Office: “This was the Sector Security Office.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [“The security office was near the stream, in the fields. This was the Sector Security Office.”].
- 481 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A24, EN 01067812 [“Q: Did that [Sector 41] security office have another name? A: I heard other people call [it] Comrade Sop’s Office or Brother Sop’s Place.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A39, EN 01179825 [“Sob’s Office and Kor Office was the same office.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A86, EN 01167900 [the witness was chairman of the Worker’s Group at the Ministry of Commerce in Sector 41; his knowledge of Kor Security Centre is due to his role in transporting goods to the Centre: “I know this because Sob Security Office was known as a Sector-level office.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A5, EN 01059880 [“I saw some events at Comrade Sup Office, which was the Sector Security Office.”]; **D219/321** Khuthh Khy Written Record of Interview, 13 May 2015, A6, EN 01112024 [“Ta Sup was the chairman of security office in Kor Commune, which was a sector-level security office.”].
- 482 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A39, EN 01179825 [“Sob’s Office and Kor Office was the same office.”]; **D219/541** Kim Thocurn Written Record of Interview, 5 October 2015, A89-90, EN 01174530 [“[The Kor security office] was sector level. [...] [I know this because] Zone level was in Kampong Cham Province, Zone 304.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A24, EN 01224087 [“Kor was the Sector Security Office.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A43-44, EN 01167891 [the witness was chairman of the Worker’s Group at the Ministry of Commerce in Sector 41; his knowledge of Kor Security Centre is due to his role in transporting goods to the Centre: “The main security office was in Kor [...] It was generally known that the main security office was there.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A8, EN 01088623 [“[T]he sector prison [...] was situated in Kor Commune, Prey Chhor District.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A3, EN 00622274 [“I witnessed arrests of many people who were sent to the Sector 41 detention centre close to this place [Ta Kaev village, Kor commune, Prey Chhor district, Kampong Cham province].”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A143, EN 0111982 [“At that time, Seng reported on me twice. He once asked me to carry the letter to ‘Prison Kor’. [...] When I arrived at Prison Kor, I passed the letter to the guard.”]; **D219/435** Touch Chamroeun Written Record of Interview, 30 July 2015, A148, EN 01143002 [“Kor [Security Office] and Prey Totueng were close together, about one-hour bicycle ride apart. I went there once.”]; **D219/602** Nib Kimheng Written Record of Interview, 16 November 2015, A28, EN 01185785 [“Q: Do you know [of] a security office called Mith Sob or Kor Security Office? A: I know only Kor Village. It was next to Krouch Village. I learned of that place after the fall of the regime.”]; **D219/788** Khut Saret Written Record of Interview, 27 June 2016, A48, EN 01331688 [“I only ever heard about it [the detention centre at Kor Commune], but didn’t know anything about it. I only ever heard that there had been a detention office there in 1976. When I was in the mobile unit, my fellow mobile unit member who ran away home was arrested and detained there for one night and then released. I just heard others talk about this. [I] never saw anything. Merely hearing such things, I was so scared that I did not dare to go home, to run away home.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366632 [“Soeung was arrested and put in Security Office Kor.”]; **D1.3.11.25** Anonymous Krauch village pagoda committee member OCP Statement, 17 November 2006, EN 00222957 [“This [the detention centre north of Voat Kor] was the Sector 41 Security, where everybody was sent and killed.”]; **D1.3.10.20** Mapping Report, *Kampong Cham 2000 & 2002*, EN 00208259 [“Comrade Sop Security Office [...] was Security Office of Sector 41 of the Central Zone.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208392 [“It [Munty Santesokh Met Sop] was situated in Kroch Kor village, Kor commune.”].

- ⁴⁶³ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A144-146, EN 01331732 [“The Krouch Kor Security Office was there in Krouch Kor Village [...] It was the Sector Security Office. [...] It was the only one belonging to the sector.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A43, EN 01059869 [“There was only one security office. They called it Krouch Kor”]; **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A55, EN 01174525 [“The prisoners from Wat Tameah Pagoda were taken] to their security office at Kor, also known as Krouch Kor, Prey Chhor district. That place was the security office.”]; **D219/59** Mom Sroemng Written Record of Interview, 11 November 2014, A1, EN 010538666 [“In this village [Kokor Village located in Kang Meas District, Kampong Cham Province], I was put in Krouch Kor Security Office”].
- ⁴⁷⁴ **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211152 [“Locations [...] 3. Tuol Prey Mai Sak (aka Met Sop security office)”].
- ⁴⁶⁵ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A152, EN 01331733 [the witness was a bodyguard for An and then Sok from 1977 until 1979: “Q: Were there only Ngov’s house and the security office building within this security office perimeter? A: Those were school buildings, of which there were four. And Ngov’s house was attached to one side.”]; A171, EN 01331736 [“Q: Do you remember the name of the former school that was used as a security office? A: I do not know the name of that school. But that school was right there in Krouch Kor Village. Krouch Kor Village was in Krouch Kor Commune, Prey Chhor District, Krouch Kor Village, Neak Ta Snoeng Village, Ta Ok Village, O’Ta Thok Village and the cotton fields were close to each other.”]; **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A8, EN 00629468 [“Q: According [to] the report of the Documentation Center of Cambodia, you said that the current location of Bun Rany Hun Sen Primary school in Kor commune, was used for detaining prisoners, and it was also an execution site between 1975 and 1979. [...] A: I heard about that during the Khmer Rouge regime, and I visited the place after the fall of Khmer Rouge regime. [...] Now there is nothing left, even the landscape has changed.”].
- ⁴⁶⁶ **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A152, EN 01331733 [the witness was a bodyguard for An and then Sok from 1977. “Q: Were there only Ngov’s house and the security office building within this security office perimeter? A: Those were school buildings, of which there were four. And Ngov’s house was attached to one side.”]; A169-170, EN 01331735 [“The hall had walls all around, but it had a proper door and windows. [...] The buildings were made of wood. Those buildings were the old school, because at that time prisoners were put only in schools or monks’ quarters.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A100, EN 01364066 [“It [the detention building there at Krouch Kor] was not a masonry building. It was a wooden house.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A169, EN 01111984 [the witness was chairman of the Worker’s Group at the Ministry of Commerce in Sector 41: “In that prison compound [at the Kor Security Office], there was a hall and houses, located on a 50-metre-square plot of land. Those houses were used to keep the prisoners and for the prison staffers’ accommodations.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A85, EN 01167899 [“I went there [to Kor Security Office] once when Seng assigned me to take ropes for harnessing cattle. I saw a long hut with walls and a thatched roof not very high above the ground, and some houses surrounding the hut.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A20, EN 01067812 [“There were three (small) shacks where prisoners were detained, two shacks for staff members, a kitchen, a cattle stable, and a barn.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A9, EN 01044625 [“That prison was a house with a tiled roof and a big wooden wall.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393 [interview with Aem Chhon, who watched cattle in the area: “There were 3 buildings for the prisoners and one for the soldiers. They were 10 m. by 5 m., all in timber.”]; EN 00208399 [interview with Hun Chan Thol, who was detained at Krouch Kor from September 1973 to April 1975: “There were 6 to 7 buildings in all and people were shifted from one building to the other.”].
- ⁴⁶⁷ **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A2, EN 00623573 [“The place [Met Sop] was surrounded by a fence and paddy fields.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A169, EN 01111984 [“the prison compound [...] [was] surrounded by barbed wire.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A20, EN 01067812 [“That [Sector 41] security office was surrounded by barbed wires trees as a fence.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393 [interview with Koem Lot who lived near the prison: “The place was surrounded by barbed wire.”].

- ⁴⁷⁸ **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A2, EN 00623573 [“[Met Sop] was surrounded by a fence and paddy fields.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A9, EN 01044625 [“Yes, there was a prison located about half a kilometer from my village [Ta Kaev Village, Kor Commune, Prey Chhor District, Kampong Cham Province]. Since the rice field was so wide, I could see that prison clearly from the distance when I went into the forest to urinate or defecate or when I went to work and returned home every day.”]; **D1.3.11.38** Pao Li OCP Statement, 17 November 2006, EN 00222960 [interviewed at the rice fields outside Krauch village, on alongside the canal from Toek Chha leading to the Sector 41 Security Office: “This was the Sector Security Office.”].
- ⁴⁷⁹ **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637343 [photo with the caption: “Beginning of the former location of Met Sop. Not accessible by car. [...] This place was forbidden access in the KR period. Only very few people could come in the area to collect palm fruits.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A13, EN 01044626 [the witness lived in Ta Kaev Village: “No, they did not allow us to live around that prison.”]; **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A5, EN 00629468 [“We were not allowed to come close to this centre.”]; **D3/12** Bun Thim Written Record of Interview, 20 October 2010, A2, EN 00623549 [“Yes, many people were arrested [at the arrival of the Southwest people]. Most were sent to Met Sop Security Center that was closed to this village.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A7, EN 00622274 [“When Sop was in charge, I could walk around the compound to collect vegetables, but when Ngov took the place, I did not dare to walk near that place.”].
- ⁴⁸⁰ **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A60, EN 01050577 [“Comrade Sop worked in a Security Office in Kor Commune far from the village. It was next to an ox-cart path.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A13-14, EN 01111817-18 [“I witnessed people, whose hands were tied behind their backs, being taken away on three occasions. The Khmer Rouge arrested them, tied their hands behind their backs, and took them into the forest by ox-cart. [...] I witnessed the incident after the arrival of the Southwest Zone cadres in 1977. [...] At one point, I witnessed one ox-cart heading to a security office, which was located in Kor Village. This security office was located about 1 kilometre from where I worked. The second time, I witnessed an ox-cart heading toward the forest while I worked at Toek Chha. I witnessed the same incident when I worked at Prey Tortoeng.”], A28, EN 01111819 [“Yes, I did [witness people being taken to Sob Security Office]. I saw people being taken to the security office by ox-cart. I learned by word of mouth that any person who committed wrongdoing was taken to the security office of Kor Commune.”].
- ⁴⁸¹ **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“Today the location is a large area of rice fields and palms plantation. Nothing left of the barracks or the graves.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A10, EN 00622275 [the witness lived in Ta Keav village and was a cook for the cooperative during the DPK regime: “I saw those pits around the security centre. All those places have now disappeared. Nothing has remained. Now those places are paddies. There is only hillock by the stream, remaining.”]; **D1.3.11.54** Tes Seuan OCP Statement, 11 November 2006, EN 00208441 [“The location of the Office no longer exists.”].
- ⁴⁸² Witnesses refer to Sop variously as “Sub,” “Sup” and “Sob.” See **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222486, Entry 4076 [Hakk Bun Than (Hatt Bun Than) alias Sung, Sup, Song, Chief of Sector 41 Security, entered S-21 on 19 May 1977 and was executed on 8 July 1977]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A36-37, EN 01434525 [“Q: When you first arrived at the Central Zone, who was in charge of Sector 41? A: Comrade Sub. [...] Sub was the chairperson of the sector security office.”]; **D219/59** Mom Sroeuung Written Record of Interview, 11 November 2014, A1, EN 01053866-67 [“The chairman of [Krouch Kor Security Office] was Ta Sob.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A8, EN 01059881 [“The first Security Chairman was Sup. He was formerly a teacher in this district.”]; **D219/321** Khuthh Khy Written Record of Interview, 13 May 2015, A6, EN 01112024 [“Ta Sup was the chairman of security office in Kor Commune, which was a sector-level security office.”]; **D3/11** Nai Seu Written Record of Interview, 20 October 2010, A4, EN 00622282 [“I do not know where the security centre was located.] I just heard about the Met Sop security centre. [...] I know that Sop. [...] was the chairman of this centre.”]; **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A4, EN 00623574 [“Sop was the chairman of the sector security centre and Heng was his deputy.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A8, EN 01044624-25 [“At that time, Sob was the chief of the prison, but I did not know the prison’s name. I just knew that he was the chief.

Everyone was afraid of Sob at that time.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A44, EN 01059869 [“I heard that Comrade Sup was Security Office Chairman, but he was in the position before I went there.”]; **D219/686** Khuthh Khy Written Record of Interview, 11 February 2016, A44, EN 01216230 [“They said Sub was the chairperson. After I asked for more clarification, they said Sub was the top chairperson.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A62, EN 01111825 [“I have heard only about Comrade Sob or the security office of Kor Commune.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335730 [“Dany: So, the Military side of things was Sok. What about the Security side of things? Ngov: I only heard about Sob being there at Security back then, nor did I get to see the face of this Sob Dany: Was this Sob a previous cadre? Ngov: Yes. Dany: Was he also removed? Ngov: Removed meaning being arrested. Dany: Did you not arrive in time for that? Ngov: I was not in time.”].

⁴⁸³ **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The [Security Centre] was already used since 1975 headed by Met Sop, a former teacher.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A8, EN01059881 [“The first Security Chairman was Sup. He was formerly a teacher in this district.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A6, EN 00622274 [“Sop [...] was a former teacher.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222959 [“Sop was a Prey Toteung teacher, but I don’t know his original name.”]; **D1.3.11.22** Khun Sareth OCP Statement, 2 August 2008, EN 00210458 [“Comrade Sop was my former teacher at Trapeang Ampil primary school. He was also known as Teacher Than. He was a teacher from the old society Sihanouk time to the Lon Nol period. During the Khmer Rouge time, he took the name Comrade Sop.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211153 [in the general discussion, one of the participants stated: “That security office was called Met Sop security office because Met Sop was the security chief. Met Sop was a native of the East Zone who was also known as Teacher Ton.”].

⁴⁸⁴ **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A4, EN 00623574 [“Sop was the chairman of the sector security centre and Heng was his deputy.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [“[The Sector Security Office] was under Sop and Heng, a husband and a wife team. Then, in late 1977, Sop and Heng were taken away by car and killed by the Southwest Zoners, but I don’t know their names.”].

⁴⁸⁵ **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A86, EN 01167900 [the witness was chairman of the Worker’s Group at the Ministry of Commerce in Sector 41. He describes two guards at the entrance to Kor Security Office on a singular visit made before 1977: “I saw only two guards at the entrance [when I went to Kor Security Office]. One of them took the letter from me. They were Sector-level guards. I know this because Sob Security Office was known as a Sector-level office. Of the two, I know Pheng, who is disabled; his leg bears the scars of several bullet wounds.”]; **D219/24** Preap Sokhocum Written Record of Interview, 8 October 2014, A21, EN 01050565 [referring to the disappearance of a woman in her village who refused orders to marry: “they tied her up and loaded her on an ox-cart. [...] The ones who took Proeung away were militiamen or security guards. [...] They only came when they arrested people. We only knew that all of these security guards were from Sector Security under the authority of Comrade Sop. I did not know all of these people’s names, but they were not people originating from my hometown. [...] I did not know all of those security guards. I only knew the unit chairpersons Pha, Li, and Phi.”].

⁴⁸⁶ **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222486, Entry 4076 [Hakk Bun Than (Hatt Bun Than) alias Sung, Sup, Song, Chief of Sector 41 Security, entered S-21 on 19 May 1977 and was executed on 8 July 1977]; **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The place was already used since 1975 headed by Met Sop [...]. He was purged in 1977 and replaced by Ta Ngov after the zone came under the control of the South West Klumers rouges.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A36-38, EN 01434525 [“Q: When you first arrived at the Central Zone, who was in charge of Sector 41? A: Comrade Sub. [...] Sub was the chairperson of the sector security office. [...] I know that Sub was arrested. [...] There were many people arrested at that time. They had been accused of betraying the Party. Sub might have been one of those who was arrested [under those charges].”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A86, EN 01167900 [“I think that Pheng might have been killed because Sob was killed.”]; **D74** Roth Peou Written Record of Interview, 25 August 2011, A3, EN 00740800 [“When they [the Southwest Zoners] arrived here [...] [a]ll staff of the former Central Zone were removed and replaced by the new Southwest Zoners.”]; **D219/870** Ry

[Ri] Nha Written Record of Interview, 10 November 2016, A10, EN 01373685 [“Q: Did the arrest of the cadres from Kampong Cham happen before or after the arrival of the Southwest Zone cadres? A: They were arrested beforehand and the arrests continued during the control of the Southwest Zone cadres.”]. A52-53, EN 01373688 [“Q: Can you tell us the arrest of people at Office 41? A: [...] I remember only Ta Sop. I did not know the others because most of them were sent to be re educated. [...] None of the Southwest Zone cadres were sent to be re-educated”].

487 **D219/813.1.6** Meach Taury DC-Cam Statement, 15 June 2016, EN 01348696 [“When the Southwest Zone people came, they made Sob to tell them the location of those who were connected. [...] After he told them everything, they also took Sob away.”], EN 01348714 [“Dany: Was Sob a mean person? Taury: Yes, he was. He pointed out to people to say that this person was a ministry chief or a deputy chief. He showed them everything. Ta Sreng’s deputy was pointed out directly. For example, this old man was also a chief of logistics from the beginning and so on. Dany: Did he point out to the people to enable the Southwest Zone people to conduct the arrests? Taury: He pointed them out directly to people. He walked around to point them out directly. After he finished pointing at people, they arrested Sob as well. To that point, people said, ‘You see Ta Sop showed them everything and now they have made all the arrests. And, they are also taking Ta Sob away.’”].

488 **D6.1.1047** S-21 “North Zone Prisoners Smashed on 8 July 1977” at EN 00657714 (No. 2); **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A4, EN 00623574 [“Sop was the chairman of the sector security centre and Heng was his deputy. Sop was arrested when the southwest people arrived. He was sent to S-21. I do not know about Heng.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A17, EN 01088626 [“high-ranking cadres were arrested directly by forces to the zone level [when Ao An arrived]. Those forces came, arrested them, and sent them directly to Tuol Sleng Prison or somewhere at the zone level. I do not know where the zone security office was located, but it might have been at Phnom Pros Phnom Srey Mountains.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A95, EN 01167902 [the witness was the chairman of the Worker’s Group at the Ministry of Commerce in Sector 41: “Q: In your previous interview, you said that Sob was arrested and sent to the east. How did you learn this? A: My co-workers at the Commerce Office told me about this. I do not know if they are still alive or not.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [“Comrade Sop was the chief of this security centre, but both he and his wife were taken to be killed afterwards.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“Sop was the Sector 41 Security Chairman under Sreng and was killed at the same time as Sreng.”]; **D1.3.11.38** Pao Li OCP Statement, 17 November 2006, EN 00222960 [“The Chairman of the Office was Sop, who was in charge until the Southwest Zoners came.”]; **D1.3.11.22** Khun Sareth OCP Statement, 2 August 2008, EN 00210458 [“Comrade Sop was later ‘called up for training’ by Southwest cadre at the Sector level. This meant that he was to be executed - the Khmer Rouge did not want to use the word kill. He was executed in late 1977. I don’t know who replaced him.”]. Sop’s deputy, Heng, had been sent to S-21 two months earlier, entering the prison on 20 March 1977 and executed alongside Sop on 8 July 1977. See **D6.1.1047** S-21 “North Zone Prisoners Smashed on 8 July 1977”, EN 00657723 (No. 163).

489 **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335707 [“Yes, after the coup, they closed the schools [and they had me teach].”, EN 01335748-49 [“When I came down [in 1999 from the Ta Mok side], schools were being set up and teachers were being recruited, so I signed up to be a teacher with the others. [...] Upon arrival there [in Anlong Veng], I was in charge as the School Director. [...] 2005-2006, I was at the [education] bureau. [...] At the end, I got to be Vice Chairperson of the bureau. [...] I retired 3 years ago already, in 2013.”].

490 **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335704-05 [“Dany: What is your new name? Ngov: Chum Vong. Dany: When did you change your name? Ngov: I changed it in maybe the ’90s. Dany: In the 90s after or before integration? Ngov: Before, before.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A1, EN 01067808 [“Q: Could you tell me if the name in your identity card is your original name? A: No, it is not. My original name is Youk Nhouv.”].

491 **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The place was already used since 1975 headed by Met Sop [...]. He was purged in 1977 and replaced by Ta Ngov after the zone came under the control of the South West [Khmer] rouges.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A6, EN 00622274 [“First, Sop was the person in charge [of Met Sop detention centre], but he was arrested by the Southwest people and replaced by Ngov.”]; **D219/315** Sat Pheap Written

Record of Interview, 18 May 2015, A149, EN 01111982 [“Originally, [the Kor Security Office] was under Comrade Sob, but after the Southwest Zone group arrived, it was under Ta Ngov”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A43, EN 01167891 [the witness was the chairman of the Worker’s Group at the Ministry of Commerce in Sector 41: “The main security office was in Kor and was governed by Ta Ngauv, who took over that security office after Sob was taken to be killed.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [“Sop was taken to be killed in late 1977, Ngov was the man in his replacement.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A71-72, EN 01059874 [“Ngauv used to be Security Chairman. [...] He was Krouch Kor Security Office Chairman.”]; **D3/11** Nai Seu Written Record of Interview, 20 October 2010, A4, EN 00622282 [“I know that Sop [...] was the chairman of this centre. Later when the Southwest people came, he was arrested and replaced by Ngov.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A8, EN 01059881 [“The first Security Chairman was Sup. [...] Later when the Southwest cadres arrived they arrested and took Sup to be killed and appointed Ngauv, a cadre from the Southwest, to be the chairperson replacing Sup. Ngauv continued working until the Khmer Rouge regime collapsed.”]; **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A4, EN 00623574 [The witness worked as a messenger for Met Sop. After being accused of being *Khmer Sar* (White Khmer), he was detained at the district office and the security centre for 7 months from sometime in mid-1976. He was released by Sop before Sop’s arrest: “After his arrest, Sop was replaced by a Southwest person named Ngov. I did not know him. I only heard of his name.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208392 [Locard’s own comments: “Met Sop who was the head of the establishment until 1977, when Ta Nov, a *Niredey*, took over.”].

⁴⁹² **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, EN 01067806-18; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, EN 01434517-59; **D219/851** Chum Vong Written Record of Interview, 21 October 2016, EN 01356235-39; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335704-49.

⁴⁹³ **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The place was already used since 1975 headed by Met Sop [...]. He was purged in 1977 and replaced by Ta Ngov after the zone came under the control of the South West Kmers rouges.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A6, EN 00622274 [“First, Sop was the person in charge [of Met Sop detention centre], but he was arrested by the Southwest people and replaced by Ngov.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A149, EN 01111982 [“Originally, [the Kor Security Office] was under Comrade Sob, but after the Southwest Zone group arrived, it was under Ta Ngov”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A43, EN 01167891 [the witness was the chairman of the Worker’s Group at the Ministry of Commerce in Sector 41: “The main security office was in Kor and was governed by Ta Ngauv, who took over that security office after Sob was taken to be killed.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [“Sop was taken to be killed in late 1977, Ngov was the man in his replacement.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A71-72, EN 01059874 [“Ngauv used to be Security Chairman. [...] He was Krouch Kor Security Office Chairman.”]; **D3/11** Nai Seu Written Record of Interview, 20 October 2010, A4, EN 00622282 [“I know that Sop [...] was the chairman of this centre. Later when the Southwest people came, he was arrested and replaced by Ngov.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A8, EN 01059881 [“The first Security Chairman was Sup. [...] Later when the Southwest cadres arrived they arrested and took Sup to be killed and appointed Ngauv, a cadre from the Southwest, to be the chairperson replacing Sup. Ngauv continued working until the Khmer Rouge regime collapsed.”]; **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A4, EN 00623574 [The witness worked as a messenger for Met Sop. After being accused of being *Khmer Sar* (White Khmer), he was detained at the district office and the security centre for 7 months from sometime in mid-1976. He was released by Sop before Sop’s arrest: “After his arrest, Sop was replaced by a Southwest person named Ngov. I did not know him. I only heard of his name.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208392 [Locard’s own comments: “Met Sop who was the head of the establishment until 1977, when Ta Nov, a *Niredey*, took over.”].

⁴⁹⁴ **D219/731** Nhem Chen Written Record of Interview, 15 March 2015, A51-52, EN 01224107 [“Ke received orders from Ta Ngauv. [...] Orders from Tan An came to Ta Ngauv”], A62, EN 01224109 [“Yes, they [Ngauv and Ke] lived right there at the office. When I went there, I saw them at the security office. They did

not leave that office.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A151, EN 01331733 [the witness, as a member of the sector defence unit, lived at and worked from the Sector 41 Office for over two years from late 1976: “Q: Did Ngov live at this security office? A: Yes his house was at this security office.”], A158-159, EN 01331734 [“He had charge right until the very end in 1979. [...] When I went to be at the sector office, I saw him working there already.”], A38, EN 01331717 [“I arrived at the sector office on I do not remember what date 1976”]; **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366565 [“Dany: What about security? Pon: Security at the prison was under Ta Ngov. [...] Dany: He was directly in charge of the prison, wasn’t he? Pon: Yes. He was.”]; *contra* **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A19, EN 01067811 [“Aun assigned me to go check the Sector Security Office regularly. I went there once a week, but I did not work there permanently.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335719-20 [“Dany: So, once you had arrived in Kampong Cham, [where] were you located in Kampong Cham? Ngov: At the Sector 41 Office.”].

⁴⁹⁵ **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335740-42 [“Dany: Having fled from Prey Toteong, which way did you go? Ngov: I came to Skun. [...] Dany: What then happened once you had fled to Skun? Ngov: When I arrived at Skun, they had all vanished, and it was completely quiet, so I followed Route 6 the whole rest of the way. [...] [I fled] [a]ll the way to Kampong Thom”. See also **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A8, EN 00622274 [“In 1979 [Ngov] managed to escape; many other executioners were killed by the population.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [the witness was chairman of a transport *kang* in Kampong Siem District: “[After the arrival of the South West Cadres in late 1977] Ngov was then appointed Security Office Chairman. [...] Ngov was there until the Vietnamese came. [...] He initially fled to KampunThom”].

⁴⁹⁶ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A70, EN 01374649 [the witness was Ao An’s bodyguard after Ao An arrived in the Central Zone up to late 1977: “Ke [...] was the deputy chairman of ‘Kor’ Security Office.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A51 and A62, EN 01224107 and EN 01224109 [“Ke received orders from Ta Ngauv, and both of them were killers. [...] they lived right there at the office. When I went there I saw them at the security office. They did not leave that office.”].

⁴⁹⁷ **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309883 [“Dany: So, was most of the army was from Kampot, or local? Saren: The army was us, people from our districts. Dany: District folks? Saren: Yes. Dany: Were all the chairpersons from Kampot? Saren: Yes. All of the chairpersons were from Kampot. One can say that from the communes on up, they were all from either Kampot or Takeo.”], EN 01309902 [“Ngov was from the Southwest. All of them were from other in the Southwest at that time.”]; *contra* **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A19, EN 01067811 [“Those who worked at that security office [Sector 41 Security Office] every day were approximately 30 soldiers from a company, who regularly took turns. Yo was the chairman of that company.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A165, EN 01402246 [“I obtained the information [about prison conditions] from the soldiers and the group chairperson. Yo was the chairperson of that unit, but I never met him. Soldiers were divided into three groups, each of which consisted of ten soldiers. I do not remember the names of those group chiefs; they were not from Sector 41, but from various provinces.”]; **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A23, EN 01356238 [“Q: Where did the soldiers who worked at Kor Security Office come from? Did they come from Sector 41? A: Please read the previous interview records. I will not answer this question.”].

⁴⁹⁸ **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25, EN 01067813 [“daily specific tasks were implemented by the soldiers stationed there [at Kor Security Centre.”].

⁴⁹⁹ **D1.3.11.38** Pao Li OCP Statement, 17 November 2006, EN 00222960 [“When the Southwest Zoners came they replaced cadres all the way down to the subdistrict level”]; **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A27 and A29, EN 01356238-39 [“Q: You went to examine the security office. Do you remember the names of the workers at the security office? A: Yes, I did. I remember Thmey, Pheng and Yoeun. I have forgotten the names of others. [...] There was a unit of combatants whose name I don’t know.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A56-57, EN 01331720 [“They [Sok and Aun] asked us whether or not we knew how to read and write.

Those who knew how to read and write stood on one side. Those who did not know stood on another side. I knew how; I answered that I knew how to read and write. So, they had me to be courier and in the defence unit. Those who did not know how to read and write were assigned to go to the defence unit around the sector office. And for some they went to work at Krouch Kor Security Office. Q: Did the person named Ren know how to read and write or not? What did they have him do? A: He said he knew how to read and write. They had him go over to the Krouch Kor Security Office.”]. A165, EN 01331735 [“Q: Do you remember the names of those who served with or under the orders of Ngov, who was the chairperson of the Krouch Kor Security Office? A: I remember one person name Ang. Ang gave orders to prisoners, kept an eye on prisoners, tied prisoners up and took them out. He monitored things there.”].

500 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A96, EN 01224112 [“He [Sok] was promoted to Sector 41 Military Chairman. Sok became Sector Military Commander around November 1977.”]

501 **D219/731** Nhem Chen Written Record of Interview, 15 March 2015, A96, EN 01224112 [the witness was reassigned from Ao An to work with Sok: “Q: Could you explain more about tasks of Sok at the sector? A: He was promoted to Sector 41 Military Chairman. Sok became Sector Military Commander around November 1977. I was moved to the Sector Military and no longer followed Uncle An. Sok was also in charge of Kor Security Office, and I accompanied him twice to Kor.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A259-261, EN 01374666 [“Q: Why did Sok go to Kor Security Office? A: He went to [Kor]. He ordered me to enter that site with him, so I went there with him. He was soldier but he went to ‘Kor’. Q: When he arrived at ‘Kor’, what did Sok do? A: He just walked around to have look and he called the security chairperson to inform him about the plan, however, I did not dare to approach him. [...] He just went there to have look only.”].

502 **D219/813.1.1** Im Pon DC-Cam Statement, 26 May 2016, EN 01366556 [the witness was a messenger for Aun and a sometime driver for Ao An from 1977 to 1979: “Q: So when you arrived at Sector 41 Office you stayed with Aun? A: Yes. [...] Sok was there, too.”].

503 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, EN 01067806-18; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, EN 01434517-59; **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, EN 01356235-39; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335704-49.

504 For example, Ngov has claimed that he did not arrive in Kampong Cham until mid-1978. See **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A63-64, EN 01434529 [“Q: How long did you work for Am before he was arrested? A: For more than one month. I worked for Am and Aun for about four months, in total. Q: In your previous answer, you said that you arrived at the Central Zone in early 1978. Is that correct? A: I received information saying that I would be transferred in April 1978. Two months later, I left Sector 35.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335713 [“It was all the way until 1978 before I then went to Kampong Cham.”]. EN 01335714 [“Ngov: I’ve gotten a bit lost about the year in which forces from Kampot came to Kampong Cham. Maybe it was early 1978, likely at the beginning, because when I came it was already the end of the year. I came after everyone else. [...] Sometime between July and August. [...] Dany: For maybe many months had Ta Aim been in Kampong Cham when he came to bring you with him? Or did you come right away together with him? Ngov: No, it was later. I came later. [...] Quite a while [after him], because the forces there had come in maybe April, and I was maybe three months [after] them. [...] Dany: Ta Aim had come maybe three months before going to bring you there, too? Ngov: I am not sure I know which previous month the forces had come with Ta Aim. I can’t specify it was three months. But for me it was sometime in August that I come, but only if that’s when he came.”]. EN 01335716 [“Dany: Do you know when you came to Kampong Cham: 1977 or 1978? Ngov: I would say it was 1978 already. I came afterwards. I don’t know about those who came earlier. Dany: Did you come and stay long in Kampong Cham back then? Ngov: No, it was just a few months. It wasn’t a long, just a short time.”]; *contra* **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A36-37, EN 0142224 [“Q: When you first arrived at the Central Zone, who was in charge of Sector 41? A: Comrade Sub.”]. A15-17, EN 01434522 [Ngov has also claimed that he was merely an assistant to Am: “Am told me that he had requested Sector 41 for permission for me to go to work with him. Am was the chairperson of the sector office; he was under Ta An. [...] Am was a former chairperson of Sector 35 Office, and I had worked with him at that office. [...] I was called to help with the documentation work. In the new Sector 41 Office there was no printing house. I can write, so they asked me to help with

some general work, such as cleaning the office and keeping the documents in order”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A19, EN 01067811 [“Q: Who assigned you to supervise the Sector Security Office? When? A: Aun assigned me to go to check the Sector Security Office regularly. I went there once a week, but I did not work there permanently. I always returned to work at the Sector Office.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335737 [“Dany: Once you were there, once they put you in charge, and then once they had arrested Ta Aim and you say they no longer trusted you. How many months after that do you guess did they having you going to and being in charge of the Kroch Kor Security Office? Ngov: Maybe three months, or even less than that. Three months at most.”], EN 01335730-32 [Ngov further claims that he did not have any intimate involvement in the everyday running of the prison, he was only assigned by Aun to “check” the prison: “Dany: So, the Military side of things was Sok. What about the Security side of things? Ngov: I only heard about Sob being there at Security back then, nor did I get to see the face of this Sob. [...] Dany: Who replaced this Sob? Ngov: During that transitional time, exclusively the Army did the management. Dany: What do you mean by ‘during the transition’? Ngov: ‘The transition’ means after Sob was arrested, no cadre was officially appointed. They put the Military in place to rule over that location, and it was staffed entirely by the previous staffers there. [...] Dany: Was someone like you, military, among this contingent of military, too, or not? Ngov: No. Dany: When you came to the Sector Office, were you no longer in the military? Ngov: I was no longer military. The Office was civilian. It was the Sector Army that was military. Dany: There’s this. Those who are former cadre insiders there say you went to rule over the Kroch-Kor Office at the very end. Ngov: I went there but in the manner of something like not full rights. Dany: You weren’t full rights? Ngov: No. Dany: When did you go there? Ngov: After they had already withdrawn trust from me. My analysis was that maybe [they] pushed me to that place into which it would be easy to toss me. If there was any problem with me, I could be easily tossed in, because I had previously seen them do things in this manner. They placed those who were problematic in close proximity to that location. Dany: But they had go and run things there? Ngov: I wasn’t running things. At that time, the Military was still running things. They merely had me go back and forth there for a day or two. I went and peered in. I went and looked. It was as if I didn’t have any special task, which is why it’s hard for me to say anything. Dany: In what month did you go to run Kroch-Kor, that Security Office of theirs? Ngov: It was something like October already, already mid-October, because I went to and was at that office for maybe 2 months. Dany: So, after they arrested Sob it went over to the Military management. Who did you hear was in control before you? Ngov: I only heard that Yo was, but I never met him. I didn’t even know what unit he was in. [...] I never saw his face and hadn’t ever even heard his name. The chief running the place was Yo. Dany: Did you never see Yo when you were there at Kroch-Kor? Ngov: No, never. Dany: This Yo came after Sob? Ngov: Yes. [...] I heard only of the one, Sob, and I didn’t pursue it by asking anyone follow-up questions. [...] The administrative work office of the Sector had no contact with the Military. Dany: There at the security place? Ngov: Security was one of the units subordinated to the Sector Office. [...] The Sector managed things in like an administrative manager.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A19, EN 01067811 [“Q: Who assigned you to supervise the Sector Security Office? When? A: Aun assigned me to go to check the Sector Security Office regularly. I went there once a week, but I did not work there permanently. I always returned to work at the Sector Office.”].

505 **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335731 [“I wasn’t running things. At that time, the Military was still running things. They merely had me go back and forth there for a day or two. I went and peered in.”].

506 *See, e.g.*, **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A23-25, EN 01356238 [“Q: Where did the soldiers who worked at Kor Security Office come from? Did they come from Sector 41? A: Please read the previous interview records. I will not answer this question. [...] Q: To your knowledge, when you worked there, who controlled the Security Office and gave orders? A: The answer of this question was also in the old interview records.”], A31-32, EN 01356239 [“I would like to request that the Co-Investigating Judges look very carefully so that I would not be pressured if any of the information I have provided might not be true. [...] I’m not [worried that other witnesses have provided different information]. But I want to know the information that those people have provided before I meet them. I want to know their names and what they say about me. I need such information so that I can think about how to react to them.”].

507 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A19, EN 01067811 [“Aun assigned me to go to check the Sector Security Office regularly. I went there once a week, but I did not

work there permanently.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335736 [“Dany: When you went to be in control at Kroch-Kor Security, was there something like reports from the cooperatives, communes and districts around Sector 41? What all did they report to you? Ngov: No, because I wasn’t in their reporting chain, because if it was the districts, they reported to the Sector. Dany: They reported to Aun or Ta An, like that? Ngov: Straight to Ta An. Dany: So, that’s how the districts reported, but they didn’t report to you to tell you what was going on? Ngov: There were never any reports from districts to me personally.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A74-76, EN 01374650 [the witness was a bodyguard to Ao An after Ao An arrived in the Central Zone until late 1977: “Q: Did Ta An receive reports back in order to prove that his order had been carried out? A: Yes, he did. He constantly received reports. They were delivered to him on a monthly basis. Q: How were those monthly reports delivered to Ta An? A: Sometimes the security personnel would deliver them to him. Sometimes he had me fetch them when he did not trust the others to deliver them. Sometimes he had his messenger deliver them to him when the reports were not so important. Q: From where and whom were the reports collected before they were handed to Ta An? A: The reports were collected from Ngauv to the security chairman.”]; *contra* **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A181, EN 01331737 [“Q: Do you know whether Ngov did reports for Ta An about his work at the security office? A: I do not know. However, during that era there were no written reports.”].

508 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25, EN 01067813 [the witness began working at the Sector 41 Office in early 1978 and performed weekly site visits of the sector security office: “Firstly, I checked if the soldiers on duty there fulfilled their work well or not. I[] meant I had to check if they properly implemented their work related to security and safety when they guarded prisoners. Secondly, I checked the number of prisoners to be taken away and the number of new prisoners. Thirdly, I had to check living conditions of prisoners and the staff. Fourthly, I had to check agriculture production because there was a farm there where prisoners were required to perform labour, for example, farming paddies.”].

509 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A27, EN 01067813 [“They just had me know the numbers of new and old prisoners, to be reported to the Sector level.”]. A33, EN 01067815 [“No, I never attended a meeting of the Sector Standing Committee chaired by Grandfather An] I was tasked to report to the Sector Office Chairman. I never attended a meeting with the Sector Standing Committee, but I attended general meetings, for example, related to production”]; *contra* **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A84, EN 01063622 [“Q: Did you ever meet Ngauv during Sector level meetings? A: I occasionally met him during meetings with Grandfather An.”].

510 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25, EN 01067813 [“I just made a record of data in order to report to Aun, the Sector Office Chairman.”]; *contra* **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A74-76, EN 01374649-50 [the witness was a bodyguard to Ao An after Ao An arrived in the Central Zone until late 1977: “Q: Did Ta An receive reports back in order to prove that his order had been carried out? A: Yes, he did. He constantly received reports. They were delivered to him on a monthly basis. Q: How were those monthly reports delivered to Ta An? [. . .] From where and whom were the reports collected before they were handed to Ta An? A: The reports were collected from Ngauv to the security chairman.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A24, EN 01112050 [“Ta Aun was the sector office chairperson and Ta An was the sector secretary.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A29, EN 01111974 [the witness worked at the sector commerce office: “Ta Aun was both head of the sector office and head of sector commerce, whilst Ta An was the Sector Secretary.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A13, EN 01059864 [“In Kampot Province, Ta Aun took charge of work in an office, an office or ministry, at the provincial office. Later he was taken to Prey Totueng to do other office work; however, he was under the orders of Ta An.”], A17, EN 01059865 [“Q: In short, the Sector Committee consisted of Ta An as Secretary, Sim as First Member, and Yut as the other Member. Is that right? A: Yes. I remember that because I often saw them come to meetings.”].

511 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A25-26, EN 01067813 [“After receiving information from me, Aun reported to the Sector Committee (some of its members were District Committees, for examples, Sim and Phal, the Batheay District Committee). Q: Do you recall who were on the Sector Committee with Grandfather An? A: I only recall Sim and Phal. As for Prak Yuth, she had been transferred to Sector 41.”].

- 512 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A27, EN 01374644 [“Q: Did you ever see Ta An ordering anyone to follow him during the meetings in Kampong Cham? A: He ordered Ngauv, who was the chairman of security at Wat Kor Pagoda. He called that person to a meeting. However, the meeting was not held in Kampong Cham. It was held at the sector.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A52, EN 01224108 [“Ke’s commander [*i.e.* Ngov] received orders from Ta An as well as others who came in and out. [...] Orders from Ta An came to Ta Ngauv.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A83-84, EN 01063622 [“Q: Regarding Met Sop Security Office, did you know the last person in charge of that security office [...]? A: Yes, his name is Ngauv. My ex-husband brought him from Kampot Province to work at the Sector Office, and he was my ex-husband’s friend. [...] I occasionally met him during meetings with Grandfather An.”];
- 513 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A169, EN 01331734 [“Q: Did Ngov come to make any contact with the sector chairperson? A: I very often saw him coming in and out of the sector office. He came there to meet Ta An.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A87, EN 01167900 [“After the arrival of the Southwest cadres, Ta Ngauv replaced Sob because Sop was arrested. Ta Ngauv reported to Ta An. I know this because Ta An was Sector Secretary. I saw Ta Ngauv drive his car to Ta An’s office once every five days or once every week. I know this because when I was on guard outside my Commerce Office, along the way to the Sector Office, I saw Ta Ngauv drive his vehicle to the Sector Office.”].
- 514 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A53-54 and A59, EN 01224108 [the witness was a bodyguard to Ao An after Ao An arrived in the Central Zone until late 1977: “Q: Do you know if Ta An ever went to Kor? A: Yes, he went. [...] he went to hold a meeting about killing plans. [...] Q: How many times did Ta An go to Kor Security Office? A: Once a month or once every two months, when there were orders from above, he went.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A38 and A40, EN 01224088 [“Q: Did Ta An ever go to that Security Office [at Kor]? A He did. Q: What did Ta An go there for? A: He wanted to know whether his orders were fully implemented or not. That was all he wanted to know.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A236, EN 01374664 [“Q: In your previous interview, D219/731, at Answers 58 and 59, you said ‘I went with him regularly, except when he went to Phnom Penh.’ And, when you were asked how often Ta An went to Kor Security Office you said, ‘He went there once or twice month.’ So, does this mean Ta An went to Kor Security Office once or twice a month? How many times did you go to that Security Office with Ta An? A: As I have just said, I went there at the beginning, I went there with him three times at the beginning, I left the union and took some time to see that site. Three months later, I went there again and saw some prisoners. Later on, when I worked with Sok, I went there again. I went there four times in total. When I went there with Sok, I took documents along, but, when I worked with Ta An, I went there with him.”]. *See also* **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A182-187, EN 01331737 [the witness worked in the defence unit at Sector 41 Office for two years from 1976: “No [Ta An never used me to deliver letters to Ngov at the Krouch Kor Security Office], the person who used me to do so was Bang Aun, who asked me to deliver letters to [] various districts and to deliver the letters to Ngov at the security office. [...] I did not know [the content of the letters] I dared not open the letters. [...] Bang Aun visited [Kor Security Centre] once in a while. [...] I accompanied him there. [...] Upon arrival he sat and chatted with Ngov. I went and sat outside. [...] I did not hear [what was discussed].”].
- 515 **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A31-40, EN 01224087-88 [“Q: What happened to them in the Security Office? A: It seemed nothing occurred. They came down from the trucks one by one and entered the room right away, not letting those in the trucks see and then were tied up immediately. Q: Were they detained in the Security Office until the end of the Khmer Rouge regime? A: Not until the end, because shortly afterwards they were taken to be executed right away that night or the following night. Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. Q: What was the name of the Sector Chairman? A: His name was Ta An. Q: As for you personally, were you present when Ta An issued the orders to kill those prisoners? A: I was there personally when Ta An ordered the military to tell security. Q: Was Ta An at the security office when he ordered the killings? A: He was in the Inner Office. He ordered the military to go to security. Q: When Ta An gave orders through the military, where were you? A: I was in the Inner Office with him. Q: Did Ta An ever go to that Security Office? A: He did. Q: Did you go with him? A: Yes, I went. Q: What did Ta An go there for? A: He wanted to know whether his orders were fully implemented or not. That was all he wanted to know.”].

- 516 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A67, EN 01224109.
- 517 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A41, EN 01374646 [“Q: You say the killings rose dramatically in late 1976. Did they happened dramatically before or after Ta An went to the sector? A: They happened after Ta An went there. [...] When the Southwest Zone cadres arrived they started to arrest the Central Zone cadres.”]; **D3/12** Bun Thum Written Record of Interview, 20 October 2010, A2, EN 00623549 [the witness worked as a medic at Krouch Commune Hospital from 1973 onwards, including under the Southwest cadres when they arrived in Krouch Commune: “Yes, many people were arrested at that time [when the Southwest people arrived]. Most were sent to Met Sop Security Center that was [close] to this village.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A3, EN 00622274 [“I witnessed arrests of many people [after 1976] who were sent to the Sector 41 detention centre close to this place.”]; **D1.3.11.7** Cheng Tol and Kun Sokha OCP Statement, 2 August 2008, EN 00210440 [“Before the Southwest cadre people came to their region [Chrey Vien village, Prey Chhor district], when Sreng was in charge, there were no disappearances. After the Southwest Zoners arrived in 1977 people were often ‘evacuated’ by trucks. [...] They never came back, but some of their clothes would be returned to their villages. Many people were taken away, including soldiers, 1975 people and evacuees. Too many disappeared for them to count.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“When the Southwest Zoners first arrived [to Prey Chhor district], they pretended they didn’t know what they were doing, acting dumb, and then once they had power in their hands, they began arresting everybody. They then appointed new cadres.”]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337111 [“Dany: Were there many people arrested during the reign of Ta An? Kann: Yes. Generally speaking, during Ta An, the Southwest cadre, there were a lot of arrests made.”].
- 518 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A42 and A45, EN 01179826, *See also* **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A55-57, EN 01374647-48 [“Q: Did you see them trucking the people and driving towards the security office? A: Yes, I did. Uncle Aun said ‘If the truck is full send them to ‘Kor’’. [...] Ta An was the person who ordered Uncle Aun to do that. [...] They took 10 people each time. When those people entered the site [at Kor] they were never seen again.”]; *contra* **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A32, EN 01067814 [“It [the number of prisoners sent to Sector 41 Security Office] depends. Sometimes two people and other times five people, and we cannot say two or five people a week because in some months two or five people left.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A176, EN 01331736-37 [“Q: Do you know whether prisoners were sent to this security office [Kor] regularly? A: It was not regularly.”].
- 519 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A61, EN 01374648 [“‘Kor’ was the place where prisoners would be brought from the districts in the Central Zone. When [prisons] in the East Zone were too overcrowded prisoners would then also be sent to Kor. No prisoner, who was sent to Kor, would be sent other places.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A46, EN 01179826-27 [“Q: Did you know where the trucks and jeep came from or where they were going? A: They were from villages in Skun District, Cheung Prey District, and Prey Chhor District, initially going to Kor Security Office. Kor Security Office was full, they were transported straight [to] Kampong Cham Province.”], A53, EN 01179828 [“Q: You have said that the Jeep was used for three months after the arrival of the Southwest group. How long after those initial three months did you continue to see large trucks and the Jeep going back and forth? A: They went to Kor Prison for two months and to Kampong Cham during the final month.”]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348673 [“Dany: Were soldiers, Sreng and Taing’s networks, arrested and detained at the sector office? Ath: I guess, those people were not detained here. They would have been taken to Tuol Sleng because the networks of high-ranking cadres were not detained here. They were not detained at the sector office or the commune office here. The commune chief and the district chief and the higher-ranking cadres were not detained in this sector. I never heard that they were detained in this sector. They were transported by truck to the west. To the west means to Phnom Penh.”].
- 520 **D219/541** Kim Thoeurn Written Record of Interview, 5 October 2015, A55-56, EN 01174525 [“[The prisoners from Wat Tameah Pagoda were taken] to their security office at Kor, also known as Krouch Kor, Prey Chhor district. That place was the security office. [...] The prisoners were detained temporarily at the Wat Tameah Pagoda, where they were tortured and then sent on to Kor Security Office.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787220 [the witness was a labourer at a warehouse at Wat Peam Chi Kang Pagoda in Kang Meas District from 1977: “In 1975-1976, I used to be

there [Wat Ta Meak], but there was never any security office there. Only upon Ta An's arrival did he create that Security Office.”]; **D1.3.11.44** Ruos Chhieng OCP Statement, 2 August 2008, EN 00210549 [the witness was a villager in Dondei village, Chrey Vien, from 1975-1979: “Wat Ta Meak was not used as a security office before the Southwest Zone cadres arrived. [...] [Previously] it might have been used as a warehouse.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A231, EN 01374664 [“No, I did not [ever see them sending prisoners from Wat Tameak Pagoda to anywhere else]. However, I delivered letters there with Uncle Sok. Later they said that those people were to be sent from Wat Tameak to be place[d] at ‘Kor’. They did not kill people at Wat Tameak Pagoda; they took them to be killed at ‘Kor’.”].

521 **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“Sometimes, people were brought in from Au Trakuon by the truck full to the Security Office.”].

522 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A67-68, EN 01374649 [“I heard it from Uncle Aun who said that Phnom Pros was already full that we had to use the American 4x4 trucks from the sector to transport the prisoners to ‘Kor’. He said that he got the permission from the Zone to transfer the [prisoners] to ‘Kor’. [...] For example, he told the driver. He told them to bring the prisoners to ‘Kor’ when Phnom Pros was full.”].

523 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 November 2014, A21, EN 01067812 [regarding the weekly site visits of the sector security office which he performed: “When I went to check, there were no more than 20 prisoners.”], A39, EN 01067816 [“I cannot estimate [how many prisoners were killed at Kor Security Centre]. I just knew that a week before the arrival of the Vietnamese, there were 20 prisoners, and before that I did not see pits of dead bodies or I did not smell any bad odours there.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A50, EN 01224088 [“When I went to Kor Security Office with Ta An] [f]rom my estimation, there were about 40 prisoners. I did not dare to look clearly.”]; **D1.3.11.25** Anonymous Krauch village pagoda committee member OCP Statement, 17 November 2006, EN 00222957 [“After the Vietnamese came, I went immediately to this location [Sector 41 Security Office] and saw that everybody who had been a prisoner there was killed, 50 or so.”].

524 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A154, EN 01331733 [the witness was a messenger in the Sector 41 defence unit from 1976: “Sometimes, I visited there [Kor Security Centre] when I come from cotton plantation. Sometimes, I rode with prisoners. The number of prisoners were 200 to 300.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A95, EN 01364066 [“Q: From everything you know, is it correct that Krouch Kor was the biggest security office belonging to the sector? A: Yes, it was. They put hundreds of prisoners there.”]; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309903 [“Dany: Were there many prisoners at Krouch Kor? Saren: There were many. Dany: Many prisoners? Saren: Yes. There were hundreds. Dany: Hundreds? Saren: Yes.”].

525 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, EN 01224108, A52 [“Orders from Ta An came to Ta Ngauv.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A56, EN 01374648 [“Q: Just now you said Ta Aun was the person who decided to where the trucks [full of prisoners destined for Kor Security Centre] would be driven. Did Ta An know what was happening? A: Yes, he did. Ta An was the person who ordered Uncle Aun to do that.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A22-33, EN 01179823-25 [“I saw the arrests of Sau and Hau [Chairpersons of the Sector Logistics Office]. [...] [The arrests were ordered by] [t]heir leader, meaning An, who was Sector Committee. [I know this because] [t]hey [Sau and Hau] were from the Sector Office and worked for An. [...] They were sent to the Security Office at Kor, the Sector Security Office.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A37-38, EN 01067816 [“During several months I worked there, I never saw or knew that Grandfather An went there [to Kor Security Centre]. [Grandfather An] was the Sector Secretary in overall charge, so he certainly knew about [Comrade Sop Office]”]; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309905 [the witness was a messenger and bodyguard to Aun from 1976 onward: “I heard him give orders to the Sector and suchlike Chairperson(s). That I heard, Dany: What did you hear? What did he say? Saren: To go make arrests here and there. But there were reports coming from the sector, at the factory(ies) and workshop(s) and so on, so he would come back with orders saying, ‘Go and bring them in[.]’. There was rarely a case of mistaken identity among those arrested when going to bring them in. But if [it] was the wrong person, they would be taken away and beaten to death anyway.”].

526 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A4, EN 01374642 [“He [Sok] received orders from Ta An of the sector.”]. *See also* para. 78.

- 527 **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A5, EN 01059880 [the witness worked in a transportation unit in Prey Chhor District from late 1975 until the end of the regime: "Q: [...] what did you see at Comrade Sup Office? A: [...] I saw the Khmer Rouge arrest people and take them to Comrade Sup Office many times."], A11, EN 01059881 ["The Sector Military [arrested people]."]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A88-100, EN 01179833-35 [the witness worked under Sau, then Hao and then Kun (a Southwest cadre), at the Sector 41 Logistics Office and recalled that Ao An ordered the arrest of people with links to North Zone cadres: "[Ta An] came down in person together with his subordinates to arrest those people. He summoned those people to the meetings and arrested them straight away. He did not need to go down to their houses to arrest them one at a time. [...] He summoned the people to meetings at his house and then arrested them. Those remaining were arrested by his soldiers. [...] Approximately 50 persons from all sections [were arrested]. [...] Some were sent to Kor Security Office"]; *contra* **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A171, EN 01434548 ["Normally, the sector military did not go fetch the prisoners; they only waited to receive the prisoners. [...] The prisoners were taken to the security office by the districts."]; **D219/813.1.6** Meach Tauy DC-Cam Statement, 15 June 2016, EN 01348702 [the witness worked at the Sector 41 Logistics Office from 1975 to 1979: "There were approximately 20 to 30 soldiers at the sector office. [...] They were from all the three districts. [...] The Southwest Zone people only gave the orders. It was the idiots from our place [who carried out the actual arrest]."]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337111 [the witness was deputy chief of Sector 41 Logistics. "Ta An's soldiers were in charge of the arrest. They resided by Ta An's house."].
- 528 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A104, EN 01364067 ["Q: For arrests back then in the communes, did the commune guys dare to make the arrests or did they receive orders from the upper echelon? A: In that period, they did it all by themselves. Even unit chiefs dared to make arrests, not like in our period now."]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A19-20, EN 01088626 ["Prior to this arrest, [Comrade] Lei for arrested people and brought them to Comrade Sub's office. Comrade Lei informed me of this personally."].
- 529 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A262, EN 01374666 ["To my knowledge, security personnel did not arrest people first hand. Mostly the commune military or commune militiamen, who were called commune militants, did it first hand and sent the arrestees to the security people. They were young and definitely did it whenever they were ordered to do so."].
- 530 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A33, EN 01374645 ["In terms of the arrests, they said using the term 'arrest' sounded too serious and it might raise the awareness of future arrestees. So they used the term 'to attend study session' through an invitation letter. For example, the names of those who had to be arrested were put in the list of those who had to attend the study sessions."], A57, EN 01374647 ["They did politics with those people by tricking them to believe that they would be taken to attend the study sessions. They took 10 people each time."]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A20-21, EN 01224087 ["[The trucks] came in only when there was a plan. They did not come in everyday. [...] [The cadres] were not bound because they were told they were going to study."], A30-31, EN 01224087 ["[Cadres that were sent to Kor Security Office] were called and placed in trucks and told that they would go to study or to attend meetings, like that."]; **D219/686** Khuthh Khy Written Record of Interview, 11 February 2016, A45, EN 01216230 [the witness worked as a mechanic at the Sector 41 garage from about three months after the Southwest cadres arrived until the end of the regime: "They did not come to arrest them at my place [Sector 41 garage]. When they wanted to arrest someone, they called that person to attend a meeting at another place."], A106, EN 01216236 ["I only heard about this [that some people were arrested in the meetings at the security office], but I did not know if it was true."]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A5, EN 00622274 [the witness describes how people were arrested after 1976: "Sometimes, they summoned the people to attend study sessions, and sometimes, they just surrounded the houses and made the arrest. I do not know who the persons making the arrests were. They were in black uniform and armed."]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348678 ["Dany: You talked a moment ago about Krauch-Kor [...] When Ta An arrived, were many people arrested and sent to that security office? Ath: People disappeared and I heard that they were sent to that place. People disappeared from their homes and from the villages. At that time, the term 'attending a study session' was used. The term 'arrest' was never used. If one was sent to attend a study session one would disappear."]; **D219/813.1.6** Meach Tauy DC-Cam Statement, 15 June 2016, EN 01348701 ["Dany: Therefore, he [the witness's cousin

So] was arrested around mid- or the end of 1977. Is that correct? Tauy: Yes, it is. It was probably during that time. Dany: Did you see the arrest yourself? Tauy: Yes, I did. [...] It took place right at the sector office. [...] He was summoned to a meeting at the sector office. [...] When he arrived, they tied him up. They tied him to the main pillar of the office. He was chained and made to sit on the ground. In the afternoon when I went to eat lunch, they tied his hands behind his back and made him sit opposite the wall at the back of the car. They covered him with a scarf like this. The car drove past the place where I was eating my food.”]

531 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A88-100, EN 01179833-35 [the witness worked under Sau, then Hao and then Kun (a Southwest cadre), at the Sector 41 Logistics Office: when Ao An ordered the arrest and killing of people linked to the North Zone cadres: “he came down in person together with his subordinates to arrest those people. He summoned those people to the meetings and arrested them straight away. He did not need to go down to their houses to arrest them one at a time. [...] He summoned the people to meetings at his house and then arrested them. Those remaining were arrested by his soldiers. [...] They were held at gunpoint and arrested straight away. [...] Approximately 50 persons [were arrested] from all sections. [...] Some were sent to Wat Ou Trakuon Pagoda. Some were sent to Kor Security Office.”], A105-108, EN 01179836 [“I do not know who was sent where. I only know that some were sent to Wat Ou Trakuon in Kang Meas District. I heard this from Industry Office people who came to collect rice from my office. Those who were arrested and brought from remote area, for example, Prey Chhor District, were sent to Kor Security Office. [...] [I know this because] I worked in an office located next to a main road. The people from my office that were arrested were transported in lorries to Kor Security Office. [...] Those who were gathered together and sent to Ta An’s house were sent to Kor Security Office. Workers at the Industry Office in charge of making pots and water jars were sent by boat to Wat Ou Trakuon Pagoda.”]

532 **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A20-21, EN 01224087 [“[The trucks] came in only when there was a plan. They did not come in everyday. [...] [The cadres] were not bound because they were told they were going to study.”], A23-24, EN 01224087 [“they were sent to Kor Security Office the following day. [...] Kor was the Sector Security Office.”], A30-31, EN 01224087 [“[Cadres that were sent to Kor Security Office] were called and placed in trucks and told that they would go to study or to attend meetings, like that. Upon arriving at Kor Security Office, they were called one by one to go inside a room and then tied up. [...] They came down from the trucks one by one and entered the room right away, not letting those in the trucks see and then were tied up immediately.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2015, A49, EN 01224107 [“In later days the arrestees probably realized what was happening, and their arms were tied behind their backs and put back on trucks at once.”]

533 **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A6, EN 01059881 [the witness worked in the rice fields near Kor Security Centre from 1975 to 1979: “I cannot estimate the number [of people detained at Met Sop], but I know that they sent prisoners from other communes, Sectors, and provinces there too.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A11, EN 01044626 [“Those newcomers [ex-Lon Nol soldiers and their families] were taken away [from Ta Kaev village] after the arrival of the Southwest group. I heard they were taken away from the village in vehicles during both night and day.”]; **D219/226** So [Sau] Saren Written Record of Interview, 22 September 2016, A102, EN 01364067 [“[To my knowledge, the Krouch Kor prisoners] were arrested in the communes and districts in the sector and detained in this sector office.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A27, EN 01067813 [“As for prisoners ‘brought in’, they were sent from other districts and sent by soldiers to Comrade Sop’s Office.”], A29, EN 01067814 [“Most of the prisoners were arrested from different cooperatives from various districts in the Sector, and other prisoners were arrested from other units in the Sector.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335728 [“Because there were prisoners sent in from the districts, so there must have been arrests in the districts.”]

534 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A45-46, EN 01179826-27 [“[After the Southwest group arrived, the vehicle transported people to Met Sop (Kor) Security Office] I saw it every day. Sometimes I saw that twice a day, sometimes three times a day. Sometimes I saw this at night. I saw from two to ten people being taken away at a time. [...] [The trucks] were [coming] from villages in Skun District, Cheung Prey District, and Prey Chhor District, initially going to Kor Security Office. [If] Kor Security Office was full, they were transported straight [to] Kampong Cham Province. I heard this from the ‘base’ people who came to collect rice husk from my office. They were ‘old’ people, so they could [talk] more freely.”]

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D3/21 Met Sop Site Identification Report, 29 November 2010, EN 00637341 [“[A]fter the zone came under the control of the South West Kmers rouges. From that moment, many cadres from the zone and districts were arrested. Some were sent to S21, others to the sector security center. No one survived.”]; **D219/120 Prak Yut Written Record of Interview**, 30 September 2014, A53, EN 01063617 [“Some old cadres and old commune chiefs were arrested and detained at the Kampong Siem District Security Office before being sent to the Sector security office.”], A54, EN 01063617 [“Yes, that is correct [that Grandfather An gave an order to [me] to arrest all the old commune chiefs and old cadres to be detained at the district security office and [to wait] for Grandfather An to take them to the Sector security office.”]; **D219/855 Nhem Chen Written Record of Interview**, 27 October 2016, A38, EN 01374646 [“[At the meeting in Kampong Cham] They just said they would take them [the arrestees] to Wat Tameak Pagoda, but the senior ranked ones would be sent to Phnom Pros Mountain, and the next level would be taken to Kor Security Office.”] **D3/15 Duong Sim Written Record of Interview**, 21 October 2010, A3-4, EN 00622274 [“I witnessed arrests of many people [after 1976] who were sent to the Sector 41 detention centre. [...] Some of the people arrested were civilians, and some were cadres such as chiefs of districts.”]; **D219/226 Penh Va Written Record of Interview**, 11 March 2015, A16, EN 01088626 [the Civil Party Applicant was a member of the textile unit of Sector 41 situated in Prey Tortoeng Village, Prey Chhor District. He saw people being arrested and taken to Kor Security Office until October 1977: “From my recollection, those sent to Sector 41 Prison were family members, especially the wives and children of cadres who had been purged. Those people were taken to receive re-education and they have disappeared ever since. Low-ranking cadres were sent to this prison, while high-ranking cadres for instance Ta Taing, were sent to Tuol Sleng Prison.”], A13, EN 01088624 [“Ta Taing was the Secretary of Sector 41; Ta Sal was the head of the sector office. Chhan and Comrade Heng were members of the sector committee. Ta Taing went to receive re-education and disappeared. People in my unit stated that Ta Sal and Chann were arrested immediately after the Southwest Zone cadres arrived. [...] Those people who were arrested might have been sent to the sector prison, situated in Kor Commune, Prey Chhor District. [...] After the Southwest Zone cadres arrived, many former cadres of the sectors, whose names I do not recall, were purged. All of them had served as the unit chiefs”]; **D219/582 Toy Meach Written Record of Interview**, 2 September 2015, A32-33, EN 01179824 [the witness worked in the Sector 41 Logistics Office: “It is difficult to say any clear reason [why my superiors at Sector 41 Office were arrested]. But I assume that all the people in the upper echelon in the North Zone were arrested. The people in the upper echelon were arrested because they were affiliated with these persons. I did not see them commit any mistakes. [...] They were sent to the Security Office at Kor, the Sector Security Office.”], A36-38, EN 01179825 [“I knew many people [that were transported in the vehicle that belonged to the Sector Office], but I have forgotten their names. I remember Than. He was arrested and transported in that vehicle. That stopped at my office. He called out to me to tell his wife that [he] would not survive. [...] Than was my group chairperson. My older sibling was arrested and sent to the security office. [...] Other people were arrested too, namely Kim, Set, Laut, and Meng (teachers). They were well educated. [...] Kim was from the logistics office. Set, Laut, and Meng were from the Commerce Office. My older sibling was a chairperson in a mobile unit in Mean Commune.”], A40, EN 01179826 [“When the Southwest group arrived, the people in the offices were all arrested”]; **D117/64 Thong Kim Khun Written Record of Interview**, 4 August 2014, A2, EN 01044605 [“the Southwest group arrived in my area [Kang Meas District] in 1977. I do not remember the date exactly, but they arrived here during the rainy season. Initially they arrested the former base cadres here and sent them to Kor Commune, Prey Chhor District (Investigator remark: That was the location of the Comrade Sub Security Office).”]; **D219/321 Khuth Khy Written Record of Interview**, 13 May 2015, A6, EN 01112024 [“All the cadres who were replaced by the Southwest Zone Cadres, were sent to an education office in Kor Commune. I heard this from people who came to arrest them. Those people were from the security office in Kor Commune. They were sent to arrest people. [...] I do not know the names of those who came to do the arresting. They were strangers.”]; **D117/56 Chom Vong alias Youk Ngov Written Record of Interview**, 19 June 2014, A29, EN 01067814 [“Most of the prisoners were arrested from different cooperatives from various districts in the Sector, and other prisoners were arrested from other units in the Sector.”], A185-187, EN 01402250 [“I heard there were people from the sector-level units who were detained there [at Kor Security Centre].”]; **D1.3.11.26 Kun Sotha OCP Statement**, 11 November 2006, EN 00208384 [“In 1977, people were taken away by Southwest Zone cadres by the truckload and executed, including those with old society connections and those who were linked to veteran North Zone cadres, but mostly the latter. [...] Those closest to old 304 cadres were taken to the security office at Voat Kor. This is was the first wave.”]; **D1.3.11.49 Soeng Leum OCP Statement**, 17

November 2006, EN 00222963 [“Tang, Sreng, Non and Kaev were all taken away, and there’s a security office here [Prey Chhor district], with a prison for those to be punished, where anyone connected to old society powerholders and anyone connected to them was killed. They were not only imprisoned, but killed.”]; **D1.3.11.42** Rath Poy OCP Statement, 1 August 2008, EN 00210536-7 [the witness’s brother, Rath Eth, was the chief of Banteay Roeng village in Chrey Vien Commune. He was purged in October 1977: “He was taken to Kor security office [...] [I knew my brother was taken to Kor security office because] [o]ne time I went to harvest rice near the prison and I saw my brother being walked outside the prison by a security officer. He was really skinny. [...] I never saw him again.”]; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309903 [“Dany: What about your other fellow called Ren? Did you ever meet him after he was sent to Krouch Kor? Saren: Sure, I met him, I met him all the time. I met him very often when I went to look at that prison, to visit it I was used to do anything. I just went to look around the place. Initially, A Pe Hum was chairperson, the Military Chairperson, who was also my boss. [...] But he was also arrested. He was arrested and imprisoned there at Krouch Kor.”]; **D1.3.11.16** Henri Locard, Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [The witness, Mao Huo a *renaske*, tended cows in the Kong [Kang] Meas District during the regime: “The *santesokh* staff consisted of 11 persons [...]. The *mekuk* was first Leoun who came from the district. He was purged at Kroch Kor that was the *dambon* prison where the *kamaphihai* were sent.”].

536 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A42 and A44, EN 01179826 [“[After the Southwest group arrived, the vehicle transported people to Met Sop (Kor) Security Office] [t]hree or four times a day, both day and night. At night they used large lorries to transport many people, all so-called ‘17 April’ people after liberation. [...] I saw this happen over a period of more than three months, until almost all of the ‘new’ people [...] had disappeared. [...] I saw it every day. Sometimes I saw that twice a day, sometimes three times a day. Sometimes I saw this at night. I saw from two to ten people being taken away at a time.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6-7, EN 01088622-23 [the witness worked in the textile unit of Sector 41 situated in Prey Tortoeng Village until October 1977. During that time he witnessed happenings at Kor Security Office: “[The victims that were taken from the Security Office in trucks to Phnom Pros Phnom Srei to be killed] might have been people whom their unit chiefs disliked, and they could have been the new and base people. I learned that those people were taken from different communes and districts.”]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348664 [“[U]nder the leadership of the Southwest Zone, people from Phnom Penh were also targeted. Those people were the ones who had high status in society, including business people who had lived in the city. People, who were evacuated from the city, were taken away. Local people were spared. The evacuees were in danger.”].

537 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A42 and A44, EN 01179826 [“[After the Southwest group arrived, the vehicle transported people to Met Sop (Kor) Security Office] [t]hree or four times a day, both day and night. I saw this happen over a period of more than three months, until [...] half of the ‘base’ people had disappeared.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6-7, EN 01088622-23 [the witness worked in the textile unit of Sector 41 situated in Prey Tortoeng Village until October 1977. During that time he witnessed happenings at Kor Security Office: “[The victims that were taken from the Security Office in trucks to Phnom Pros Phnom Srei to be killed] might have been people whom their unit chiefs disliked, and they could have been the new and base people. I learned that those people were taken from different communes and districts.”].

538 **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A6, EN 00629468 [“No, I have not [been inside Met Sop security centre]. If someone came close to that place, he or she would be arrested and accused of being CIA or KGB agents.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A232, EN 01374664 [“I knew there were prisoners at ‘Kor’ only. I knew this because I was with Ta An. At the time, Sok went there, and I saw the prisoners. I asked him where those prisoners were from. He said they were from all the communes. Anyone who made mistake was sent to Kor Security Office.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A36-37, EN 01434526 [“There were many people who were arrested at that time [that Sop was arrested]. They had been accused of betraying the Party”]; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A31, EN 01309834-35 [the witness stayed in Prey Totueng while being transferred between communes, four of those with them were arrested and taken to Kor Security Centre: “After sleeping in Prey Totueng for two nights, those who had a no-good biography were taken to Krouch Kor.”].

- 539 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A101, EN 01364066 [“as far as I know, those they arrested and detained there [at Krouch Kor] were all in connection with folks who had jobs they worked during the Lon Nol period or were bourgeois.”]; **D219/813.1.3** Bun Ath DC-Cam Statement, 23 May 2016, EN 01348664 [“Dany: After the Southwest Zone cadres arrived, did they arrest only those two important networks? Ath: Yes, they did. Those two networks were targeted. First, they arrested Sreng’s [an Old North Zone cadre] networks. Then they further investigated to arrest more of the Lon Nol soldiers’ networks.”].
- 540 **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.25.20-15.27.07, EN 01361566-67 [the Civil Party was forcibly married in early 1977: “At that time I was not told that I would marry this man or that man, so for that reason I did not feel that I wanted to get married at all. But I was scared. I was scared of the killing, of the threat that I received. I was afraid that if I did not obey Angkar instructions then I would be killed, so I went to that location in tears. [...] I was scared because I was threatened that I would be either killed or put in a prison. They don’t use the word ‘imprisoned’ but they said I would be sent to Sop security office and I was afraid to die; that’s one thing. The other thing is that I would be detained in that office. I would be deprived of food. I would be assigned to work and that I would be chained or shackled in that office. And because of such fear, I had to force myself to live with my husband without consummating the marriage for that period of four months.”]; **D219/760** Pat Poem Written Record of Interview, 10 May 2016, A17, EN 01313235 [the witness worked in a children’s unit near the sector office, tending animals: “anyone who was to be punished they took to Kor. We children were also threatened that if we were not careful we would [be] taken to Kor too.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A28, EN 01111819-20 [the Civil Party Applicant harvested rice in Ta Ream Village in 1977: “Yes, I did [witness people being taken to Sob Security Office]. I saw people being taken to the security office by ox-cart. I learned by word of mouth that any person who committed wrongdoing was taken to the security office of Kor Commune.”]; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309904 [“Some [of the prisoners at Kor Security Centre] were just people. They mostly were nothing more than just people. [...] [T]hose who stole a banana were also there.”]; **D219/813.1.12** Chom Vong alias Youk Ngov DC-Cam Statement, 22 June 2016, EN 01335733 [“Dany: What had most of them done wrong to be sent to the Kroch-Kor location? Ngov: I [didn’t] grasp their problems in any detail. If I were to analyze, sometimes they were persons unhappy with the work in the cooperatives or they had boy-girl morality problems. From what I could see, there seemed not to be any serious matters.”].
- 541 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A42, EN 01179826 [“At night, they used large lorries to transport many people [to Kor Security Centre]”, A54-55, EN 01179828 [“Q: As for the lorries which you saw, to which level did they belong? A: Zone level. [...] On the front and back of the bumpers of the lorries was the symbol ‘Phor, Phor’ [the abbreviation for Zone].”, A107, EN 01179836 [“Those who were arrested at Prey Chhor District were [transported] by truck to Kor Security office.”]; **D219/321** Khuth Khy Written Record of Interview, 13 May 2015, A9, EN 01112025 [the witness worked as a mechanic in Chrey Vien village, Prey Chhor District from three months after the Southwest Cadres arrived in Po Sala village: “I heard that there were big trucks which were used to carry people from the security office. This security office was the security office which was under Ta Sup’s control”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A26-27, EN 01224087 [“[The trucks that were used to transport the cadres to Kor Security Office] were Sector trucks. [...] American kat-kats, big trucks.”]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [“Sometimes, they used trucks from the sector garage and transported people to the sector prison that was situated in Kor Commune of Prey Chhor District.”], A21, EN 01088626 [“They drove people to Comrade Sub’s office in 2.5-ton truck, and it could carry up to about 50 people. They used the same truck to transport people from various districts to Comrade Sub’s office. The truth is that there were between 20 and 30 of this kind of truck in Sector 41.”].
- 542 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A21, EN 01088626 [“They drove people to Comrade Sub’s office in [a] 2.5-ton truck, and it could carry up to about 50 people.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A91, EN 01167901 [“When their [the Jeep or Aun’s car] cargo bays were covered by tent canvas, that meant that there must be people inside. The driver told my co-worker at the Commerce Office that when the vehicle’s cargo bay was fully covered, that meant there were prisoners underneath.”], A89, EN 01167900-01 [“I saw [prisoners] transported by Jeep [to Kor Security Office]. The prisoners were covered by a sheet laid over the cargo bay to prevent them from being visible. I know where this car transported them to because at the four-way intersection with Peam Chh Kang, Kampong

Cham, Tuek Chha and to the east, that Jeep headed north, the direction to Kor Security Office.”]. A92, EN 01167891 [“I saw vehicles from the Zone heading from [the] west [with their] cargo bays [...] covered by tent canvas, and I was able to see people moving underneath the canvas stretched over them.”]; D219/582 Toy Meach Written Record of Interview, 2 September 2015, A41, EN 01179826 [“The large trucks could carry 50 people under a tarpaulin.”]; D219/686 Khuthh Khy Written Record of Interview, 11 February 2016, A101, EN 01216236 [“Normally, the vehicles with the cover were used to transport people [to the sector security office].”]; D219/813.1.3 Bun Ath DC-Cam Statement, 23 May 2016, EN 01348674 [the witness was a guard at the sector office from 1976/77: “I saw the arrestees in trucks covered with canvas. I only saw the trucks covered with canvas. I did not see people on the trucks clearly. If the sector office were here, I lived about 500 meters away.”].

543 D219/582 Toy Meach Written Record of Interview, 2 September 2015, A23-26, EN 01179823 [“[The vehicle used to arrest Sau and Hau] was a military vehicle, a Jeep. [...] The vehicle belonged to the Sector Office. [...] I saw that vehicle at the Sector Office every day. [...] The same vehicle was used to transport everyone who was arrested”]. A33 and A35, EN 01179824-25 [“[Those arrested] were sent to the Security Office at Kor, the Sector Security Office. [...] That vehicle [the Jeep] was used to transport people to the security office.”]; D219/321 Khuthh Khy Written Record of Interview, 13 May 2015, A9, EN 01112025 [“Normally, the car that carried people to the security office was a Jeep with black windows. I repaired that car once. When they came to arrest people, the car had a problem and they bought it to me for a check.”]; D219/686 Khuthh Khy Written Record of Interview, 11 February 2016, A101-102 and A104 [“normally one kind of Jeep vehicle had a roof and another kind of Jeep vehicle did not have a roof. Everyone was afraid of the one with the roof. [...] The vehicles with the cover were used to transport people. [...] They [the Jeep AD vehicle that belonged to Ta An and the Jeep used to transport prisoners] were different [vehicles]. The vehicle with the cover was blue. And the Jeep AD vehicle was an American vehicle. It was a military vehicle from the military barracks.”]; D219/504 Sat Pheap Written Record of Interview, 17 September 2015, A89, EN 01167900 [“I saw [prisoners] transported by Jeep [to Kor Security Office].”].

544 D219/582 Toy Meach Written Record of Interview, 2 September 2015, A43, EN 01179826 [“The Jeep could carry ten people.”].

545 D219/504 Sat Pheap Written Record of Interview, 17 September 2015, A89, EN 01167900-01 [the witness was the chairman of the Worker’s Group at the Ministry of Commerce in Sector 41: “Sometimes, the car belonging to Ta Aun, who was Sector Office Chairman, was also used to transport people to the security office. I know this because I was able to recognise this car. They used this car to transport arrestees. It was a four-wheeled vehicle with a covered cargo area.”]. A91 and A93-94, EN 01167901-02 [“I recognised Ta Aun’s vehicle because he parked it near the Commerce Office. [...] The driver [of Aun’s vehicle] told my co-worker at the Commerce Office that when the vehicle’s cargo bay was fully covered, that meant there were prisoners underneath [...] [After the arrival of the Southwest cadres, I saw prisoners transported to Kor Security Office by Ta Aun’s vehicle] [o]nce every seven or ten days. When Ta Aun drove the vehicle, there was nothing in the cargo bay, but when someone else drove it, its cargo bay was always fully covered. I saw a vehicle with such a cargo bay driving to Kor Security Office four times when I moved to work in Tuek Chha in late 1977. [...] [Ta Aun’s] vehicle could carry four or five persons. But it could carry a full load of about 15 persons.”].

546 D219/293 Cheam Peou Written Record of Interview, 4 May 2015, A13, EN 0111817-18 [“I witnessed people, whose hands were tied behind their backs, being taken away on three occasions. The Khmer Rouge arrested them, tied their hands behind their backs, and took them into the forest by ox-cart. There were two or three people in the ox-cart and their hands were tied behind their backs. I witnessed the incident after the arrival of the Southwest Zone cadres in 1977.”], A28, EN 0111819 [“Yes, I did [witness people being taken to Sob Security Office]. I saw people being taken to the security office by ox-cart.”]; D219/226 Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [the witness worked in the Sector 41 Logistics Office from 1975 until 1979: “I first saw him [Ta An] in March 1977. He called upon approximately 300 cadres from the sector level to attend a meeting at a pagoda that was situated in Chrey Vien Commune. Then he made an announcement that he was the new Secretary of Sector 41. [...] Two weeks after the meeting took place they drove two trucks and parked them at the corner of Phsar Prey Tortoeng Market. They were waiting for those who had been arrested in various villages to be taken there by ox-cart. [...] I learned of this incident from my friend, who also worked at the sector [41] garage.”]; D219/813.1.6 Meach Tauy DC-Cam Statement, 15 June 2016, EN 01348701 [“Dany: Was his [witness’s

cousin, So] wife arrested too? Tany: Yes, she was. [...] His wife had just delivered a baby a week earlier when they arrested her and put her in an ox cart which drove at a very high speed on a rough rocky road to the security office.”]

547 **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A28, EN 01111819 [from the “early rainy season of 1977”, the Civil Party Applicant worked at a women’s mobile unit and was based out of Ta Ream village: “Q: Did you ever witness people being taken to Sob Security Office? A: Yes, I did. [...] I noticed that those who had been arrested were normally blindfolded.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A22 and A31, EN 01179823-24 [the witness worked in the Sector 41 Logistics Office from 1975 until 1979: “I saw the arrests of [the chairpersons of the Sector Logistics Office] Sau and Hao [by Southwest cadres working for Ao An]. [...] [T]hey were blindfolded and thrown into a vehicle.”].

548 **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A46, EN 01309837 [“Q: With regard to the four people whom they took away [to Krouch Kor], before they left, did they shackle them or tie them up? A: They did not shackle them, but they had two people sit behind them holding guns, one on each side.”]; **D219/813.1.10** Son Kann DC-Cam Statement, 13 June 2016, EN 01337112 [“Dany: Once a while you saw the arrest. Was it happened in the sector itself or they arrested from elsewhere and detained in the sector office? Kann: Those people were called to be arrested at the sector office. They were not detained there. They were driven away. [...] At the office there was a mango tree and soldiers awaited there. [...] They came with invitation letters. For instance, whenever they wanted to arrest people, they would invite them to attend a meeting. When the targets were arriving, the soldier arrested them at the gun point.”].

549 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A112-115, EN 01331727-28 [“Q: While you were living and working at the sector office did you ever see persons being detained there? A: I saw that. [...] Upon first being brought in, they were taken to be put right there in the office [...]. Then, they were sent to Krouch Kor Security Office. [...] At some times, persons were arrested and sent from different districts, brought in and given over in fours or fives. [...] [The persons were detained] [s]ometimes [for] a day. Sometimes, two days.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A103, EN 01364067 [“Q: [...] were those arrested at that time sent straightaway to the Krouch Kor Security Office or were they sent to pass through the sector office first? A: To my knowledge at that time it depended on the arrest. If they needed to arrest a lot of persons, three or four persons, the district would send a courier up to the sector in order to request a vehicle to transport them all, because back then district had no vehicles.”].

550 **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A5, EN 01356237 [“those prisoners’ feet were shackled.”]; **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A179, EN 01434550 [“Q: In your previous answers, you said that you saw prisoners being taken out and that they were not cuffed. Were their ankles shackled [when they were] in the prison? A: Yes, they were.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A233, EN 01374664 [“Q: Did you observe what the situation of those prisoners like? A: Some prisoners [...] were shackled inside depending on the level of their mistake. [...] Prisoners’ feet were tied.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A9, EN 00622275 [“Yes, I went there [to Kor after the fall of the regime]. I saw handcuffs, shackles, shackles bars”].

551 **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A10, EN 01356237 [“I saw some scars on them [the prisoners] as a result of their being shackled for a long time.”].

552 **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A6, EN 01356237 [“They were ordered to sleep on the wooden planks in a house built above the ground.”].

553 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A162, EN 01331734 [“The heads of the prisoners in Krouch Kor were full of lice. And the walls were full of bedbugs, numerous like red ants.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A100, EN 01364066; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309903 [“And along the walls, it was nothing but bugs. The prisoners’ heads were full of lice.”].

554 **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746992 [“As I know, it was difficult [for the detainees to survive at Kor Security Centre] since there was very little to eat.”]; **D93** Khun Saret Written Record of Interview, 16 September 2011, EN 00746822 [“Q: How were the living conditions at Mit Sop security centre? A: The conditions were extremely difficult. There was food shortage.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A121, EN 01364069 [“The prisoners there were just waiting for their day to [die] because back then they did not give them rice to eat, giving them just a

bit of rice gruel. [...] [O]nly one medium-sized bowl of food per meal.”]. *See contra* **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A9, EN 01356237 [“One person was given a bowl of food. The bowl was quite big; the food was enough for one person.”].

555 **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A10, EN 01356237 [“I saw some people who were just skin and bones.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A166, EN 01331735 [“In general, the old prisoners were all very skinny”], A175, EN 01331736 [“Q: Do you know if Hum managed to survive the regime? A: He did not manage to survive, because when I went in there, I saw he was terribly skinny. I saw him there in the Krouch Kor jail.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A121, EN 01364068 [“The prisoners there were just waiting for their day to [die] because back then they did not give them rice to eat, giving them just a bit of rice gruel. The prisoners were all thin, just skin on bones.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A28, EN 01111819-20 [from the “early rainy season of 1977”, the Civil Party Applicant worked at a women’s mobile unit and was based in Ta Ream village: “Yes, I did [witness people being taken to Sob Security Office] [...] At one point, I witnessed four prisoners being walking out of the prison with two guards following them. [...] I felt sorry for the prisoners because they looked emaciated.”]; **D1.3.11.42** Rath Pov OCP Statement, 1 August 2008, EN 00210536 [“My brother was purged in] October 1977 [When my brother was purged] he was taken to Kor security office. [...] One time I went to harvest rice near the prison and I saw my brother being walked outside the prison by a security officer. He was really skinny.”].

556 **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746992 [“Some detainees were not killed but died from starvation.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A120, EN 01364069 [“Q: Did you ever see anyone die of sickness or starvation, like seeing them being carried away to be buried nearby? A: Yes I did.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [the witness worked for a transport corps in Kampong Siem District from 1975 to 1979: “The Sector Security Office was a place where people were worked and starved to death.”].

557 **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A7, EN 01356237 [“There were buckets used to store human waste which would be taken and thrown into toilets.”]; **D219/776.1.1** So [Sau] Saren DC Cam Interview, 3 May 2016, EN 01309903 [“I was disgusted to see such things, like by the bedpans filled with shit.”].

558 **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A7, EN 00622274 [“One day, I witnessed from [a] distance people exhuming decomposed dead bodies from pits to bury new dead bodies. The smell was so terrible that they had to place tobacco in their mouth. I could notice that people transporting the bodies were very thin and had difficulties to carry the corpses. I suppose they were prisoners from the centre.”].

559 **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 July 2014, A28, EN 01067814 [“There were two types of prisoners. First, the prisoners who had given answers of confessions and were unshackled and assigned to perform labour. I did not know what methods or torture they had used because I was not present during interrogations, but those prisoners were guarded by armed guards when they were let out to perform labour. Second, the new prisoners were shackled and not allowed to go out to perform labour until after being interrogated.”]; **D219/851** Chom Vong alias Youk Ngov Written Record of Interview, 21 October 2016, A18, EN 01356238 [“According to the prisoners who came to work outside, those who had not been interrogated yet were not allowed to work outside.”]. *See also* **D219/442** Chom Vong alias Youk Ngov Written Record of Interview, 3 August 2015, A183, EN 01434550 [“Q: What happened after a prisoner confessed? A: I do not know; this was the work of the military or the interrogation group.”].

560 **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A7, EN 00622274. *See also* **D3/12** Bun Thim Written Record of Interview, 20 October 2010, A2, EN 00623549 [“Yes, many people were arrested [at the arrival of the Southwest people]. Most were sent to Met Sop Security Center that was [close] to this village.”], A4, EN 00623550 [“I know that prisoners in Met Sop Security Centre were mistreated or tortured. [...] If someone did something wrong he was beaten with sticks.”].

561 **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A9, EN 00622274-75.

562 **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The executions [at the Sector 41 security centre] took place close to the camp and the dead bodies were buried in the areas.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2015, A50-51, EN 01224088 [“Q: When you went to Kor Security Office with Ta An, could you estimate how many prisoners there were in that office? A: From my estimation, there were about 40 prisoners. I did not dare to look clearly. Q: Do you know

where the prisoners were taken to be killed? A: In the compound of the Security Office. The compound was big.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A7, EN 01059881 [“Q: After that regime, did you ever go to that security office? A: Yes, I went there about two weeks after that regime collapsed, and many dead bodies had been left on the ground. [...] According to my estimation, there were about 20 bodies, and I also saw traces of burial pits there.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2015, A67, EN 01224109 [“I knew Kor. [...] I witnessed it with my own eyes. He [Ao An] went to a meeting one day when prisoners were being killed. I saw them with their hands tied and being walked to a square pit. I saw that. [...] Prisoners were hit with the back of hoes.”]; **D3/13** Kung Ting Written Record of Interview, 20 October 2010, A5, EN 00623574 [“After I was released [as a prisoner at Kor Security Centre], I never came back to the area of the detention centre, but I know that prisoners who died were buried by other prisoners in pits around the compound. I heard that many were killed inside the prison”]; **D219/24** Preap Sokhocum Written Record of Interview, 8 October 2014, A60, EN 01050577 [“That Security Office [at Kor Commune] functioned until the Vietnamese entered. At that time, they killed all of the prisoners and left them in piles in the office.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“The executions along the stream east of the road: this was where the Lon Nol soldiers were killed. The execution sites of Sop and Ngov were west of the road.”]; **D1.3.11.54** Tes Seuan OCP Statement, 11 November 2006, EN 00208441 [the witness was a military officer in the North Zone 304 troops: “The execution ground was a bit further on [from the Sector 41 Security Office].”]; **D1.3.11.16** Henri Locard, Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393 [“Just before the arrival of the Vietnamese, all remaining prisoners were executed. One tried to escape by climbing up a palm tree. He was gunned down. The dead had been buried in shallow graves some 200 metres from the prison.”]; *contra* **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A39, EN 01067816 [“Q: Can you estimate how many prisoners were killed there? A: I cannot estimate. I just knew that a week before the arrival of the Vietnamese, there were 20 prisoners, and before that I did not see pits of dead bodies or I did not smell any bad odours there.”].

563 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A67, EN 01224109 [the witness worked as a bodyguard to Ao An after Ao An arrived in the Central Zone until late 1977: “I knew Kor, and like Batheay, I witnessed it with my own eyes. He [Ao An] went to a meeting one day when prisoners were being killed. I saw them with their hands tied and being walked to a square pit. I saw that. I was young. I stood behind a tree and watched. My leader asked me what I was doing, and I told him that I was urinating. Prisoners were hit with the back of hoes.”].

564 **D1.3.10.20** Mapping Report, *Kampong Cham 2000 & 2002*, EN 00208259, Nai Kim Sann Interview [“Prisoners [at Kor Security Centre] were killed with wood stick[s].”]; **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A7, EN 00629468 [“Those who worked around the security centre told me about this. I went to see the execution sites after 1979.”].

565 **D219/732** Nhem Chen Written Record of Interview, 17 March 2015, A32, EN 01224087 [“Q: Were they detained in the Security Office until the end of the Khmer Rouge regime? A: Not until the end, because shortly afterwards they were taken to be executed right away that night or the following night.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208394 [interview of Aem Chhon, who watched cattle in the area: “Victims either died in the *khnoh* or were taken at night for execution between 8 and 9 pm.”].

566 **D3/21** Mei Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“From that moment [the zone came under the control of the South West Khmer Rouge] many cadres from the zone and districts were arrested. Some were sent to S21, others to the sector security center. No one survived.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A32, EN 01224087 [“[The cadres were not detained] until the end, because shortly afterwards they were taken to be executed right away that night or the following night.”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“In 1977, people were taken away by Southwest Zone cadres by the truckload and executed, including those with old society connections and those who were linked to veteran North Zone cadres, but mostly the latter, [...] Those closest to old 203 cadres were taken to the security office at Voat Kor. This was the first wave.”].

567 **D219/732** Nhem Chen Written Record of Interview, 17 March 2015, A33-37, EN 01224087-88 [referring to Old North Zone cadres detained at Kor Security Centre: “Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. Q: What was the name of the Sector Chairman? A: His name was Ta An. Q: As for you personally, were you present when Ta An issued the orders to kill those prisoners? A: I

was there personally when Ta An ordered the military to tell security. Q: Was Ta An at the security office when he ordered the killings? A: He was in the Inner Office. He ordered the military to go to security. Q: When Ta An gave orders through the military, where were you? A: I was in the Inner Office with him.”], A52-55, EN 01224108 [“I do not remember well [who the commander of Ke was]. The names recorded this morning. Ke’s commander received orders from Ta An as well as others who came in and out. I did not know them. At that place he was the chairman. Orders from Ta An came to Ta Ngauv. As I told you, the orders were to do whatever necessary to do two trucks in one night. Q: Do you know if Ta An ever went to Kor? A: Yes, he went. [...] he went to hold a meeting about killing plans. [...] He ordered that whatever necessary had to be done in accordance with plans 1977 plans; they all had to be killed because from 1978 onward there would not be any killing. By 1978 the situation would improve, the killing would cease, and there would be thick gruel for us to eat.”]; **D219/582 Toy Meach** Written Record of Interview, 2 September 2015, A21-33, EN 01179823-25 [“[The Southwest cadres] smashed by network. All the leaders in the North Zone were taken away. [...] I saw the arrests of Sau and Hau [Chairpersons of the Sector Logistics Office]. [...] [They were thrown into a Jeep belonging to the Sector Office driven by Southwest cadres. The arrests were ordered by] [i]their leader, meaning An, who was Sector Committee. [I know this because] [t]hey [Sau and Hau] were from the Sector Office and worked for An. [...] They were sent to the Security Office at Kor, the Sector Security Office.”]; *contra* **D117/56 Chom Vong** alias Youk Ngov Written Record of Interview, 19 June 2014, A37-38, EN 01067816 [“During several months I worked [at Kor Security Centre], I never saw or knew that Grandfather An went there. [Ao An] was the Sector Secretary in overall charge, so he certainly knew about [Comrade Sop’s Office]”].

568 **D219/731 Nhem Chen** Written Record of Interview, 15 March 2016, A50-51, EN 01224107 [the witness was assigned to work after Ao An arrived in the Central Zone until late 1977: “Ke was a killer [at the killing site at Kor]. He came from Trayornng Pong village, Cheung Prey district. [...] Ke received orders from Ta Ngauv, and both of them were killers.”]; **D219/732 Nhem Chen** Written Record of Interview, 17 March 2015, A32-34, EN 01224087 [“Q: Were they detained in the Security Office until the end of the Khmer Rouge regime? A: Not until the end, because shortly afterwards they were taken to be executed right away that night or the following night. Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. Q: What was the name of the Sector Chairman? A: His name was Ta An.”], A50-51, EN 01224107 [“Ke was a killer [at the killing site at Kor]. He came from Trayornng Pong village, Cheung Prey district. He did [the killing] by himself and also ordered his minor subordinates. [...] Ke received orders from Ta Ngauv, and both of them were killers.”]; **D219/813.1.6 Meach Taury** DC-Cam Statement, 15 June 2016, EN 01348692 [the witness worked in the logistics office out of Prey Tortung for the entirety of the regime: “Dany: Did you say earlier that Sokh was the chief of sector security? Taury: Yes, I did. He was the chief of the executioners.”]; **D1.3.11.49 Soeng Leum** OCP Statement, 17 November 2006, EN 00222963 [“The people who were executed at the Sector Security Office were killed by Ngov. The people there came from everywhere, including Kor and Andaung Kraloeng village in Thmar Poun subdistrict. They were killed by troops guarding Ngov.”].

569 **D219/731 Nhem Chen** Written Record of Interview, 15 March 2016, EN 01224108, A52 [“I do not remember well [who the commander of Ke was]. The names recorded this morning. Ke’s commander received orders from Ta An as well as others who came in and out. I did not know them. At that place he was the chairman. Orders from Ta An came to Ta Ngauv. As I told you, the orders were to do whatever necessary to do two trucks in one night.”].

570 **D219/731 Nhem Chen** Written Record of Interview, 15 March 2016, A46, EN 01224107 [the cadres who were arrested from the East were “sent to Kor and were all executed.”]; **D219 855 Nhem Chen** Written Record of Interview, 22 February 2017, A47-48, EN 01374647 [“The trucks were from the zone. ‘The Central Zone Truck’ was written on the plates. [...] Sometimes there were three or four trucks of cadres. Sometimes when there were too many cadres, they used the sector trucks to truck some of them to Kor Pagoda. Ta Aum was the person who decided on taking those cadres to ‘Kor’.”].

571 **D219/731 Nhem Chen** Written Record of Interview, 15 March 2016, A67, EN 01224109 [“He went to a meeting one day when prisoners were being killed. I saw them with their hands tied and being walked to a square pit. I saw that. I was young. I stood behind a tree and watched. My leader asked me what I was doing, and I told him that I was urinating. Prisoners were hit with the back of hoes.”]

572 **D219/582 Toy Meach** Written Record of Interview, 2 September 2015, A51-52, EN 01179827 [“[Kor Security Office became ‘full’] about three months after the arrival of the Southwest group. ‘Full’ meaning

that there was no more space left to bury them. Therefore, the people were sent to Kampong Cham. [Large trucks went to Kampong Cham, but] [l]ater the small vehicle also went”].

573

D1.3.10.20 Mapping Report. *Kampong Cham 2000 & 2002*, EN 00208259, Nai Kim Sam Interview [“The bodies [of dead prisoners] were buried no[t] far from the security office compound, such as Tuol Krasaing, Tnaot Chou, O Ta Kung and Tuol Daem Ampil.” O Ta Kung stretched from Ta Meas village to Stoeng Toek Chhar (1000 m) and contained about 1000 bodies and was used since 1975. Tuol Krassain, located in Takeo village, Kor commune contained about 1000 bodies. One pit contained about 3 to 5 bodies. Tnaot Chou, located in Takeo village, Kor commune. There were 70-80 burial pits containing approximately 240 to 300 bodies. Tuol Daem Ampil, located in Takeo village, Kor commune. There were 20 burial pits each of which contained 3-4 bodies and about 80 in total.]; **D6.1.524** DC-Cam Burial Report, 18 February 2008, EN 00379097-98 [the DC-Cam mapping project lists the number of victims at sites associated with Kor Security Centre to include “about 1,000” at O Ta Kung, “about 1,000” at Toul Krasaing, and “240-300” in pits at Tnaot Chour.]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A60, EN 01374648 [“Q: Could you estimate how many people were killed at ‘Kor’? A: Quite lot of people were killed. It was a no-walls prison which could accommodate over 200 prisoners at a time. Each time after the last person in the prison was killed a new wave of prisoners would be brought in and killed.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A46, EN 01224107 [“When they [arrestees from the East] arrived [at the sector office in Prey Touteng], they got off the trucks as normal because they came for a meeting. But I did not see any meeting. Suddenly after one night there, they were sent to Kor and were all executed.”]; **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A7, EN 00629468 [“I never witnessed killings or living conditions of the prisoners. Those who worked around the security centre told me about it. I went to see the execution sites after 1979. There were remains left there. Later, all the bones were collected and placed in Tuol Krasang to be cremated.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [“I did not witness any killings myself, however, I saw piles of bones there after the fall of the regime. [...] I made such assumption [that mass murders were committed in these three places, including Met Sop (Kor) SC] because of the piles of bones I saw after the fall of the regime.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A7, EN 01059881 [“Yes, I went [to Met Sop Security office] about two weeks after that regime collapsed, and many dead bodies had been left on the ground. As far as I know, the persons in charge of that security office killed the prisoners at that security office before they left when the Vietnamese arrived. According to my estimation there were about 20 bodies, and I also saw traces of burial pits there. Later teachers and students excavated the graves to take the bones and skulls to be cremated and organised religious rituals for those victims.”]; **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A27, EN 01067813 [“At that time, when I went to check the security office, the guard reported to me that they sent prisoners who had disappeared from the security office back to their cooperatives. I understood that they surely took those prisoners to be killed, but they told me that they sent those prisoners back to their cooperatives.”]; **D1.3.11.7** Cheng Tol and Kun Sokha OCP Statement, 2 August 2008, EN 00210439 [“Kun Sokha [husband of Tol] also went to a bigger burial site [than that at Wat Ta Meak], Trapeang Lvea, located in Ta Tit village, 1km north of National Road 7 near Dondoi. There he saw fresh corpses, clothes and more than a hundred individual pits. He also visited the Ampil Teab security site soon after the end of the Khmer Rouge regime. He also saw fresh corpses there (4 or 5 bodies). There was a bad smell. He could not see the other bodies that had been buried in the rice fields.”]; **D1.3.11.42** Rath Pov OCP Statement, 1 August 2008, EN 00210537 [the witness’s brother was a prisoner at Kor Security Centre: “I saw him only once [after the first time she saw him being walked by a security guard outside the prison]. [...] I never saw him again. Many people told me that my brother was killed at Kor security office.”]; **D1.3.11.16** Henri Locard. *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393, Nai Set Interview [the witness was a medic in the Khmer Rouge: “In 1979, when the Vietnamese arrived, there were many corpses in the rice fields as they had been stabbed by the KR before they ran away and not yet buried. This occurred even after 7th January, as the KR were in the area for a little longer, and the KR executed all prisoners before they ran away. Thousands have been buried in the area. Today we still find skulls and bones. They are gathered and incinerated.”].

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D219/870 Ry [Ri] Nha Written Record of Interview, 10 November 2016, A67, EN 01373689 [“Q: Can you describe the difference in the killing of people before and after the arrival of the Southwest Zone cadres? A: Before the arrival of the Southwest Zone cadres people were not taken to be killed.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A29, EN 01111820 [the Civil Party Applicant was evacuated to

Chrey Vien Commune and lived under the Southwest cadres in the Central Zone: “Q: Have you ever known any prisoners who survived Comrade Sob’s Security Office? A: No. I haven’t.”; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A177, EN 01331737 [the witness worked in the defence unit for the sector office and visited Kor Security Centre regularly: “In Krouch Kor, I only saw prisoners lying dead and taken for burying.”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746993 [“I saw dead bodies being carried to be buried. I am of the opinion that by the end of the regime, those detainees were all taken to be killed at Comrade Sop’s security centre. I saw dead bodies scattering in paddy fields.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2015, A53-55, EN 01224108 [“Q: Do you know if Ta An ever went to Kor? A: Yes, he went. Q: Did you go with him at the time? A: Yes, he went to hold a meeting about killing plans. Q: Do you remember what the orders were? A: He ordered that whatever necessary had to be done in accordance with plans 1977 plans; they all had to be killed.”]; **D219/813.1.4** Ry [Ri] Nha DC-Cam Statement, 24 May 2016, EN 01366623 [“When the Southwest Zone cadres came [from around April or May 1977], they only worked at a low level. [...] When they arrested all the old cadres, they strongly held all the power. They began killing anyone who was regarded as suspicious. They killed them one after another.”]; **D1.3.11.38** Pao Li OCP Statement, 17 November 2006, EN 00222960 [“1977-78 was when the Southwest Zoners came. Things were much worse when the Southwest Zoners come in terms of starvation and execution.”].

⁵⁷⁵ **D3/21** Met Sop Security Centre Site Identification Report, 29 November 2010, EN 00637341 [“The executions took place close to the camp [Kor Security Centre] and the dead bodies were buried in the areas.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A177-78, EN 01331737 [“Q: In the interview with the Documentation Center of Cambodia you explained that prisoners were taken to be killed and buried in the rice fields. Did you see these killing events with your own eyes or did you just hear about this from others? A: Like, I saw only saw two or three persons with my own eyes inside the sector office. In Krouch Kor, I only saw prisoners lying dead and taken for burying. Q: Do you mean that the prisoners died in the jail, and their remains were buried in the rice fields? A: Yes, they were taken to be buried in the rice fields.”]; **D3/15** Duong Sim Written Record of Interview, 21 October 2010, A7, EN 00622274 [“One day, I witnessed from [a] distance people exhuming decomposed dead bodies from pits to bury new dead bodies. The smell was so terrible that they had to place tobacco in their mouth. [...] I suppose they were prisoners from the centre.”], A9-10, EN 00622274-75 [“[After the fall of the regime] I went there [to Met Sop Security Centre. [...] [There] were also dead bodies, meaning that they killed the prisoners before abandoning the place and escaping. I went there two or three days after they abandoned the place. [...] I saw those pits [where the corpses were buried] around the security centre. All those places have now disappeared. Nothing has remained. Now those places are paddies. There is only hillock by the stream, remaining.”]; **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A12, EN 01044626 [after the fall of the Khmer Rouge: “I went to see corpses of prisoners who were killed at the rice field. I did not go close to the corpses: I just saw the corpses lying with their faces to the ground with their arms tied. At that time I saw about ten to fifteen corpses that had been killed at the rice field about 20 meters from the prison.”]; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A5, EN 01059880 [the witness worked in the rice fields near Kor Security Centre from 1975 to 1979: “I saw some events at Comrade Sup Office [...]. In the evenings, I often saw them carry bodies to be buried at Tuol Trapeang Krasaing near Comrade Sup Office. Sometimes I saw them have the prisoners climb palm trees to collect palm juice to make sugar, but at the end of that regime I saw soldiers who worked at Comrade Sup Office shoot the palm climbers to death and carry their bodies to be thrown in the middle of a field at Tuol Trapeang Krasaing.”]; *contra* **D117/56** Chom Vong alias Youk Ngov Written Record of Interview, 19 June 2014, A39, EN 01067816 [“Q: Can you estimate how many prisoners were killed there? A: I cannot estimate. I just knew that a week before the arrival of the Vietnamese, there were 20 prisoners, and before that I did not see pits of dead bodies or I did not smell any bad odours there.”].

⁵⁷⁶ **D219/321** Khuth Khy Written Record of Interview, 13 May 2015, A9, EN 01112025 [the witness was assigned to work as a mechanic in the sector garage in Chrey Vien village, Prey Chhor District, about three months after the Southwest cadres arrived: “When they came to arrest people, the car had a problem and they brought it to me for a check. I heard that there were big trucks which were used to carry people from the security office. This security office was the security office which was under Ta Sup’s control. [...] However, I heard that they took people to be killed in other places.”]; **D3/14** Nai Kimsan Written Record of Interview, 21 October 2010, A7, EN 00629468 [“Q: In the report of the Documentation Centre of Cambodia that we read to

you, you said that [...] the bodies were buried in different locations close to the security centre such as at Au Ta Kung, Toul, Thnaot Chou and Tuol Ampil. A: I heard that from other people. [...] Those who worked around the security centre told me about this. I went to see the execution sites after 1979.”; **D117/54** Soeung Lim Written Record of Interview, 29 May 2014, A5, EN 01059880 [the witness worked and travelled in Te Meas village and rice fields around Kor Security Centre for the entirety of the DK regime: “In the evenings, I often saw them carry bodies to be buried at Tuol Trapeang Krasaing near Comrade Sup Office.”]; **D1.3.10.20** Mapping Report, *Kampong Cham 2000 & 2002*, EN 00208259-60. Nai Kim Sann Interview [“The bodies were buried no[t] far from the security office compound, such as Tuol Krasaing, Thnaot Chou, O Ta Kung and Tuol Daem Ampil.”]; **D1.3.11.32** Nai Seu OCP Statement, 11 November 2006, EN 00222958 [“The Security of Sector 41 was west of the road, of Phsar Kor and Ta Keo. Then there were also lots of little execution sites east of the road, along the stream from Tock Chha.”].

577 **D117/54** Soeung Lim, 29 May 2014, A7, EN 01059881 [“Q: After that regime, did you ever go to that security office? A: Yes, I went there about two weeks after that regime collapsed, and many dead bodies had been left on the ground. As far as I know, the persons in charge of that security office killed the prisoners at that security office before they left when the Vietnamese arrived. According to my estimation, there were about 20 bodies, and I also saw traces of burial pits there. Later teachers and students excavated the graves to take the bones and skulls to be cremated and organised religious rituals for those victims.”]; **D1.3.11.25** Anonymous Krauch village pagoda committee member OCP Statement, 17 November 2006, EN 00222957 [“This was the Sector 41 Security, where everybody was sent and killed. After the Vietnamese came, I went immediately to this location and saw that everybody who had been a prisoner there was killed, 50 or so. I don’t know who any of them were. Many others from all the villages around here went there to get building materials and see who was dead.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [“Then, at the end, all those were executed, all of the prisoners [at the Sector Security Office]. This was when the Vietnamese arrived.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208393, Nai Set Interview [“Just before the arrival of the Vietnamese, all remaining prisoners were executed.”].

578 **D117/67** Kao Khorn Written Record of Interview, 3 September 2014, A12, EN 01044626 [the witness lived near the road to the prison and visited Kor Security Centre after the fall of the Khmer Rouge: “I went to see corpses of prisoners who were killed at the rice field. I did not go close to the corpses: I just saw the corpses lying with their faces to the ground with their arms tied. At that time I saw about ten to fifteen corpses that had been killed at the rice field about 20 meters from the prison. However, I did not [know] how those prisoners were killed.”].

579 **D1.3.11.38** Pao Li OCP Interview, 17 November 2006, EN 00222961 [“On the day when the Vietnamese came there were bodies all over the paddy fields. This also happened just before the Vietnamese came. I went to see what was there because I went to get paddy and saw the bodies of people freshly killed. I saw three or four bodies on the day I went. Other villagers also went.”]; **D95** Soeung Lim Written Record of Interview, 16 September 2011, EN 00746993 [“I saw dead bodies being carried to be buried. I am of the opinion that by the end of the regime, those detainees were all taken to be killed at Comrade Sop’s security centre. I saw dead bodies scattering in paddy fields. Teachers and Buddhist lay functionaries went around collecting those bones for cremation in traditional rituals after the fall of the regime.”].

580 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A21, EN 01179823 [“they smashed by network. All the leaders in the North Zone were taken away.”]

581 See para. 152.

582 **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A93-94, EN 01098559 [referring to Phnom Pros Phnom Srei: “When I was being transported to Kampong Cham, I saw these mountains”]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“we came to Wat Phnom Proh, a beautiful and isolated Wat visible from the highway on a hill next to its companion Wat Phnom Srey.”]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 and EN 00644193 [photograph captioned “Entrance to Phnom Pro along the road nr7” showing the Wat is visible in the distance from National Road 7]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399391 [“When we travel from Phnom Penh City to Kampong Cham Province along National Road 7, reach kilometre 116, and look one kilometre north-eastwards to the left side of the national road, we can see two mountains standing side by side. The eastern mountain is higher than the western one. The higher mountain is Phnom Srey Mountain and the lower one is Phnom Pros Mountain.”].

- 583 Throughout this Submission, the term “Phnom Pros” (without further specifying it is the hill) will refer to the entire area used by the Khmer Rouge for execution purposes. This area encompassed the hill known as Phnom Pros, the pagoda on top of the hill (Wat Phnom Pros), the adjacent hill known as Phnom Srei, and the valley between the two hills, which includes Sralao village at the foot of Phnom Srei.
- 584 **D303** Written Record of Further Appearance, EN 01213487-89.
- 585 *See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.*
- 586 **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644190-91 [“[Phnom Pros is] [l]ocated on the right side of the Road 7, seven kilometres after Kampong Cham, direction Phnom Penh, in the village of Kralah, Kampong Siem di[s]trict.”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399384 [“Sovankiri Ratanak Phnom Pros Pagoda is located in Krala Commune, Kampong Siem District, Kampong Cham Province”]; **D342/1.1.28** Cambodia Index Map Tiles, EN 01045039 [Tile 6033 depicts a map view of Voat Phnum Pros]; **D6.1.697** Suon Kanil Written Record of Interview, 18 August 2009, EN 00384427-28 [“The Central Zone consisted of 3 Sectors, included Sector 41, Sector 42, and Sector 43. Sector 41 [was] composed of Kampong Siem district, Prey Chhor, and Kang Meas districts which [were] situated along the bank of the [Mekong] River.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211156-59 [“[The Commune Chief of Krala Commune] tells us that Phnom Pros is in Krala commune”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208385 [“Wat Phnom Pros in Kompong Siem district, just West of the city, on your right as you go to Phnom Penh.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210525 [“The site [Phnom Pros] is in Kampong Siem District in Sector 41.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309877 [“Q: At that time [1975-76], in what territory was Phnum Pros-Phnum Srey located? A: It was in Kampong Siem District.”]. *See contra* evidence from Ao An stating Phnom Pros was in Sector 42, which is inconsistent with other available evidence: **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025325 [“Q: Were Phnom Pros and Phnom Srei also in Sector 41? A: They were in Chamkar Leu district in Sector 42. [...] They were under Oeun who was Ke Pauk’s younger brother [in-law].”].
- 587 **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644190-91 [“[Phnom Pros is] [l]ocated on the right side of the Road 7”]; **D219/584** Wat Ta Meak Site Identification Report, 14 September 2015, EN 01167237 [“east from the Prey Totueng Intersection National Road #7 runs toward the Phnom Pros, Phnom Srei sites and Kampong Cham Provincial Town”]; **D342/1.1.28** Cambodia Index Map Tiles, EN 01045037 and EN 01045039 [Tiles 6032 and 6033 depict a map view of National Road 7 that connects Prey Chhor and Kampong Cham provincial town]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399384 [“Sovankiri Ratanak Phnom Pros Pagoda is located [...] along and to the north of National Road 7.”]. *See also* the evidence cited in fn. 33 regarding the location of Ao An’s office in Kampong Cham town.
- 588 **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [“[Phnom Pros is] [l]ocated on the right side of the Road 7, seven kilometres after Kampong Cham, direction Phnom Penh”]; **D342/1.1.28** Cambodia Index Map Tiles, EN 01045039 [Tile 6033 depicts a map view of Voat Phnum Pros]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“Four kilometers further out on Highway 7 we came to Wat Phnom Proh”].
- 589 **D342/1.1.28** Cambodia Index Map Tiles, EN 01045039 [Tile 6033 depicts a map view of Voat Phnum Pros and its proximity to the airport]; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A61, EN 01309839 [referring to the distance between Wat Phnum Pros Phnum Srei and the airport at Veal Vong: “Maybe one kilometre, but that is just my estimation.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431459 [“In 1973, the Khmer Rouge overran [Banyan] village as they battled Lon Nol soldiers for control of the nearby Kompong Cham airport. They ordered the villagers to evacuate Banyan. [...] the Kompong Cham airstrip [...] was located a kilometer up the road.”]. *See also* **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A17, EN 00900990 [“I used to travel with Ke Pauk through [Phnom Pros] to the airfield to board the plane when Ke Pauk was going to attend the meeting in Phnom Penh”].
- 590 *See* the evidence cited in fn. 630 below.
- 591 **D3/19** Vorng Sokim Written Record of Interview, 2 December 2010, A4, EN 00630444 [“In mid 1977, in June I think, my friend and I went around Phnom Pros to cut small trees. I was driving the ox-cart. While we

were cutting the trees, we let the oxen move freely. One of them walked into a place with a cross-sign exposed. [...] [Choeun] told me to come to collect the remaining trees and [stop] coming otherwise I would be killed if seen by others because it was the prohibited area”]; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A76-81, EN 01309841-42 [from 1975 the witness was stationed near Phnom Pros at Veal Vong airport and was sent away in the rainy season of 1977: “When more and more people were killed, they closed the entrance [to Phnom Pros], not allowing people to walk around and having them take a different route. [...] Ordinary people were not allowed to walk past there”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A24, EN 01152374 [“I did not see [Phnum Pros Phnum Srey Mountain] first-hand because they did not allow us to reach National Road 7. They ordered the people there to move at least five kilometres away from the national road.”]. See also **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797011 [the Civil Party Applicant’s younger brother, Nat Srocun, was at the military base in Phnom Pros Phnum Srey: “we were not allowed to come anywhere near the military base”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A26, EN 00977335 [“Sometimes I fetched the water from [the Phnum Pros Security Office], I only knew that that place was patrolled by soldiers, but I do not know what was inside.”].

See para. 175.

D3/23 Phnom Pros Site Identification Report, 1 December 2010, EN 00644193 [photograph captioned “Entrance to Phnom Pro along the road nr7”].

D107/5 Orn Kim Eng Written Record of Interview, 18 February 2012, A1-2, EN 00787224 [“In mid 1975 I was sent to be stationed in Fort Hang also known as Banteay Seh (Fort Horse) which was located at the foot of Phnom Pros hill. [...] Three companies were stationed in a fort called Fort Hang or Banteay Seh at the foot of Phnom Pros hill. [...] In 1977, when the purge started, they withdrew the company unit from the hilltop down to the fort down below. [...] My battalion was Battalion 408 [...] This was one of the six battalions in the brigade [...] [that] belonged to the Central Zone.”]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A3, EN 01040460 [“At that time, Phnom Pros was used as a place for killing people. My company was replaced [...] and my forces were sent down to the military barracks called Banteay Seh nearby the National Road.”], A6, EN 01040460 [“We were tasked to defend the first battle line at the entrance to Phnom Pros where we could overlook vehicles transporting prisoners up to the mountain. There was another military team from Siem Reap who checked those vehicles before transporting the prisoners up to the mountain.”]. See also **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A4 and A7, EN 00630444-45 [“In mid-1977, in June I think, my friend and I went around Phnom Pros to cut small trees. [...] Many soldiers were staying there, dressed with uniform, having guns. They were standing by in barracks located all around the camp.”].

D3/23 Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [“A long and climbing road lead[s] you up to the hill to the main entrance of the [Wat] Phnom Pro.”], EN 00644193 [photograph depicting the entrance to Phnom Pros and the long straight road leading to the pagoda]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399384 [“It has a pagoda entrance gate and a 460-metres-long paved road that reaches to the top of Phnom Pros Mountain.”].

D3/23 Phnom Pros Site Identification Report, 1 December 2010, EN 00644193-95 [photographs depicting the entrance to Phnom Pros along National Road 7, the main gate to Phnom Pros, and the main temple building]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“we came to Wat Phnom Proh, a beautiful and isolated Wat visible from the highway on a hill.”].

D3/23 Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [noting that the “compound with the Pagoda, stupa, library, graves etc count many hectares of land”], EN 00644194-95 and 00644197 [photographs of the pagoda and memorial stupa]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211157 [“We go to the memorial, which is located very close to the library.”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399386-87 [describing the various additions made after 1979 to the property, including fences and dragon handrails, a big Buddha statue and a set of Buddha statues depicting Buddha traveling from heaven to save his mother, a library, a gathering hall, the memorial hall, an alms house, and a 21-metre long reclining Buddha].

D3/23 Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [“On the other side of the valley, Phnom Srey mountain is on the territory of Ampil village”], EN 00644201 [photograph of Phnum Srey mountain]; **D342/1.1.28** Cambodia Index Map Tiles, EN 01045039 [Tile 6033 depicts a map view of Voat Phnum Srei in relation to Voat Phnom Pros]; **D1.3.10.23** Report on OCP Mission to Sector 41

(Operation Riverland). 8 August 2008, EN 00211156 [“The commune chief of Krala commune] tells us that Phnom Pros is in Krala commune and that Phnom Srei is in Ampil commune. The mountains are closer to Ampil commune”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399391-92 [stating that “we can see two mountains standing side by side. The eastern mountain is higher than the western one. The higher mountain is Phnom Srey Mountain and the lower one is Phnom Pros Mountain.” and telling the legend as to why Phnom Srey is taller than Phnom Pros].

599 **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399386 [“Sra Lao Village, at the foot of Phnom Srey Mountain.”]; **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A1 and A8, EN 01132624-25 [witness is chief of Sralao Village: “In 1973, the Khmer Rouge took control of Ampil Commune, and evacuated all the people from this commune, including those in Sralao Village, which is my birth village. [...] Q: Your village was near Phnom Pros and Phnom Srei. Had you known that Phnom Pros Mountain was used as a military base before 1973? A: Yes, I had.”]. Note that Alexander Hinton seems to have given Sralao Village the pseudonym Banyan Village, which he discusses several times in connection with Phnom Pros-Phnom Srei. See, e.g., **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.52.56-13.54.02, EN 01217311 [“In the village, Banyan, which is located right up against Wat Phnom Pros-Phnom Srei: it’s near the Kampong Cham Airport: the villagers weren’t allowed to live there because they were establishing the security centre.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431458-59 [“Much of my research was carried out in Banyan, which is located at the intersection of two small dirt roads roughly seven kilometers from Kompong Cham city. [...] the village [is located] next to Phnom Bros, an enormous DK killing center where [...] people were executed and then buried in dozens of mass graves and even a couple of village wells. The villagers, however, were not allowed to reside in Banyan while Phnom Bros was being used as an extermination center. In 1973, the Khmer Rouge overran the village as they battled Lon Nol soldiers for control of the nearby Kompong Cham airport. They ordered the villagers to evacuate Banyan.”].

600 See, e.g., **D3/20** Srei Kanoeun Written Record of Interview, 3 December 2010, A3, EN 00631100 [“At that time [1979], if we stood on the top of Phnom Pros or Phnom Srei and looked down, we would see many white skeletons.”]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [“They were executed in the valley that stretched between Phnom Pro and Phnom Srey mountains.”]. EN 00644196 [photograph of part of the valley between Phnom Pros and Phnom Srey]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431485 [“Chuon hid the sisters in the attic of Phnom Bros temple for three days. Khel said if they had dared to look out the small attic window, they would have seen Phal executing people in the killing fields below.”].

601 **D107/5** Om Kim Eng Written Record of Interview, 18 February 2012, A2, EN 00787224 [“On 17 April 1975, they sent my battalion [Battalion 408] to be stationed in the Phnom Pros area. [...] This battalion was one of the six battalions in the brigade [that] belonged to the Central Zone.”]; **D117/66** Om Kim Eng Written Record of Interview, 27 August 2014, A1-2 and A8, EN 00104059 and EN 00104061 [“In early 1977, I was a zone soldier, and my company was stationed at Phnom Pros. [...] Ke Pork was a zone secretary and he also took charge of the zone military. [...] Q: Was Ke Pauk in charge of the Zone Security Office and the killing site at Phnom Pros? A: Yes, he was.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A78, EN 01063622 [“I knew [Phnum Pros], but I never went there because it was under control of the Zone, and there were soldiers in charge of that place.”]; **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A8, EN 01132625 [“Perhaps in 1973, the place was controlled by the Khmer Rouge troops. I think that it was under direct control of the zone.”]. *Contra* **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“I didn’t know much about Phnom Bros because that place was the Sector Security office.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A94, EN 01059296 [“There was a Sector-level military base between Phnum Pros Phnum Srei mountains and Kampong Cham provincial town. A military base had been located there even before the Khmer Rouge era, and during the Khmer Rouge era, they also used the place as a military base. I knew it was Sector Military because ‘Sector 41 Military’ was written on the entrance gate.”].

602 **D1.3.15.2** Timothy Carney, “The Organisation of Power”, in *Cambodia 1975-1978 Rendez Vous with Death*, 1989, EN 00105143 [“In the region and sector committees, the deputy secretary was the military chairman as well. He could order the troops out. Both the secretary and the deputy had authority over civil and military affairs.”]; **D1.3.15.1** Craig Etcheson Written Record of Analysis, 18 July 2007, EN 00142827 [“Zones were governed by three-person Party Committee composed of Secretary, a Deputy Secretary responsible for

security, and a Member responsible for economics.”]; **D1.3.32.1** DC-Cam DK Prison List, 23 August 2006, EN 00194822-25.

603 **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A1-2 and A8, EN 001040459 and EN 001040461 [“In early 1977, I was a zone soldier, and my company was stationed at Phnom Pros. [...] Ke Pork was a zone secretary and he also took charge of the zone military. [...] Q: Was Ke Pauk in charge of the Zone Security Office and the killing site at Phnom Pros? A: Yes, he was.”]; **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A7, EN 00787225 [“Ke Pauk came in his car to see [Phnom Pros] once. At that time he appointed Choeun to be the battalion commander on that site.”]; **D219/178** Kuch Ra Written Record of Interview, 5 February 2015, A13, EN 01077014 [in 1977, the witness worked in Regiment 71, Division 117 under the direct command of Ke Pauk in Kampong Cham Province: “Phnum Pros Mountain is located close to Kampong Cham Province and was a place where soldiers were stationed. Before, 1977, we guarded it as well.”]; **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A13, EN 00630446 [“as far as I know Ta Pauk was the secretary of the zone, so, I can suppose that he could be responsible for the arrests and execution of those people. Everytime people were sent to Phnom Pros for execution, I always saw a stocky man coming along. I did not know his name, but later Choeun told me that he was called Ta Pauk.”].

604 **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A18 and A20-25, EN 01309793-94 [Ke Pauk announced at a conference that when he was absent as Central Zone Secretary, Ao An would act as his replacement]; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346157-58 [the witness was Ke Pauk’s son: “In the [Central] Zone, Ta An took over my father[’s] role because my father was busy with his work on the battlefields along with the border.”]; **D219/178** Kuch Ra Written Record of Interview, 5 February 2015, A18-19, EN 01077014-15 [“Ta An’s position was Central Zone Deputy Secretary, and they officially announced that at a Zone Congress. Q: Did you attend that Congress? A: No, I did not. I just received this information from my commander.”]; **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A27, EN 00787227-28 [“When Ke Pauk was absent, his deputy, Ta An, who was also the Sector secretary, was in charge.”]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A31, EN 01059867 [“[Ao An] worked in Ta Pok’s behalf when Ta Pok was absent.”]; A69 and A75, EN 01059873 and EN 01059875 [“Q: As far as you know, can you give any factual examples or cases of times when you noticed for example, that Ke Pok was absent and Ta An acted in his behalf? Did that happen frequently? How many times while you were his driver did that happen? A: That was not regular. Sometimes he went there while Ta Pok was there as well, and sometimes he went there when Ta Pok was absent. When Ta Pok was absent, he arranged the work at worksites and ministries in Kampong Cham. [...] Ta An was Zone Deputy. He travelled either when Ta Pok ordered him or when Ta Pok was absent.”]; **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A9 and A12, EN 00900989 [“As far as I remember, The longest time [Ke Pauk] was ever absent from the Zone was 3 days only. When he traveled to attend the meeting in Phnom Penh, he sometimes traveled by car and sometimes by airplane. [...] Q: During the time Ke Pauk was absent from the Zone, was it possible that Ta An, who was a senior cadre, would travel to the different Sectors like Sectors 42 and 43 to make any decision on the Sectors’ matters? A: Because Ta An was the most senior cadre, I thought, it was possible that he was in charge of that. But I did not recall any specific event which took place during that time.”]. *Contra* **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A10 and A13, EN 01040461 [“Q: Do you remember anyone on the Zone Committee? A: I remember only Moeun and Hen who worked on behalf of Ke Pork when Ke Pork carried out his duties [somewhere else] or was absent from the zone. [...] Q: Did you ever hear that Ta An was Ke Pork’s zone under-secretary? A: No, I never. However, I knew that Ta Moeun or Hen replaced Ke Pork when he was absent.”]; **D117/18** Pich Cheum Written Record of Interview, 28 February 2013, A4-5, EN 00903204 [“Q: Do you recall if Ke Pauk was frequently absent from the Zone? A: No, he was not frequently absent. He was absent only for a short period of time. Q: When Ke Pauk was absent, did you send reports to Ta An, the Deputy Zone Secretary? A: No, I always sent my report directly [to] Ke Pauk. In case of urgency, someone would send reports to him immediately regardless of where he was.”]; **D117/39** To Sem Written Record of Interview, 27 April 2014, A16, EN 01033105 [Sim’s wife who lived separately from her husband: “As far as I knew, Ke Pork never went to work outside the jurisdiction of the zone.”].

605 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A63-64, EN 01374648-49 [Ao An’s close protection bodyguard in the Central Zone until November 1977: “At the time, there were two trucks. The civil truck transported the people to the gathering place. Then the Zone military-coloured truck

transported them from the gathering place to Phnom Pros. Q: Was [the gathering place] at Prey Totueng? A: Yes, it was. They arrested people from the East Zone to be gathered at a place at Prey Totueng. Then they transported them further.”]. A138-160, EN 01374654-56 [After a letter of request was issued from the Zone, Ao An ordered Hum, who was in charge of the Sector motor vehicles and garage, to use Sector 41 trucks and drivers to transport the East Zone people to attend so-called study sessions. No one was allowed to use the sector trucks without Ao An’s authorisation. The Sector 41 civil trucks transported the East Zone people to Prey Toteung. Trucks from the zone then transported them to Phnom Pros.]

⁶⁰⁶ **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [“I first saw [Ao An] when he arrived in March 1977. He called upon approximately 300 cadres from the sector level to attend a meeting at a pagoda that was situated in Chrey Vien Commune. Then he made an announcement that he was the new Secretary of Sector 41. [...] During the meeting, he stated, ‘Those who fought against Lon Nol now ride Lon Nol’s horse.’ [...] He added, ‘From now on, there will be more casualties than those killed by the B-52 bombardment’. Two weeks after the meeting took place they drove two trucks and parked them at the corner of Phsar Prey Tortoeng Market. They were waiting for those who had been arrested in various villages and communes to be taken there by ox cart. [...] there were two armed guards standing on those trucks. They were JMC American trailer trucks that could carry up to about 50 people. I learned that those people were taken to be killed at Phnom Pros Phnom Srei Mountains. [...] After being quiet for a while, the trucks came back again and took more people away. I witnessed these incidents in person [...] until October 1977 when I stopped working there.”]; **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“At that time, people arrested in villages and communes were taken and put in two vehicles at the corner of Prey Totueng Market. So, ordinary people [...] were taken to be killed at Wat Phnum Pros Phnum Srei Pagoda immediately. [...] I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector.”]. A23, EN 01156192 [“The division of prisoners and the decisions on where the prisoners were to be sent were made before the people reached the Prey Totueng Junction. The vehicles that transported those prisoners were American GMCs, and those vehicles were covered completely. At Prey Totueng Junction, people were divided and transported to the places already decided.”]; *see also* fn. 605 above.

⁶⁰⁷ *See* fns 633 and 634 below.

⁶⁰⁸ **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11, EN 01151219 [“There were two drivers named Se and Det. They worked in the transportation unit of the sector and were assigned to transport people from Wat Ta Meah Pagoda to Phnum Pros Phnum Srei Mountain.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A146 and A153, EN 01111982 [“Originally, Wat Tameak Pagoda was for the meeting place for the sector. In late 1975, people were transported to be detained there. Then the prisoners were taken out of the pagoda to be killed. I knew this account from a friend who transported people from there to the execution site. On one occasion he stopped the vehicle and chatted with me. He told me that the prisoners were being taken to be killed at Phnom Pros-Phnom Srei near Kampong Cham Province. [...] Comrade Se told me that the prisoners were taken to be killed at Phnom Pros-Phnom Srei.”]. *See also* **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A76, EN 01167897 [“Q: Why was the Sector Commerce Office involved in transporting the people to be killed at Phnum Pros Phnum Srei Pagoda? A: I am not sure, but there might have been a request from the Zone for the Sector Commerce Office to send vehicles to transport the people because there were not enough vehicles.”]. *Contra* **D219/226** Penh Va Written Record of Interview, 11 March 2015, A8, EN 01088623 [“Q: You witnessed [people being transported to Phnom Pros] and assumed that people at the zone level carried out such activities. Do you know whether any forces from the sector were involved or were aware of the incident? A: The transportation of the sector was not involved [...]. However, cadres at the sector level were fully aware of the incident, because each of them witnessed it.”].

⁶⁰⁹ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A38-40, EN 01374646 [the witness was a close protection bodyguard for Ao An: “The zone cadres would be taken to Phnom Pros Mountain. [...] Q: At that meeting, did they decide to take the senior-ranked cadres to Phnom Pros Mountain [...]? A: I heard those words. The meetings to set that plan that I attended with him were held at the high level. Then they would be held with the lower levels. The following meetings were confidential. Q: I want to ask you about the method of sending the arrestees to Phnom Pros Mountain. [...] Who talked about that? A: Only Uncle An did.”].

- 610 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A45-46 and A55, EN 01374647 and EN 01374648 [“Phnom Pros Mountain was for high-ranked cadres and, when it was full, some cadres were sent to ‘Kor’ [...]. Q: [...] Who decided that these cadres were to be sent to Phnom Pros Mountain or ‘Kor’? A: Uncle Aun, who was Ta An’s deputy, did. [...] Uncle Aun said, ‘If the truck is full, send them to ‘Kor’”]. A56 and A71, EN 01374648-49 [“Q: Just now you said Ta Aun was the person who decided to where the trucks would be driven. Did Ta An know what was happening? A: Yes, he did. Ta An was the person who ordered Uncle Aun to do that. [...] Ta Aun could not make any decision on his own unless there was a clearance from Ta An.”].
- 611 **D107/4** Vomg Sokun Written Record of Interview, 17 February 2012, A26, EN 00787239 [“I did not know the name of the person in this photo, but I saw him coming to Phnom Pros twice at least. You told me that this person is named Ta An, the secretary of Sector 41.”]. *Contra* **D107/5** Orm Kim Eng Written Record of Interview, A26, EN 00787227 [“Q: Did you ever hear about a person named Ta An? A: Yes, I heard that he was the secretary of Sector 41, but I never saw him at Phnom Pros. You showed me the photo of Ta An, but I never knew him at all.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A63, EN 01224109 [Ao An’s close protection bodyguard claimed: “No, I never went [to Phnom Pros], because Ta An was only in charge of Kang Meas, Cheung Prey, Batheay, and Chamkar Leu.”].
- 612 *See* fns 618 and 623.
- 613 **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346157 [“One day while I was driving a motorcycle around, I saw about 10 military trucks fully loaded with people going toward Phnom Pros Phnom Srey. At that time I drove my motorbike to follow them behind. When they arrived there, they ordered people out of the trucks, aimed the guns at them and ordered them to undress. I stopped my motorbike at a distance from their trucks. At that time three soldiers saw and walked toward me. When seeing that, I started my motorbike and drove back home and told my father about that story.”].
- 614 **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346157 [Ke Pich Vannak also told investigators: “I remembered that [it was] not until later that my father received news about people in truck loads were killed at Phnom Pros Phnom Srey.”].
- 615 **D191.2** Ao An DC-Cam Interview, 1 August 2011, EN 01025325 [“Q: Sector 41 at that time covered Prey Chhor, Kang Meas, Cheung Prey, and Batheay districts...? A: Yes. There was one more called Kampong Siem district. Q: Was Kampong Siem district also included? A: Yes. Q: Were Phnom Pros and Phnom Srei also in Sector 41? A: They were in Chamkar Leu district in Sector 42. [...] Q: The road with two tall hills near the Kampong Cham provincial town? A: Yes. That led to [Sector] 42. [...] They were under Oeun who was Ke Pauk’s younger brother [in-law].”]. *See also* **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A63-64, EN 01224109 [“Q: Did you ever know of Phnom Pros Security Office? A: No, I never went there, because Ta An was only in charge on Kang Meas, Cheung Prey, Batheay, and Chamkar Leu. Q: Who was in charge of Phnom Pros? A: I did not know, because I was young.”].
- 616 *See* VI. Crimes and Crime Sites – C. Phnom Pros Execution Site – 2. Location, Period of Operation, and Site Description. *See also* fn. 33, particularly the evidence cited in the “Evidence of the location of Ke Pauk’s office in Kampong Cham town” portion of the footnote.
- 617 **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A2, EN 00787224 [“On 17 April 1975, they sent my battalion [Battalion 408] to be stationed in the Phnom Pros area. [...] This battalion was one of the six battalions in the brigade [that] belonged to the Central Zone.”]; **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A1, EN 001040459 [“In early 1977, I was a zone soldier, and my company was stationed at Phnom Pros.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787221 [“Choeun, the Zone security chairman based at Phnom Bros”]; **D219/178** Kuch Ra Written Record of Interview, 5 February 2015, A13, EN 01077014 [in 1977, the witness was ordered to work in a special investigation unit, Regiment 71, Division 117 under the direct command of Ke Pork in Kampong Cham Province: “Phnum Pros Mountain is located close to Kampong Cham Province and was a place where soldiers were stationed. Before 1977, we guarded it as well.”]; **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A8, EN 01132625 [“Perhaps in 1973, the place was controlled by the Khmer Rouge troops. I think that it was under direct control of the zone.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A26, EN 00977335 [“Sometimes I fetched the water from [Phnum Pros]. I only knew that that place was patrolled by soldiers, but I do not know what was inside.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A113, EN 01059301 [“I saw soldiers near the factory boundary as I said before. I saw soldiers east of the mountain, but there were no soldiers west of the

mountain. I always went away from soldiers, so I did not know anything.”]. *Contra* **D219/138** You Vann Written Record of Interview, 8 January 2015, A94, EN 01059296 [“There was a military base at the Sector-level between Phnum Pros Phnum Srei mountains and Kampong Cham provincial town. A military base had been located there even before the Khmer Rouge era, and during the Khmer Rouge era, they also used the place as a military base. I knew it was Sector Military because ‘Sector 41 Military’ was written on the entrance gate.”].

⁶¹⁸ **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.50.48-13.51.54, EN 01217309-10 [“[In 1977] there was a garrison of soldiers that was based at Wat Phnom Pros-Phnom Srei and during this time, at first, a person named Reap participated in the purge of different ‘elements’ and so many people died under – under him when he was doing this going to different areas of Kampong Siem.”]; **D219/792.1.8** Alexander Hinton, T. 16 March 2016, 09.42.05-09.43.16, EN 01219452 [“Reap, who had run Wat Phnom Pros-Phnom Srei, was very significant to this village, so I wanted to trace out and find the person”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431481 [“An officer named Reap headed a regiment of Northern Zone soldiers that was charged with ‘sweeping clean’ (*boas samat*) the enemy during the first part of 1977.”]; **D6.1.1043** Re Sim alias Reap Colour Copy Excerpt of Confession, EN 00224655 [showing that Reap was in custody at Tuol Sleng on 25 September 1977]; **D219/178** Kuch Ra Written Record of Interview, 5 February 2015, A13 and A17, EN 01077014 [the witness guarded Phnom Pros Mountain before he was moved to Angk Pagoda some time in 1977: “Q: Did you ever receive direct orders to do anything from Ta An? A: When Sei was alive, we received orders from Sei, the division commander. After Sei disappeared, we received orders from Ta Reap, the new division commander.”].

⁶¹⁹ **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A3, EN 01040459-60 [“In mid-1977, the first purge started in Siem Reap, down to Kampong Thom, and continued until the Central Zone. [...] Phnom Pros was used as a place for killing people. My company was replaced by the military from Siem Reap at the top of Phnom Pros, and my forces were sent down to the military barracks called Banteay Sch nearby the National Road.”]; **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A2, EN 00787224 [“One company was deployed on the top of Phnom Pros hill where the 12.7mm machine guns were installed. In 1977, when the purge started, they withdrew the company unit from the hilltop down to the fort down below.”].

⁶²⁰ **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A6, EN 01040460 [witness was a Central Zone military soldier stationed at Phnom Pros. After moving to the military barracks near the national road in mid-1977: “We were tasked to defend the first battle line at the entrance to Phnom Pros where we could overlook vehicles transporting prisoners up to the mountain.”]; **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A4 and A7, EN 00630444-45 [“In mid-1977, in June I think, my friend and I went around Phnom Pros to cut small trees. [...] Many soldiers were staying there, dressed with uniform, having guns. They were standing by in barracks located all around the camp.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A78, EN 01063622 [“there were soldiers in charge of that place [Phnom Pros].”]; **D219/234.1.2** Prak Yut DC-Cam Interview, 13 August 2013, EN 01064289 [“Q: Where were the military stationed? A: They were stationed on Phnom Srey Phnom Pros. Q: Did the military live on the mountain of Phnom Srey Phnom Pros? A: The Zone military [were stationed there]. Q: Right on the top of the mountain? A: They stayed all over the area from Phnom Srey Phnom Pros in that direction.”]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644192 [“The specificity of this place is that the military were in charge of the security of the compound and the surroundings but not of the executions.”].

⁶²¹ **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A6, EN 01040460 [witness was a zone military soldier stationed at the barracks near the Phnom Pros entrance in mid-1977: “There was another military team from Siem Reap who checked those vehicles before transporting the prisoners up to the mountain.”].

⁶²² **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A3 and A16, EN 00787224 and EN 00787226 [“At that time [1977], they brought people from Siem Reap to conduct the purging of the people here, and sent people from here to do the purging of the people in Siem Reap. Those did the purging were the security forces, and those being purged were the ordinary people. [...] The [Battalion 408] soldiers at that place were not assigned to kill people. The killers were brought in from Siem Reap.”]; **D117/66** Orm Kim Eng Written Record of Interview, A16, EN 01040462-63 [“I still remember that Kha, Iel and Tum took charge of the military who were sent in from Siem Reap to purge the Central Zone.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431757 footnote [“Kha, one of Reap’s

subordinates, who Khel [Orn Kim Eng] told me was in charge of the battalion that executed people at Phnom Bros, indirectly referenced the executions at Phnom Bros in his Tuol Sleng confession”].

623 **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222643, Entry 7842 [identifies Reap as the Secretary of Regiment 601 of Division 174 (the Central Zone military) and records him as entering S-21 on 20 September 1977 and executed on 10 March 1978]; **D6.1.1043** Re Sim alias Reap Colour Copy Excerpt of Confession, EN 00224655 [showing that Reap was in custody at Tuol Sleng on 25 September 1977]; **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 10.36.40-10.37.48, EN 01218231 [“After Reap [...] [was arrested], there was a transition period.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431436 [“September 17, 1977: Reap arrested after attempting to instigate rebellion in Kompong Cham”], EN 00431438 [“Reap: The commander of Division 174 who was in charge of the Phnom Bros execution center. After a failed rebellion, he was purged and sent to Tuol Sleng.”].

624 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 10.36.40-10.37.48, EN 01218230-31 [“Q: [...] Yesterday, you said that the Phnom Pros-Phnom Srei security centre was in operation before the purge of the Kampong Siem district, and then it was suspended for a while. And then it commenced in operation again, bringing people to be killed. [...] Is that correct, it was in operation both before the purge and after the purge? A: That’s more or less correct. After Reap [...] [was arrested], there was a transition period.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431483 [describing Reap’s plot against Ke Pauk after which Reap and the other rebels were sent to Tuol Sleng while “Reap’s troops were sent to fight the Vietnamese, and work at the Phnom Bros extermination center came to a halt.”]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A6, EN 00787225 [“In July or August, the security group from Siem Reap came to purge the people in this Sector. The purge paused in November or December 1977 when Ke Pauk arrested and took the security group from Siem Reap away.”]. *Note* how the timing of this evidence fits with other evidence that Reap arrived approximately mid-1977 and executions began (see fn. 618 above), and Nhem Chen’s evidence that while working for Ao An (in 1977), he saw 3-4 trucks transporting people to Phnom Pros each day for 2-1/2 months, then they stopped and took people to Wat Ta Meak, then he left in November 1977 to work for Sok (see **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A52-53, EN 01374647 and **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A96, EN 01224112).

625 **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A7, EN 01040460 [“At that time [late 1977], another group of people from Phnom Penh came to replace the military from Siem Reap. I did not know if they were from Tuol Sleng Office or elsewhere.”], A11, EN 01040461 [“Q: Who was in charge of the zone security? A: I still remember that Phal was responsible for that.”]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A19, EN 00787226 [“later on, after the security group from Siem Reap had been arrested by Ke Pauk there were other security groups, led by a person named Ta Hao from Phnom Penh, who also used [Phnom Pros] for killing people.”]; **D219/178** Kuch Ra Written Record of Interview, 5 February 2015, A10, EN 01077013 [“Q: Did you know who was responsible for the security in the Central Zone? A: Phal was responsible for security in the Central Zone, and he was a prison chief in Kampong Cham Province.”]; **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.51.54-13.52.56, EN 01217310 [“[In 1977] [...] there was a second person, who came from Kampong Cham city and was in charge of the security centre -- I believe his name was Phal [...] who brought people from the East Zone to be killed there”]; **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 10.12.30-10.34.32, EN 01218228 [“in the second phase, the head of security, Phal, would take people from the East Zone.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431483-85 [“About two months after Reap’s arrest, around November 1977, the head of Central Zone security, Phal, began to execute people at Phnom Bros. [...] [Chuon] saw Phal bringing victims to Phnom Bros [...]. Chuon hid the sisters in the attic of Phnom Bros temple for three days. Khel said if they had dared to look out the small attic window, they would have seen Phal executing people in the killing fields below.”]. *See also* **D3/19** Vorng Sokum Written Record of Interview, 2 December 2010, A7, EN 00630445 [“[Phnom Pros] was a military camp [...]. The prisoners were transported by enclosed trucks along with executioners.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431708 [according to Teap: “During the Pol Pot period, the Khmer Rouge switched people from area to area This was really important because they wanted [the soldiers and cadres] to cut off their sentiment (*phdach manosimhchetana*) so that they wouldn’t know anyone and it would be easier for them to do their work The executioners killed in the area for fifteen days at most. They changed them for fear that if they worked in one place too long, they would

develop attachments there [...] They killed at night and didn't have any responsibilities during the day. [...] As Teap notes, the executioners might be rotated in and be unfamiliar with their victims, making it easier to treat them in a 'heartless' manner."].

- 626 **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A7-8, EN 00787225 ["Ke Pauk came in his car to see [Phnom Pros] once. At that time he appointed Choeun to be the battalion commander on that site. [...] Q: Did you know Choeun? A: Yes, I knew him because he and I attended the same school when we were young."]; **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A4, EN 01040460 ["Choeun was [my battalion chairman]."]; **D107/4** Vorng Sokun Written Record of Interview, 17 February 2012, A20, EN 00787238 ["I took [my sister] out of the hospital and went to see Choeun, Theng, and Set at Phnom Pros and asked them for help. These three men were the chiefs of the guards at Phnom Pros."]; **D3/20** Srei Kanocun Written Record of Interview, 3 December 2010, A6, EN 00631100 ["what I learned from the people who used to communicate with Choeun is that he was the senior cadre in Phnom Pros."]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 ["I learned that Chhit Choeun, a godchild of Ke Pauk, was in charge of [Phnom Bros Security Office]. I knew Choeun well because he always had a love relationship with Female Comrade Voeun, who lived with Rom, chairwoman of Krala commune. I was then working with Rom."]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, 00.03.42-00.25.20, EN 01136792 ["This Chhit Choeun was not Ta Mok. This was another Choeun. [...] I know that his original name was Nam or Pror Nam. After joining the Revolution, he changed his name. His name was Comrade Choeun. Yesterday, I informed you that he lived in Andaung Toek. He made connection with Comrade Voeun, who was from the Southwest Zone."]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 ["The main building in concrete where the chief of the camp was living is still existing with other wooden houses used by the soldiers. The complex was in fact a military camp under the command of C[h]ocung"]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431483 [author does not explicitly state the time period, but it is between the purges conducted by the Southwest Zone cadres from early to mid-1977 and the arrest of Reap in around September 1977: "Khel once again was lucky when Chien was replaced by Chuon, an old acquaintance from Speu. Khel and Chuon became quite close and roomed together in a small office in front of Phnom Bros."]; **D5/719/1** Seng Um Civil Party Application Report, 31 January 2013, EN 00913808-09 ["During the regime, [...] Comrade Choeun was the chief of Phnum Bros Phnum Srei security center"].
- 627 **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A3-4 and A7, EN 00630444-45 ["I knew [Choeun] very well. He was like a protector for me and my elder sister [...] he said his name was Choeun from Speu (Chamkar Leu district, Kampong Cham province) He was about 22 or 23 years old. [...] [Choeun] explained that he was in charge of the Phnom Pros camp and that his authority and power was limited to this area. [...] Choeun was only responsible for the security and the management of the place but was not an executioner. He had the right arm amputated."]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431484 ["Chuon, whom Khel described as a good person who was popular and 'laughed often,' was apparently disturbed by the killings at Phnom Bros. When he saw Phal bringing victims to Phnom Bros, he would shake his head and tell Khel that the killers had 'excessive hearts.'"]; *Contra* **D5/703/1** Nuon Choeun Civil Party Application Report, 31 January 2013, EN 00913545-46 ["In 1977-1978, the applicant looked after animals at Phnum Bros Phnum Srei. He witnessed that Chhoeun [...] and other Khmer Rouge cadres killed one truck of people per day at Phnum Bros Phnum Srei [...]. Before killing, the victims were taken off their clothes, and they were clubbed and dropped into pits."].
- 628 **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A5-7, EN 00630444-45 ["Yes [Choeun] wore a military uniform and had a gun. [...] We [the witness and her elder sister were] at Phnom Pros and waited until midnight when we climbed up the hill alone to meet Choeun, who was sleeping [...]. Choeun let us enter the compound and hid us in the ceiling of the house he lived in [...]. Only Choeun and his 15 teenage bodyguards were living at the top of the hill."]; **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A8 and A10, EN 00787225 ["Q: Did you know Chocun? A: Yes, I knew him because he and I attended the same school when we were young. [...] Q: Did you stay at Phnom Pros with Choeun? A: No, but I went back and forth to Choeun's place frequently."].
- 629 **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A9, EN 00630445-46 ["When the Vietnamese arrived, [Choeun] escaped with five of his bodyguards to his village. Some [time] later, he returned to Phnom Pro [to assess the situation]. He went there with two bodyguards. One of them was his cousin. They were recognized by the villagers who then told the Vietnamese to arrest him. From what I

learned, Choeun was tied up and he committed suicide by lying himself under an operating tank.”]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A25, EN 00787227 [“Q: Is Choeun still alive? A: He is dead. After he was captured by the Vietnamese troops, he committed suicide by running into a moving tank.”]; **D193/61.1.2** Mut Sophon Written Record of Interview, 15 May 2015, A14, EN 01113697 [“Choeun was killed when he was rolled over by a military tank. Two weeks after the liberation, he committed suicide. While he was looking for cows, there were people who recognised him and attempted to catch him. So he decided to commit suicide by running into the moving truck.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431485-86 [“Chuon returned to Phnom Bros, where he stayed until the Vietnamese invasion. At that time, local villagers, who had seen Chuon entering and leaving Phnom Bros and assumed he was the head executioner, reported him to the new authorities. After being arrested, Chuon committed suicide by diving in front of an oncoming tank as he was being led along a road by Vietnamese soldiers.”].

⁶³⁰ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A40-41, EN 01374646 [“Q: I want to ask you about the method of sending arrestees to Phnom Pros Mountain. When did they start talking about the dispatch of those arrestees to the places where they were assigned? Who talked about that? A: Only Uncle An did. [...] [The killings] happened after Ta An went there. At the time, I was very young. Such things did not happen during the old sector administration. When the Southwest Zone cadres arrived they started to arrest the Central Zone cadres.”] (*Note* that Nhem Chen confuses the date Ao An arrived in the area as being 1976 in this statement and elsewhere but was clear that the killings at Phnom Pros began after Ao An arrived, and see **D219/731** at A12 where he clarifies that Ao An arrived “Approximately early 1977, around February or March.”); **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“[people were] taken to be killed at Wat Phnum Pros Phnum Srei Pagoda immediately. [...] That happened after Ta An came to administer this sector.”]; **D6.1.697** Suon Kanil Written Record of Interview, 18 August 2009, EN 00384434 [“My friends told me in early 1977 that Phnom Pros Phnom Srey was a place for killing people. [...] Before 1977 there was no killing at Phnom Pros Srey. The killings happened more in 1978 in that place.”]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A3, EN 01040459-60 [“In mid-1977, the first purge started in Siem Reap, down to Kampong Thom, and continued until the Central Zone. [...] At that time, Phnom Pros was used as a place for killing people.”]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A6, EN 00787225 [“In July or August [1977], the security group from Siem Reap came to purge the people in this Sector.”]; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A76-79, EN 01309841-42 [from 1975 the witness was stationed near Phnom Pros at Veal Vong airport and was sent away in the rainy season of 1977: “To my knowledge, [the killings] had been [happening] for about half a month [before he was demobilised and sent away from the area in the rainy season of 1977]”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A90, EN 01088546 [stating that when he worked at Phnom Pros Mountain for 10-15 days during 1976, there was no security office]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032988 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“people with tendencies or connections to Sreng were taken away and executed. [...] The disappearances took place in 1977 after the Southwest cadres had arrived. [...] [Niv Sun] was told the people were taken to Phnum Pros Phnum Srey by one of the drivers who collected people in his village.”]. See also **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.50.48-13.51.54, EN 01217309-10 [“[In 1977] there was a garrison of soldiers that was based at Wat Phnum Pros-Phnum Srei and during this time, at first, a person named Reap participated in the purge of different ‘elements’ and so many people died [...] under him when he was doing this going to different areas of Kampong Siem.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431481 [“An officer named Reap headed a regiment of Northern Zone soldiers that was charged with ‘sweeping clean’ (*boas samat*) the enemy during the first part of 1977.”].

⁶³¹ See, e.g., **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032988 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D5/714** Nov Hoeun Civil Party Application, 26 February 2012, EN 00997363 [“on the day a

letter was delivered, people were taken from the village mostly at 8.00 p.m. sometimes straight to Tuol Beng and Phnum Pros to be killed.”].

⁶³² See fns 605-606 above.

⁶³³ **D219/620** Pall Lay Written Record of Interview, 8 December 2015, A38, EN 01184939 [“Evacuees were transported to Wat Ta Meak Pagoda, and afterwards those evacuees were transported from Wat Ta Meak Pagoda to Phnum Pros.”]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11 and A15, EN 01151219-20 [“There were two drivers named Se and Det. They worked in the transportation unit of the sector and were assigned to transport people from Wat Ta Meah Pagoda to Phnum Pros Phnum Srei Mountain. [...] But once, when Se returned from transporting people at about 9.00 p.m., he entered my room to find some food, and he whispered to me that those people were not transported to Kratie Province: in fact, those people were transported to Phnum Pros Phnum Srei Mountain. [...] My understanding is that the people were taken from various places to be detained in the [Wat Tamcah] pagoda for four or five days, and each time there was a sufficient number, they were transported to the east and Phnum Pros Phnum Srei Mountain. [...] This event probably happened in September 1977.”]; **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A67, A81 and A152, EN 01167895, EN 01167898 and EN 01167915 [“[In late 1977], at least 300 people were transported from villages and communes by lorry and allowed to spend one week [at Wat Ta Meah Pagoda] before being told that they would be sent to clear forest in Kratie Province. I learned this from my friend Se, who was a driver. [...] He whispered to me that these people were not sent to Kratie Province – they got off at Phnum Pros Phnum Srei. [...] Q: When those 300 persons were taken to Wat Ta Meah Pagoda and then from the pagoda [to Phnom Pros], had Ta An already come to take over the Sector, or not yet? A: He had not yet become Sector Secretary, but the Southwest Zone cadres were gradually arriving. [...] Southwest Zone cadres began to arrive in October or November 1977. Then Ta An arrived, but I do not remember when he arrived.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A146 and A153, EN 01111982 [“Originally, Wat Tamcah Pagoda was the meeting place for the sector. In late 1975, people were transported to be detained there. Then the prisoners were taken out of the pagoda to be killed. I knew this account from a friend who transported people from there to the execution site. On one occasion he stopped the vehicle and chatted with me. He told me that the prisoners were being taken to be killed at Phnom Pros-Phnom Srei near Kampong Cham Province. [...] The prisoners were taken from the bases and taken out to the east. Comrade Se told me that the prisoners were taken to be killed at Phnom Pros-Phnom Srei.”]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 [“I heard those killed were killed at Phnum Pros/Phnum Srey. The victims were first concentrated at Voat Ta Meak and then trucked away for killing.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [15 families of new people “were told they were being sent away to new villages. Trucks came to pick the people up at Wat Ta Meak, and then they were brought to be killed at Phnum Pros Phnum Srey.”]. See also **D219/876** Chhean Heang Written Record of Interview, 30 November 2016, A49-52, EN 01362677-78 [“Whenever [Wat Ta Meah] was full, those detainees were taken and killed and the new people come to replace them. Q: Where were they taken to be killed? A: Maybe they were transported to Phnom Pros. Q: Where was Phnom Pros? A: It is located in Kampong Siem, Kampong Cham province. [...] The older people informed me.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and my brother-in-law and their children were arrested. In 1977, they were evacuated and were told that they were being moved to a new land. They were taken to Wat Ta Meak before being sent in trucks to a mountain. Their clothes were returned to be used at the work brigade. I do not know which mountain they were taken to, though it could have been Phnum Pros Phnum Srey.”].

⁶³⁴ **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A24, EN 01152374 [“After 1979, some former Khmer Rouge cadres (for example, Ta Yav) told me that during the regime they did not kill all the people at Tuol Beng. Some prisoners were taken to Phnum Pros Phnum Srey Mountain. That office was about seven kilometres east of Tuol Beng.”], in conjunction with **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625-26 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform. They said that those people were being taken to the corrections office since they were considered to be enemies of the revolution. [...] Usually, they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them to be killed at Phnum Pros Phnum Srei. Mostly I saw these events at around 7.00 p.m. as they escorted those prisoners next to my house that was located by a path. They escorted three to five people each time.”]; **D219/472** Sum Chanthol Written Record of Interview, 24 August 2015, A37-38 and

A62, EN 01178453 and 01178455 ["During that regime, people were taken to stay at Tuol Beng; they might have been killed there or taken to Phnom Pros Phnom Srey. [...] It is an assumption because if he had not been killed at Tuol Beng, he would have been killed at Phnom Pros Phnom Srey."].

635 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A225-227, EN 01374663 ["Q: As you have said just now, did they send only a person or a group of people? A: They sent groups of 17 April people who had been arrested to Phnom Pros Phnom Srei Mountains to grab the new land. Q: Where did you see them? A: In short, they were sent by horse carts to Batheay District. At that time, I was at the cooperative farming rice. I asked the cooperative chairpersons where those people were going. They said they were taken to Phnom Pros Phnom Srei Mountain to grab the new land. Q: Was that before or after you worked with Ta An? A: It was after I worked with Ta An. I had left him already."].

636 **D219/138** You Vann Written Record of Interview, 8 January 2015, A93, 01059295 ["I only saw the dispatch of people from Sector 42 to be killed in Sector 41 at the Phnum Pros Phnum Srei mountain. [...] I saw a military truck carrying a full load of people including men, women, and children who did not look like cadres."]; **D6.1.697** Suon Kanil Written Record of Interview, 18 August 2009, EN 00384434 ["The people who had been taken to be killed there [Phnom Pros] were the people in the Central Zone."]. *See also* **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 10.09.30-10.12.30, EN 01218226-28 ["I do not know who made the decision to arrest the Cham and the Vietnamese, but I know that those people were arrested and taken to be killed at Phnom Pros-Phnom Srei mountains. [...] I think in the book it's listed that there were New People, different groups that were suspect class enemies that were rounded up and taken there. [...] a lot of the people were trucked into Wat Phnom Pros-Phnom Srei were trucked in from a little bit further away."]. **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431597 ["Thus, when Paek ordered Reap to 'clean up' parts of Regions 43 and 41, Reap's troops had easy access to a list of suspected 'diseased elements' ('new people,' reactionaries, and certain ethnic minorities."]. *See paras 40-41, 43, 170 above.*

637 **D117/66** Orm Kim Eng Written Record of Interview, 27 August 2014, A7, EN 01040460 [witness was a
638 Central Zone military soldier stationed at Phnom Pros, tasked with observing vehicles transporting prisoners up the mountain (see A6): "At first, they used GMC vehicles from the zone military for transporting prisoners from Prey Chhor and Cheung Prey. Later on, I saw them use Chinese lorries to transport prisoners who were arrested in the East Zone"]; **D107/5** Orm Kim Eng Written Record of Interview, 18 February 2012, A19, EN 00787226 ["They used GMC military trucks. But later on [...] new groups used Chinese military trucks"]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A47, EN 01374647 ["Q: You said the trucks transported all those cadres to Phnom Pros Pagoda. Did you recognize whose trucks they were? A: The trucks were from the zone. 'The Central Zone Truck' was written on the plates."]; **D219/504** Sat Pheap Written Record of Interview, 7 September 2015, A71-72 and A75-78, EN 01167896-98 ["I know that Zone lorries were used to transport the people from Wat Ta Meah to Phnum Pros Phnum Srei, because the markings on the lorries indicated that they belonged to the Zone. [...] In regards to a Zone lorry, its bumper and cargo space had written across it 'North Zone 304'"]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 ["They were JMC American trailer trucks that could carry up to about 50 people. I learned that those people were taken to be killed at Phnom Pros Phnom Srei Mountains. [...] Those two trucks did not come from the Sector 41 garage. They might have been brought from elsewhere."]. *See also* evidence containing a general description of the types of trucks used to transport victims to Phnom Pros: **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A24, EN 01152374 ["An old man [named Eng, a ZIL lorry driver] who transported prisoners told me a lot about the events at Phnum Pros Phnum Srei Mountain. He told me that they transported people in American-made GMC lorries and Chinese-made ZIL lorries. These prisoners were brought from the East Zone. They took the prisoners to Wat Phnum Pros Pagoda before they took them to be killed."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A93, EN 01059295 ["I only saw the dispatch of people from Sector 42 to be killed in Sector 41 at the Phnum Pros Phnum Srei mountains. [...] That was around a month before the Vietnamese arrived. During that stop, when I was still on the road, I saw a military truck carrying a full load of people including men, women, and children who did not look like cadres. That military truck was a GMC cargo truck."]; **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797011 ["All I know about my brother's disappearance after he was taken away in a covered truck is that [he] was going to Phnom Pros Phnom Srey"]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397, Srey Kanoeum Interview ["[The victims] were brought by lorries"]; **D5/770/1** Lon

Chhoan Civil Party Application Report, 29 March 2013, EN 00915280 [“The applicant added that he and his siblings were loaded into a truck but [...] he heard that all people would actually be sent to Phnum Pros Phnum Srei, Kampong Cham Province”].

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D219/855 Nhem Chen Written Record of Interview, 27 October 2016, A196, A199, and A225-227, EN 01374660 and EN 01374663 [“Regarding that case, political ploy was used to trick people to believe that a new village would be created for the 17 April people. Those 17 April people were then transferred to that so-called new village hoping to have rice to eat, house to live in and cattle to use for farming. [...] They sent groups of 17 April people who had been arrested to Phnom Pros Phnom Srei Mountains to grab the new land. Q: Where did you see them? A: In short, they were sent by horse carts to Batheay District. At that time, I was at the cooperative farming rice. I asked the cooperative chairpersons where those people were going. They said they were taken to Phnom Pros Phnom Srei Mountain to grab the new land. Q: Was that before or after you worked with Ta An? A: It was after I worked with Ta An. I had left him already.”]; **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A7, EN 01132625 [“Q: Had you ever seen other people in Damnak Cheung Village arrested? A: Yes. I had. The people were arrested in 1977 or 1978. A lot of families in the village were told to prepare their belongings to go to their new houses. As far as I know, all the people were transported in the trucks to Phnom Pros Mountain.”]; **D1.3.11.51** Sun Nang OCP Statement, 3 August 2008, EN 00210554 [“My sister and my brother-in-law and their children were arrested. In 1977, they were evacuated and were told that they were being moved to a new land. They were taken to Wat Ta Meak before being sent in trucks to a mountain. Their clothes were returned to be used at the work brigade. I do not know which mountain they were taken to, though it could have been Phnum Pros Phnum Srei.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431597-98 [“Chlat recalled that in August 1977 his village head suddenly announced that a number of villagers – primarily ‘new people’ – were being sent to live in a ‘new village’: [...] Sruon instructed his wife and children to get ready to go. He told me, ‘Take care of father and our siblings. As for me, don’t believe that they are taking me to a new place. There isn’t one. They are taking us to be killed.’ [...] Upon arriving at Phnom Bros, Sruon and thousands of other Cambodians were lined up and killed”]; **D5/770/1** Lon Chhoan Civil Party Application Report, 29 March 2013, EN 00915280 [“The applicant added that he and his siblings were loaded into a truck but he asked for going to urinate as he heard that all people would actually be sent to Phnum Pros Phnum Srei, Kampong Cham Province, but were told by the Khmer Rouge soldiers that they would be moved to live in new houses.”].

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D117/47 Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032988 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers [...] in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 [“After the arrival of the Southwest Zone cadres, [...] they purged [...] people who had served as police officers and soldiers for the previous regime. These groups of people were arrested and taken away by truck. It was not known where they were taken. [...] I assumed that they took people to be killed at Phnom Pros Phnom Srei”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“People who were classified as [...] people with tendencies [...] were taken away and executed. [...] The disappearances took place in 1977 after the Southwest cadres had arrived. [...] He was told the people were taken to Phnum Pros Phnum Srei by one of the drivers who collected people in his village.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [“The Southwest Zoners came in late 1976. Then, in 1977, they evacuated the people, including veteran, 73 and 75 people. All of those who were accused of linkages to the mandarins were taken away and killed. This means anyone who was connected to the old society power holders. They were taken away by the truck full and killed right through to 1978. The worst killings took place at Voat Phnum, that is, Phnum Srei and Phnum Pros. [...] The people evacuated to Voat Phnum in 1977 were people of all three categories, all those connected to old society tendencies and anyone who was linked to anybody who had previously been so connected.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397, Srey Kanoeurn Interview [“Victims were brought from the entire area [to Phnom Pros]. They were mostly New People or Lon Nol officials.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, 2005, EN 00431597 [“Teeda Mam, a ‘new person’ who was living in the Chomkar Loe district of Region 41 at this time, recalled, ‘Leaders justified destruction of ‘diseased elements’ of the old society ... We were told repeatedly that in order to save the country, it was

essential to cut deep, even to destroy a few good people rather than chance one 'diseased' person escaping eradication. In order to expedite this 'eradication,' the Khmer Rouge created a rudimentary but efficient bureaucracy of death. Village heads were required to record the former occupation and family background of every-one living under their jurisdiction. A copy of the book in which they wrote this information was kept at the subdistrict office. Thus, when Paou ordered Reap to 'clean up' parts of Regions 43 and 41. Reap's troops had easy access to a list of suspected 'diseased elements' ('new people,' reactionaries, and certain ethnic minorities). Reap's troops first killed people locally and then, perhaps to increase efficiency, trucked victims to the Phnom Pros extermination center."].

641 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A41 and A199, EN 01374646 and 01374660 ["When the Southwest Zone cadres arrived they started to arrest the Central Zone cadres. [...] the arrests of cadres happened first."], A38 and A45, EN 01374646 and EN 01374647 ["the senior-ranked ones would be sent to Phnom Pros Mountain [...]. The zone cadres would be taken to Phnom Pros Mountain, [...] Phnom Pros Mountain was for high-ranked cadres and, when it was full, some cadres were sent to 'Kor', whilst Batheay was for those who were arrested from the communes."]; **D219/542** Nut Kimnang Written Record of Interview, 6 October 2015, A29-33, EN 01173599 [witness was a neighbour of Sreng's family and describes the arrest of Sreng's family: "I just saw them being taken to a place in a pagoda before being taken to Phnom Pros Phnom Srei Mountain."]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 ["After the arrival of the Southwest Zone cadres, I recall that they purged the former cadres who had served at the provincial level of Kampong Cham. However, I did not know their names. No former cadres who served at the village level were purged. [...] It was not known where they were taken. [...] I assumed that they took people to be killed at Phnom Pros Phnom Srei."]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A17, EN 01088626 ["high ranking cadres were arrested directly by forces from the zone level. Those forces came, arrested them, and sent them directly to Tuol Sleng Prison or somewhere at the zone level. I do not know where the zone security office was located, but it might have been at Phnom Pros Phnom Srei."]; **D1.3.11.26** Kun Sotha OCP Statement, 11 November 2006, EN 00208384 ["In 1977, people were taken away by Southwest Zone cadres by the truckload and executed, including those with old society connections and those who were linked to veteran North Zone cadres, but mostly the latter."]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 ["people with tendencies or connections to Sreng were taken away and executed. [...] The disappearances took place in 1977 after the Southwest cadres had arrived. [...] He was told the people were taken to Phnom Pros Phnom Srei by one of the drivers who collected people in his village."].

642 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 10.11.03-10.12.30, EN 01218227-28 ["Khel is the person who worked there, and I do not believe that he mentioned ethnic Cham and Vietnamese as being brought to Wat Phnom Pros-Phnom Srei. Instead, I think in the book it's listed that there were New People, different groups that were suspect class enemies that were rounded up and taken there. And I believe that the rubber plantation -- that the people locally would have been executed at nearby sites, so a lot of the people were trucked into Wat Phnom Pros-Phnom Srei were trucked in from a little bit further away."]; **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6-7, EN 01088622 ["I learned that those people were taken to be killed at Phnom Pros Phnom Srei Mountains. [...] [The victims] might have been people whom their unit chiefs disliked, and they could have been the new and base people. I learned that those people were taken from different communes and districts."]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 ["After the arrival of the Southwest Zone cadres [...] they purged new people or the 17 April people and any evacuees who were put to live in the village and who had bad biographies [...]. These groups of people were arrested and taken away by truck. It was not know where they were taken. [...] I assumed that they took people to be killed at Phnom Pros Phnom Srei"]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 ["People who were classified as 1975 people, [...] were taken away and executed. In [Toek Noem Village, Prey Chhor District], this happened to approximately 15 families of new people. [...] they were brought to be killed at Phnom Pros Phnom Srei. [...] 1975 people were those people evacuated from Kampong Cham or Phnom Penh. Some people from Kampong Cham were in Phnom Penh and were asked to come back to Kampong Cham. [...] The 15 families that disappeared were 1975 people, 1973 people or people who had connections with Comrade Sreng. The disappearances took place in 1977 after the Southwest cadres had arrived."]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 ["The Southwest Zoners came in late 1976. Then, in 1977, they evacuated the people, including veteran, 73 and 75 people. [...] They were taken away by the truck full and killed right through to 1978. The

worst killings took place at Voat Phnum, that is, Phnum Srei and Phnum Pros. [...] The people evacuated to Voat Phnum in 1977 were people of all three categories”: **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, 2005, EN 00431597-98 [“Teeda Mam, a ‘new person’ who was living in the Chomkar Loe district of Region 41 at this time, recalled. [...] when Pauk ordered Reap to ‘clean up’ parts of Regions 43 and 41, Reap’s troops had easy access to a list of suspected ‘diseased elements’ (‘new people,’ reactionaries, and certain ethnic minorities). Reap’s troops first killed people locally and then, perhaps to increase efficiency, trucked victims to the Phnom Bros extermination center. Chlat recalled that in August 1977 his village head suddenly announced that a number of villagers – primarily ‘new people’ – were being sent to live in a ‘new village’: ‘First we heard that trucks had been coming to take people from neighbouring cooperatives to a ‘new village.’ Rumors spread that the people were taken to be killed. The trucks arrived at my village without warning. No one had been informed the day before. People began to be taken away at noon. You could see that it was primarily 1975 people, particularly those who were lazy or unable to work hard, who were ordered to go to the ‘new village.’ ... [My elder brother Sruon said] those people are not going to a ‘new place,’ they’re going to be killed and discarded. [...] My brother and his entire family were executed at Phnom Bros ... A few days later, clothes were distributed to people in our village. They were the garments of the people who had been loaded into the trucks. I saw them give out my brother’s clothes.’ Upon arriving at Phnom Bros, Sruon and thousands of other Cambodians were lined up and killed by a blow to the back of the head that was administered by Reap’s soldiers.”].

643 **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032987-88 [“Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D219/472** Sun Chanthol Written Record of Interview, 24 August 2015, A62, EN 01178455 [“At that time, there were five Cham families living in that village. I knew a family, and it was Ta Sa’s family which was the representative of all Cham families. [...] he said that he, his family and other Cham families would go to live in a new land. [...] After that, all the Cham families were taken to stay at Angkuonh Dei School for one night. The next day some cooks walked past the school and they saw all of those Cham families were being loaded onto the truck to the east of Phnom Pros Phnom Srey Mountains.”], *in conjunction with* **D219/319** OCIJ Written Record of Investigation Action, 21 May 2015, EN 01098093-94 [“In mid-1977, when the Applicant was in Kampong Tros, she saw a family of around ten Cham people and about twenty other Cham people being taken away. [...] The Applicant knew the family very well, as one of them was the head of the Cham religious community and had adopted her as a god-daughter, when she brought her son to him for treatment. The Cham man asked the Applicant’s mother to keep a small jar of gold when he found out that he would be taken. He was killed in Phnom Pros. When he was transferred from Trapeang Pros, he was sent to Angkuonh Dei School to stay there for some time before other people were taken there and then sent to be killed together.”]. *Contra* **D219/792.1.6** Alexander Hinton, T, 14 March 2016, 14.04.25-14.05.00, EN 01217316-17 [“the information in terms of Kampong Siem comes from that, those interviews [with villagers]. But the Chams, I do not believe -- I don’t know for sure -- weren’t killed at Wat Phnom Pros-Phnom Srei. This was done from the Krala office, perhaps Yeay Yut’s office, Grandmother Yut’s office. But the killings at Wat Phnom Pros-Phnom Srei, although I can’t be sure. [...] the Chams in Kampong Siem that these villagers were with, were taken by district forces.”].

644 **D219/498** Penh Va Written Record of Interview, 7 September 2015, A10, EN 01156188 [“At that time, people arrested in villages and communes were taken and put in two vehicles at the corner of Prey Totueng Market. So, ordinary people [...] were taken to be killed at Wat Phnum Pros Phnum Srei Pagoda immediately. [...] I personally saw people being transported in vehicles. That happened after Ta An came to administer this sector.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A167, EN 01067872 [“When I was transplanting rice, I saw them transporting people, including children and old people in convoy of vehicles. The farmers who planted yams at the foot of the mountain told me that the Khmer Rouge transported those people to be killed at the foot of Phnum Pros-Phnum Srei Mountain.”].

645 **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11, EN 01151219 [“About 4 or 5 months [from around September 1977], Se was also arrested and taken to be killed. One day two drivers transported people to be killed, and those vehicles were from the sector level. I do not know what happened to those drivers, but after their plans were achieved, they always killed the drivers.”].

646 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A138-165, EN 01374654-56 [the witness was Ao An’s close protection bodyguard in the Central Zone until November 1977: “Q: [...] You said those East Zone people were transported to Prey Totung by the civil trucks. Whose trucks were they? A:

They belonged to Sector 41. Q: Does this mean the trucks of Sector 41 were used to transport the East Zone people? A: Yes, it does. They were used to transport them to attend the study sessions. Q: Did you ever hear Ta An or Ta Aun talking about sending the sector trucks to transport people from the East Zone? A: No, I did not. By chance I saw them trucking crowds of people. When I asked them about that they said they were transporting people from the East Zone to attend the so-called study sessions.” [...] They stopped transporting people in for about four or five days after they had transported them for three consecutive days. They did not transport them consecutively during that month. They pretext they used to tell people who were being transported was that they would be sent to attend the study sessions.”].

647 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016. A40-42, EN 01374646 [“Q: What did Ta An say about Wat Phnom Pros Pagoda? A: He said that when further letters were issued by our comrades to arrest the East Zone people, the arrestees could be placed at his place where they would be given some food to eat as parts of the political ploy and manipulation. After that they would be loaded onto trucks and sent for execution at Phnom Pros Phnom Srei. Those people must have been killed as they were never seen again. Only their clothes and belongings would be returned and stored at the Sector Office.”].

648 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016. A149-159, EN 01374655-56 [the witness was Ao An’s close protection bodyguard in the Central Zone until November 1977: “They took the people from another side of the river in Kang Meas in the East Zone. We waited to collect them at Peam Chi Kang of Kang Meas District. Q: Does this mean the trucks were not sent to the East Zone directly? A: Yes, it does. They were sent to this side of the river bank only. Q: Did those people cross the river from the other side of the river bank, or did the trucks cross the river to collect them on the other side of the river? A: We waited at this side of the river bank. Those people took the trucks and large riverboats from the East Zone to the riverbank of the Central Zone. Q: Who managed the boats for transporting those people? A: He ordered Kang Meas District chief, Aunt Kan (female) to truck them. Q: How did you know it? A: In short, in terms of that plan, we had our lines, so I knew everything they did. The drivers arranged the transportation of the East Zone people to get attend the study sessions? We had our internal persons. So we knew it. Q: When Ta An ordered Kan to manage the boats to cross the river, where were you? A: I was not present, but when we ate together a driver asked me if I was going to Kang Meas. He was going there to transport the people. I said I would not go without permission. Q: Usually who managed the boats? A: I did not know it because it was at the district level. Q: What district did the boats belong to? A: They belonged to Kang Meas District. Q: How did you know that the boats belonged to Kang Meas? Could they be from the East Zone? A: No, they couldn’t. I also went to Kang Meas frequently. I also left him, but when I went to transport sand, they said the boats were from the district secretary. There were no boats from the East Zone. Q: I’ve got it. How many people could a boat carry? A: Some boats carried 20 people; and large boats could carry 50 people. Sand carrying boats could carry many more people. Q: Did you know if the cadres from Sector 41 or Kang Meas District cadres engaged in coordinating the transportation of the people by the river? A: No, I didn’t. But I definitely knew there was someone who coordinated it because that district also received this plans.”]. See also **D13.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996. EN 00208313 [“The 1996 site visits placed an entirely new dimension on the size of the killing sites along the River in Kampong Cham. A pattern of very large killing and burial sites along the Mekong and along Hwy. 7 emerged, with ease mass transportation being the deciding factor.”].

649 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016. A149-151, EN 01374655 [“They took the people from another side of the river in Kang Meas in the East Zone. We waited to collect them at Peam Chi Kang of Kang Meas District. Q: Does this mean the trucks were not sent to the East Zone directly? A: Yes, it does. They were sent to this [Central Zone] side of the river bank only. Q: Did those people cross the river from the other side of the river bank, or did the trucks cross the river to collect them on the other side of the river? A: We waited at this side of the river bank. Those people took the t[r]ucks and large riverboats from the East Zone to the riverbank of the Central Zone.”]. A160, EN 01374656 [“Q: You have just stated that the drivers from Sector 41 went to collect people from the boats and transported them to Prey Tortung. The trucks from the zone then transported them to the security office. Is this correct? A: Yes, it is. Those trucks transported them to Phnom Pros.”], A164, EN 01374656 [“Q: If you were not there, how could you know that those trucks arrived and transferred the people? A: It was one or two o’clock in the afternoon when they trucked more people in. I was working at that time; and they said the zone trucks had arrived to collect the people. The trucks came to collect them again at seven o’clock.”]; A63-64, EN 01374648-49 [“At the time, there were two trucks. The civil truck transported the people to the gathering place. Then the Zone

military-coloured truck transported them from the gathering place to Phnom Pros. Q: Was this at Prey Totueng? A: Yes, it was. They arrested people from the East Zone to be gathered at a place at Prey Totueng. Then they transported them further.”]. See also **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A7, EN 01040460 [“At first, they used GMC vehicles from the zone military for transporting prisoners from Prey Chhor and Cheung Prey. Later on, I saw them use Chinese lorries to transport prisoners who were arrested in the East Zone, having been accused of [being] traitors.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A24-25, EN 01152374-75 [“An old man who transported prisoners told me a lot about the events at Phnum Pros Phnum Srey Mountain. He told me that they transported people in American-made GMC lorries and Chinese-made ZIL lorries. These prisoners were brought in from the East Zone. They took the prisoners to Wat Phnum Pros Pagoda before they took them to be killed. He is still alive. [...] His name is Eng. He was a ZIL lorry driver.”].

650 **D219/226** Penh Va Written Record of Interview, 11 March 2015, A24, EN 01088627 [“In April 1978, and after the purge of the Eastern Zone cadres, I saw Comrade May, Ta An’s right-hand man who was responsible for arresting people, riding a motorbike in front of two trucks. The first one was a Jeep A2, which Ta An was in, and the second truck was a Chinese truck which had about 20 Eastern Zone prisoners in it. I saw their convoy [...] [at] Pongro Village, Roka Koy Commune.”].

651 **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 [“From 1975 to 1979, [...] the ‘meditation site’ became a killing site. [...] In 1979, immediately after the liberation, [...] The ‘meditation site’ was full of big pits next to one another. People counted those pits and [found] that there were 48 pits and three wells which were full of dead bodies. [...] After counting, people found out that there were 7,300 skulls there, excluding the pits and many other dead bodies of people who were taken to be killed at Sra Lao Village, at the foot of Phnom Srey Mountain. There were around 1,000 dead bodies [there].”]. EN 01399387 [describing the facilities built on the former ‘meditation site’ after 1997, including a big Buddha statue, a Buddhist library, a gathering hall, other statues and buildings, and a memorial stupa. From this description, it is clear that the ‘meditation site’ where the pits were found covered a large portion of the valley]; **D191.1.112** Nat Hoeun Written Record of Interview, 23 March 2012, EN 00797022 [“the execution site was called Bara, and was located at the foot of the mountain.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A167, EN 01067872 [“The farmers who planted yams at the foot of the mountain told me that the Khmer Rouge transported those people to be killed at the foot of Phnum Pros-Phnum Srei Mountain.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A90, EN 01088546 [“When I returned to my village after the liberation, I learnt that there was a Security Office at Phnom Pros Mountain, where they took many people to be killed. In fact, it was not a Security Office, but a field where they took people to be killed.”]; **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644191 [“They were executed in the valley that stretched between Phnom Pro and Phnom Srey mountains.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431482 [“Upon arriving at Phnom Bros, the trucks drove directly to one of two killing sites: one at the base of Phnom Bros, the other at the outskirts of nearby Banyan village, which remained unoccupied.”]. Note that Banyan seems to be Hinton’s pseudonym for Sralao village, as discussed in fn. 599 above.

652 **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11, EN 01151219 [“Generally they transported people from [Wat Ta Meah Pagoda] at 5.00 or 6.00 p.m. [to Phnum Pros Phnum Srei Mountain]”; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A58-60, EN 01309839 [“I knew they took people to be beaten to death and disposed of at the well. From here, it was on the right hand side. Each night they transported one or two vehicle loads to be killed at that well. [...] Q: Did you ever see the vehicles transporting people there? A: I don’t know because the vehicles went at night and the troops were to stay in the location where were put and not to walk around. [...] at night I heard the sound of screaming.”]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A17, EN 00787226 [“The prisoners who were brought in [to Phnom Pros] were killed immediately. They were not detained first.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431482-83 [“The vehicles would sometimes arrive in the evening, making it necessary to execute people by the light of the moon or the truck’s headlights. Khel noted, ‘The killing was usually over by nine or ten o’clock at night. Afterward, the killers washed off the blood.’ [...] Phal transported his victims by car and truck during the day and at night.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397-98, Mey Son Interview [“[Mey Son] lived near the hills and would walk along the road to fetch water. He would see 2-3 trucks every day bringing people, with children who looked happy and

did not know they would have been massacred soon. They were killed at night. When he went one way, he heard voices, when he came back, everything was silent. They had been buried in pits.”; **D5/777** Leng Ra Civil Party Application, 17 March 2012, EN 01090089 [“In 1977, I witnessed with my own eyes that three to five people per night [were] taken to be killed [at] Angkuonh Dei and Phnum Pros. Those people were killed by being burned alive in kilns. I heard them scream for help”]. See also **D193/61.1.2** Mut Sophon Written Record of Interview, 15 May 2015, A11-12, EN 01113697 [the witness worked at the sector garage and was put under arrest at Phnom Pros Mountain one night while Choeun was security chief: “One day, when I was travelling on a trip to maintain the generator to prepare the electricity supply for a meeting in Kampong Siem District, I got a puncture. Then I was put under arrest at Phnom Pros Mountain. I was asked why I travelled at night without any letter of permission. I replied that normally Angkar did not issue letters for me. Then Choeun, the security chief at Phnom Pros Mountain, sent his messenger to take me to the office there. I spent three hours there before the district chief sent his messenger to take me back. [...] When I was at Phnom Pros Mountain, I saw a messenger coming to meet Choeun who was the security chief. The messenger told Choeun that there was a woman who was on the brink of death. She said she was a niece of Ieng Sary. She wanted to see Ieng Sary before she was to be killed. Choeun told the messenger to halt the killing. The messenger left.”].

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D6.1.379 Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346157 [“One day while I was driving a motorcycle around, I saw about 10 military trucks fully loaded with people going towards Phnom Pros Phnom Srey. At that time I drove my motorbike to follow them behind. When they arrived there, they ordered people out of the trucks, aimed the guns at them and ordered them to undress. [...] At that time three soldiers saw and walked toward me. When seeing that, I started my motorbike and drove back home and told my father”. Note that Ke Pich Vannak’s father, Ke Pauk, then called Reap and was informed that Ao An had given the order to transport the people to Phnom Pros Phnom Srey to be [s]mashed.; **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A58 and A60, EN 01309839 [from 1975 the witness was stationed near Phnom Pros at Veal Vong airport and was sent away in the rainy season of 1977: “Q: At that time what did the Khmer Rouge use the Phnum Pros Phnum Srei Pagoda for? A: I don’t know, but I knew that they took people to be beaten to death and disposed of at the well. From here, it was on the right hand side. Each night they transported one or two vehicle loads to be killed at that well. [...] At the entrance road in the morning I saw scattered pieces of clothing. And at night I heard the sound of screaming. I was up from Veal Vong [airfield]. [...] I could hear the sound of people crying there. The well and the place where I kept guard were maybe 400-500 metres apart.”]. A65, EN 01309840 [“I heard that more and more people were taken there after I left that place.”]. A80 and A85, EN 01309842 [“When I was demobilized [...] and [they] removed me from the army, they had people drive me past that location. [...] The clothes and shoes were scattered all around the well.”]; **D219/472** Sum Chanthol Written Record of Interview, 24 August 2015, A65, EN 01178455 [“The cow herdsman told me that those Cham people were partly undressed (but not naked) and they were killed at Phnom Pros Phnom Srey Mountains.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“many people were killed [at Phnom Pros] and the nearby wells were also full of bodies.”]; **D5/703/1** Nuon Choeun Civil Party Application Report, 31 January 2013, EN 00913545-46 [“In 1977-1978, the applicant looked after animals at Phnum Bros Phnum Srei. He witnessed that Chhoeun [...] and other Khmer Rouge cadres killed one truck of people per day at Phnum Bros Phnum Srei [...]. Before killing, the victims were taken off their clothes, and they were clubbed and dropped into pits.”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 [“From 1975 to 1979, [...] the ‘meditation site’ became a killing site. [...] In 1979, immediately after the liberation, all over that place, people saw piles of old clothes and everyday equipment which were as high as a mountain. The ‘meditation site’ was full of big pits next to one another. People counted those pits and [found] that there were 48 pits and three wells which were full of dead bodies. Later, those remains floated to the surface [of the wells] as they had been pulled out by the animals. After counting, people found out that there were 7,300 skulls there, excluding the pits and many other dead bodies of people who were taken to be killed at Sra Lao Village, at the foot of Phnom Srey Mountain. There were around 1,000 dead bodies [there].”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397-98, Mey Son Interview [“[Mey Son] lived near the hills and would walk along the road to fetch water. He would see 2-3 trucks every day bringing people, with children who looked happy and did not know they would have been massacred soon. They were killed at night. When he went one way, he heard voices, when he came back, everything was silent. They had been buried in pits.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill?*

Cambodia in the Shadow of Genocide, EN 00431482 [“Upon arriving at Phnom Bros, the trucks drove directly to one of two killing sites: one at the base of Phnom Bros, the other at the outskirts of nearby Banyan village, which remained unoccupied. After exiting the trucks, the victims found themselves surrounded by Reap’s armed soldiers. They were ordered to form a straight line and take off their outer garments before being marched a short distance to the killing field, where they were murdered by members of a twelve-person execution squad. Khel commented, ‘If they had fought back, perhaps some could have escaped. But they were terrified. The guards were pointing their guns at them the entire time. [...] The people were killed immediately upon arrival, though sometimes a truckload took more than an hour.’”], EN 00431598 [“Upon arriving at Phnom Bros, Sruon and thousands of other Cambodians were lined up and killed by a blow to the back of the head that was administered by Reap’s soldiers.”], EN 00431462-63 [“Although Vong had observed trucks filled with people driving down the road toward the Phnom Bros, he was not fully prepared for what he now saw. First he and his wife found a place where the clothes of the Phnom Bros victims had been burned. ‘Then we found all the graves, some of which still had limbs sticking up through the dirt. The place stank.’ Initially, many Banyan villagers were scared to live so close to the mass graves, some of which had been dug in their rice fields. The Khmer Rouge had even dumped corpses into nearby village wells.”]. Note that Banyan village seems to be Hinton’s pseudonym for Sralao village, as discussed in fn. 599.

654 **D219/472** Sum Chanthol Written Record of Interview, 24 August 2015, A61, A65, and A91-93, EN 01178455 and EN 01178457 [in 1977: “The cow herdsman told me that those Cham people were partly undressed (but not naked) and they were killed at Phnom Pros Phnom Srey Mountains. The reason the Khmer Rouge ordered them to undress was because all the ethnic Cham people kept gold in their clothes; the killers were checking for the hidden gold. [...] He told me about that in 1977, when the Southwest Zone group had arrived. [...] I was at Trapeang Tras Village. He came to eat rice at Angkuonh Dei School. [...] we ate rice together”]. See also **D219/319** Written Record of Investigation Action, 21 May 2015, EN 01098093-94 [regarding Cham people killed at Phnom Pros after staying at Angkuonh Dei School for a while], EN 01098094 [regarding cow herders living in the Chup rubber plantation who saw Cham people being taken to Phnom Pros].

655 **D117/37** Leng Ra Written Record of Interview, 23 April 2014, A18, EN 01072508-09 [“Q: In your complaint, you said that in 1977 you saw them arrest between three and five people and take those people to be killed. You also saw them burning people alive at the kiln site. Did you actually witness this incident? A: I did not witness it directly because they did not allow any people to get close to the kiln. But I heard the voices of the victims screaming for help from inside the [kiln] because the hall where mobile unit workers stayed was close by.”] *clarifying* **D5/777** Leng Ra Civil Party Application, 17 March 2012, EN 01090089 [“In 1977, I witnessed with my own eyes events that three to five people per night being taken to be killed Angkuonh Dei and Phnum Pros. Those people were killed by being burned alive in kilns. I heard them scream for help; and nobody dared help them for fear of getting killed as well”].

656 **D117/37** Leng Ra Written Record of Interview, 23 April 2014, A8 and A20, EN 01072505-06 and EN 01072509 [“I was assigned to work at Phnom Pros Mountain - Phnom Srei Mountain where I was assigned to collect the ash from the cremation incinerator to be used as fertiliser in the rice fields. The persons who assigned me to work were Southwest Zone cadres: Ta Loeung was commune chairman, and Yeay Yut was Kampong Siem District Committee. [...] I learned about this because my mobile unit was later assigned to collect ash from the kiln to be used as fertiliser in the rice fields. When we collected the ash to be thrown into the rice fields, we saw the remains of some skulls and hand and leg bones which had not been fully burnt.”].

657 **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A60 and A64, EN 01309839-40 [“Q: How did you know that they took people to be killed [at Phnum Pros Phnum Srei Pagoda]? A: At the entrance road in the morning I saw scattered pieces of clothing. And at night I heard the sound of screaming. [...] I could hear the sound of people crying there. The well and the place where I kept guard were maybe 400-500 metres apart. [...] Q: The people that you heard screaming and crying: was that at Veal Vong or at Phnum Pros Phnum Srei? A: At the well, which was two square metres. Beyond Phnum Pros Phnum Srei a little bit, at the junction to Veal Vong [airfield]. Like I said, maybe it was 400-500 metres from there. So I could hear.”], A71-73, EN 01309841 [“I didn’t see the vehicles, but at night they brought people there, and at night I was on guard. [...] At the entrance to Veal Vong. Q: While keeping guard at Veal Vong at night, you could hear people screaming from the direction of the well, correct? A: Yes.”].

658 **D3/19** Vorng Sokun Written Record of Interview, 2 December 2010, A5-7 (the quote is at A7), EN 00630445. See also **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*.

EN 00431485 [“Chuon hid the sisters in the attic of Phnom Bros temple for three days. Khel said if they had dared to look out the small attic window, they would have seen Phal executing people in the killing fields below.”].

659 **D219/138** You Vann Written Record of Interview, 8 January 2015, A93, EN 01059295 [the witness was on the Ro’Ang Commune Committee in Kampong Siem District under Prak Yut: “I only saw the dispatch of people from Sector 42 to be killed in Sector 41 at the Phnum Pros Phnum Srei mountains. At the time, I transported Prak Yut from Kampong Siem District Office to Ro’ang Commune, where I worked. Prak Yut got off at Krala Commune to do a little transplanting with the people before continuing her trip. That was around a month before the Vietnamese arrived. During that stop, when I was still on the road, I saw a military truck carrying a full load of people including men, women, and children who did not look like cadres. That military truck was a GMC cargo truck. The people were standing. Some of them were tied up and some were not. There were no guards. In fact, vehicles were driven back and forth every day on that route, but it seemed strange that the people on that truck had sad expressions and waved to me. I advised Prak Yut that we should go back, and she looked frightened as well. An hour later we were still in that area, and we heard gunshots and then shouts. At the time, we were at the foothills while the screams came from the mountain. Prak Yut, the girls who were transplanting, and I all heard it.”]. *Note* there is evidence of guns at Phnom Pros: *see, e.g.*

D3/19 Vornng Sokun Written Record of Interview, 2 December 2010, A7, EN 00630445 [“Many soldiers were staying there [at Phnom Pros], dressed with uniform, having guns.”]; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346157 [“One day while I was driving a motorcycle around, I saw about 10 military trucks fully loaded with people going toward Phnom Pros Phnum Srey. [...] When they arrived there, they ordered people out of the trucks, aimed the guns at them”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431482 [“The guards were pointing their guns at them the entire time”].

660 **D3/10** Niv Sun Written Record of Interview, 19 October 2010, A11, EN 00623579 [“when the Southwest people took the command of the sector, trucks arrived in the village and took away 15 families of new people. Amongst them was an uncle of mine. They were transported to Ta Mah pagoda to direction of Phnum Pros Phnum Srey. Those people never came back, but one day clothes were distributed by the Khmer Rouge cadres to the people in my village, and I recognized the clothes worn by my uncle when he was taken away. In addition, I heard from one of the drivers of the trucks, who transported those people that he transported them to Phnum Pros Phnum Srey. In 1983, I went to Phnum Pros Phnum Srey, and I saw many skulls and bones, so I think that many people were [taken] for execution there.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431597-98 [“Chlat recalled that in August 1977 his village head suddenly announced that a number of villagers – primarily ‘new people’ – were being sent to live in a ‘new village’ [According to Chlat:] ‘The next day, at first light, the Khmer Rouge loaded everyone on the trucks and drove off. My brother and his entire family were executed at Phnom Pros. [...] A few days later, clothes were distributed to people in our village. They were the garments of the people who had been loaded into the trucks. I saw them give out my brother’s clothes.’”].

661 **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A7, EN 00787225 [“Ke Pauk came in his car to see this site once. At that time he appointed Choeun to be the battalion commander on that site. He ordered Choeun to burn up all the remaining clothes of those who had been killed”].

662 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A40-42, EN 01374646 [“Q: What did Ta An say about Wat Phnom Pros Pagoda? A: He said that when further letters were issued by our comrades to arrest the East Zone people, the arrestees could be placed at his place where they would be given some food to eat as parts of the political ploy and manipulation. After that they would be loaded onto trucks and sent for execution at Phnom Pros Phnum Srei. Those people must have been killed as they were never seen again. Only their clothes and belongings would be returned and stored at the Sector Office.”].

663 **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A48, EN 01090003 [“I have been to the killing site in Phnum Srei Phnum Pros [after the Khmer Rouge regime collapsed] which has a massive pit. The pit was open with skulls, bones and clothes”]; **D3/20** Srei Kanoeum Written Record of Interview, 3 December 2010, A3, EN 00631100 [“As far as I know, after 1979 many people including me climbed up this hill to look for gold and other things. There, we saw various items such as clothes”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 [“In 1979, immediately after the liberation, all over that place, people saw piles of old clothes and everyday equipment which were as high as a mountain”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN

00208385 [“There are 2 hills, Phnom Pros, Phnom Srey. Pits, heaps of clothes and human remains were found in 1979”].

664 **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A9, EN 01132626 [“After the Khmer Rouge collapsed, I returned to live in Sralao Village. I went to Phnom Pros and Phnom Srei Mountain, where I saw a pile of old clothes being burnt.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208399, Sor Sorn Interview [this Buddhist monk arrived at Phnom Pros in February 1979, where he saw “ashes of clothes that had been burnt in large quantities in 3 different places.”], EN 00208401-02, Interview with Saroeun [Saroeun arrived at Phnom Pros-Phnom Srey on 15 January 1979 and said that “many crutches from invalids had been burnt and there was a foul smell of decomposing and bloated corpses. Clothes were still burning as the fire had not yet been extinguished. At the bottom, there was still a heap of [crutches].”].

665 **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A7, EN 00787225 [“Ke Pauk came in his car to see this site once. At that time he appointed Choeun to be the battalion commander on that site. He ordered Choeun to burn up all the remaining clothes of those who had been killed and to bury the corpses that had not yet been completely buried.”].

666 **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431484 (see also para. 175 above). The quote seems to have come from Hinton’s source, Khel, who, according to page EN 00431437 in his book, was “A Khmer Rouge officer who was stationed at or near the Phnom Bros execution centre during DK.” See also **D6.1.943** at EN 00431462-63 [when villagers returned to Banyan village after the Vietnamese invasion, they found mass graves, “some of which still had limbs sticking up through the dirt. The place stank.”]. As discussed previously, note that Banyan village seems to be Hinton’s pseudonym for Sralao village, as discussed in fn. 599 above.

667 See, e.g., **D219/226** Penh Va Written Record of Interview, 11 March 2015, A9, EN 01088623 [“After the fall of the Khmer Rouge regime, I went and saw countless bones and skulls there.”]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A48, EN 01090003 [“I have been to the killing site in Phnom Srei Phnom Pros [after the Khmer Rouge regime collapsed] which has a massive pit. The pit was open with skulls, bones and clothes”]; **D95** Soeng Lim Written Record of Interview, 16 September 2011, EN 00746991 [at Wat Phnom Pros, Wat Phnom Srei: “I saw piles of bones there after the fall of the regime. People went to look for gold in those piles of bones.”]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A11, EN 01132630 [the witness went to Phnom Pros in early 1979: “Besides the bones and skulls, I saw some of the dead bodies that were decomposing.”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 [“we discovered bones, skulls [...] and pits [at Phnom Pros Phnom Srei] after the fall of the Khmer Rouge regime.”]; **D3/10** Niv Sun Written Record of Interview, 19 October 2010, A11, EN 00623579 [“In 1983, I went to Phnum Pros Phnum Srey, and I saw many skulls and bones”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“In 1980 [Niv Sun] saw many skulls [...] He saw skulls and skeletons, but there was no flesh on the bones.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208385 [“There are 2 hills, Phnom Pros, Phnom Srey. Pits, heaps of clothes and human remains were found in 1979: some 8,000 skull over an area of about one hectare.”]; **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 [“In 1979 [...] The ‘meditation site’ was full of big pits next to one another. People counted those pits and founded that there were 48 pits and three wells which were full of dead bodies. Later, those remains floated to the surface as they had been pulled out by the animals. After counting, people found out that there were 7,300 skulls there, excluding the pits”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431459 [“The farming cycle in Banyan also provides grim reminders of the past, as the plows sometimes pull up pieces of cloth, teeth, or shards of bone marking the village’s location next to Phnom Bros, an enormous DK killing center”]. Even the trees at Phnom Pros bore physical evidence of violent killings. See **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 [“I assumed that they took people to be killed at Phnom Pros Phnom Srei, given that we discovered bones, skulls, clothes, tree whose bark had been removed, and pits there after the fall of the Khmer Rouge regime. At that time, I was informed that the Khmer Rouge held children upside down and threw them against the trees.”]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“One witness pointed out a tree near the pits where young children were killed by having their brains bashed out against the tree. He said that he had seen blood and hair still stuck to the tree after liberation.”].

- ⁶⁶⁸ **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A10, EN 01132626.
- ⁶⁶⁹ **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A11, EN 01132630. *See also* **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431462-63 [“Although Vong had observed trucks filled with people driving down the road toward the Phnom Bros, he was not fully prepared for what he now saw. First he and his wife found a place where the clothes of the Phnom Bros victims had been burned. ‘Then we found all the graves, some of which still had limbs sticking up through the dirt. The place stank.’]. EN 00431484 [“Because of the purges and suspicion, even high-ranking soldiers like Chuon were scared and had difficulty sleeping at night. Khel says that Chuon dreamed of escape: ‘He would sniff the stench of the corpses and shake his head and tell me, ‘I brought you to work in the land of death.’ [...]’ To get away from the stench and killing at Phnom Bros, Chuon and Khel sometimes took trips to Angkounh Dey village, about one kilometer down the road from Phnom Bros.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208400, Interview with Saroeun [“[Saroeun] arrived on the hill on 15th January 1979 [and] said [...] there was a foul smell of decomposing and bloated corpses.”].
- ⁶⁷⁰ **D117/20** Lim Seng Written Record of Interview, 5 March 2013, A15, EN 00900990 [“At that time the security guards arrested many suspects includ[ing] one of my cousins named Yoeun. At that time Ke Pauk was about to leave for a meeting in Phnom Penh; and when he saw Yoeun, he instructed the security guards to keep Yoeun at the messenger center until he came back from the meeting in Phnom Penh so that he would solve that problem. But while Ke Pauk was away, Phauk, who was the security chairman at that time, took Yoeun to be killed at Phnom Pros. When Ke Pauk returned, he was shocked to find out that Yoeun had been taken to be killed.”]; **D219/620** Pall Lay Written Record of Interview, 8 December 2015, A22-25, EN 01184936-37 [“[In 1978] My parents were transported in a lorry to be killed at Phnum Srei. [...] they were transported from Tong Rong. [...] I was at Tuck Chha, but I knew about the incident because someone from the village came to tell me.”]; **D117/38** Kruoch Kim Written Record of Interview, 24 April 2014, A5, EN 01056735 [“Later they removed me and arrested two of my elder sisters and their families from Chub/Suong and took them to be killed at Phnum Pros Phnum Srei Mountain.”]; **D219/543** Nam Monn Written Record of Interview, 7 October 2015, A9-10, EN 01174539 [“My aunt and uncle who lived at Romeas Village were taken to be killed [at Wat Phnum Pros Phnum Srey Pagoda]. Q: Who told you that the vehicle transported prisoners to Phnum Pros Phnum Srey Pagoda? A: The vehicle driver.”]; **D3/10** Niv Sun Written Record of Interview, 19 October 2010, A11, EN 00623579 [“I recall that [...] when the Southwest people took command of the sector, trucks arrived in the village and took away 15 families of new people. Amongst them was an uncle of mine. They were transported to Ta Mah pagoda to direction of Phnum Pros Phnum Srey. Those people never came back, but one day clothes were distributed by the Khmer Rouge cadres to the people in my village, and I recognized the clothes worn by my uncle when he was taken away. In addition, I heard from one of the drivers of the trucks, who transported those people that he transported them to Phnum Pros Phnum Srey. In 1983, I went to Phnum Pros Phnum Srey, and I saw many skulls and bones, so I think that many people were [taken] for execution there.”].
- ⁶⁷¹ **D191.1.1** Cheam Peou Civil Party Application, 25 February 2009, EN 01133262 [“In 1977, my sister-in-law, Yun, and her 5 children”]; **D191.1.14** Chuon Phan Summary of Supplementary Information, 20 August 2010, EN 00596975 [“father”]; **D191.1.65** Ou Yan Summary of Supplementary Information, 20 August 2010, EN 00596553 [in 1977: “father, named Ou Sou [...] younger brother, named Ou Chhun”]; **D191.1.79** Preap Sokhoeun Civil Party Application, 20 January 2010, EN 00541267 [in 1977: “brother, named Pech Ui, and his wife named Ri, their 5 children and her sister Pech Yoeun and her husband named Him with their 5 children, and another sister named Pech Yat and husband named Chan with their five children”]; **D5/1129** Tem Nhar Civil Party Application, 18 October 2009, EN 01143279 [“My uncle, Min Va [...] in 1977”]; **D5/1484** Chhum Neang Civil Party Application, 19 March 2014, EN 01139701 [“In 1978, my elder brother Chhum Rocung”]; **D5/1570** Khim Saran Civil Party Application, 17 August 2013, EN 01190417 [“Mit Dek, Khin Khen, and Khay At”]; **D5/1571** Ven Lan Civil Party Application, 17 August 2013, EN 01190425 [“I lost four relatives, [...] two persons were my nieces/nephews”]; **D5/16/1** Soem Noeun Civil Party Application Report, 3 June 2011, EN 00768843 [“older brother named Soem Phon”]; **D5/17/1** Chea Chhon Leang Civil Party Application Report, 3 June 2011, EN 00768848 [“In 1977, her great aunt named Chea Hieng including her husband and eight children”]; **D5/176/1** Am Nai Oun Civil Party Application Report, 9 August 2011, EN 00781766 [“family members named Tim and her uncle named Nhor”]; **D5/176/4** Am Nai Oun Request for Supplementary Information, 3 July 2015, EN 01172846-47 [“two uncles”]; **D5/217.2** Keo

Theary Supplementary Information, undated, EN 00842816 [“father, Nguon Phep, [...] younger brother Keo Sisopha”]; **D5/266/1** San Eth Civil Party Application Report, 24 August 2011, EN 00788643 [“in 1977 her husband, older brother (Saoy) with his wife and 5 people”]; **D5/330/1** Un Chanthy Civil Party Application Report, 23 November 2012, EN 00895974 [in July 1977: “father named Un Ou, her older siblings named Un Sam An (male), Un Kim San (female), Un Vuoch Nem (female) and 3 nieces/nephews”]; **D5/384/1** Tem Vat Civil Party Application Report, 23 November 2012, EN 00896139 [“two older brothers [...], Tem Savuth, aged of 63”]; **D5/404/1** Chhuon Lang Civil Party Application Report, 23 November 2012, EN 00895832 [“In that same year [1977], Chhuon Ly, the applicant’s another sister”]; **D5/515/3** Vong Ran Civil Party Application Report, undated, EN 01210034 [“In 1977, they took my brother, Vong Ngim, [...]. First they took my father to be killed, [...]. On the same day [as my brother], they also took my cousin, Uon Tol, to be killed.”]; **D5/554/3** Sem Yorn Civil Party Application Report, undated, EN 01190611-12 [“In 1977 [...] father and brother whose names were Seng Sem and Sem Sam”]; **D5/564/1** Ocm Thol Civil Party Application Report, 23 November 2012, EN 00907671 [“In 1979 her aunt and grandfather (3 families) [...] family of her aunt and uncle [...] in 1978.”]; **D5/622/1** Uon Naisim Civil Party Application Report, 11 January 2013, EN 00910175-76 [from 1977: “applicant’s two older sisters Oun Nhor and Oun Kaing Leng”]; **D5/662/1** Chuon Ean Civil Party Application Report, 31 January 2013, EN 00911314-15 [“nephews named Chou Phorn and Chou Run [...] in 1977”]; **D5/664/1** Chuon Chanthol Civil Party Application Report, 31 January 2013, EN 00911346-47 [“older brothers named Chun and Run [...] in 1978 [...] mother named Sou Bin [...] in 1978.”]; **D5/665/1** Seng Theng Civil Party Application Report, 31 January 2013, EN 00911361 [“two cousins, Chou Chuon (male) with the age of 22 years old and Chou Run (male) with the age of 19 years old, [...] in 1977”]; **D5/665/1** Soung Touch Civil Party Application Report, 31 January 2013, EN 00911465 [“In 1977 [...] older brother Sieng, [...] niece/nephew(s)”]; **D5/667/1** Nhoek Hay Civil Party Application Report, 31 January 2013, EN 00911392 [“In 1977, [...] older brother named Mocun, 35 years old, [...] his wife named Mao Ton, and their children [...] her great uncle named Poch, 50 years old, and his wife named Yem”]; **D5/669/1** Tuon Heang Civil Party Application Report, 31 January 2013, EN 00911480 [“great uncle named Pich [...] and his two children [...] in 1977.”]; **D5/674/1** Chheng Man Civil Party Application Report, 31 January 2013, EN 00911556-57 [“In 1977, her younger brother named Chhieng Sien [...] during 1976-1977, her younger brother named Chheng Yom”]; **D5/675/1** Chea Chrech Civil Party Application Report, 31 January 2013, EN 00911572 [“In 1977, [...] two uncles named Duch Men and Khim Chhoan”]; **D5/676/1** Nhim Kol alias Say Civil Party Application Report, 31 January 2013, EN 00911590 [in 1977: “uncle named Nhim Phai, [...] his wife and his four children”]; **D5/679/1** Ou Men Civil Party Application Report, 31 January 2013, EN 00911637 [“In 1978, [...] older brother named Ol”]; **D5/680/1** Hem Eng Srim Civil Party Application Report, 31 January 2013, EN 00911653 [“In 1978, her great uncle named Prep Yan and his wife named Yim”]; **D5/681/1** Pa Meth Civil Party Application Report, 31 January 2013, EN 00911667 [“In 1977, the applicant’s aunt named Chheng Chrech”]; **D5/682/1** Hay Heak Civil Party Application Report, 31 January 2013, EN 00911683-84 [“ten people being tied by their hand behind their back [...]. Those people were Cham people and capitalist.”]; **D5/686/1** Man Han Civil Party Application Report, 31 January 2013, EN 00911746 [“one younger brother named Thim”]; **D5/687/1** Leng Yoeun Civil Party Application Report, 31 January 2013, EN 00911760-61 [“two siblings, His younger brother named Nguy [...] in 1977 [...]. Another younger brother named Ra [...] in 1977 [...] applicant’s husband named Hum”]; **D5/691/1** Pen Sineth Civil Party Application Report, 31 January 2013, EN 00911821 [“older brother Meak Kev”]; **D5/693/1** Key Hen Civil Party Application Report, 31 January 2013, EN 00911852-53 [“In 1977, the applicant’s sibling named Kin”]; **D5/696/1** Hourt Chhun Civil Party Application Report, 31 January 2013, EN 00913438-39 [“During the period of 1977-1978, her husband named Suy Koern”]; **D5/671/1** Lok Sim Civil Party Application Report, 31 January 2013, EN 00911510 [“In 1977, the applicant’s older brother-in-law named Ou Yet [...]. And her other older brother-in-law named Phin Phoan (lived in Doun Thi Village, Chamkar Leu District) aged 35 years old”]; **D5/697/1** Vung Kim Hien Civil Party Application Report, 31 January 2013, EN 00913454 [“In 1978, the applicant’s great uncles named Voan, Ean, San, Sean, Sac, her uncle named Srim, her aunt named Run, and their small children, were all killed.”]; **D5/698/1** Heng Kim Eng Civil Party Application Report, 31 January 2013, EN 00913469 [“In 1977 the applicant’s husband, Kan An”]; **D5/701/1** Mean Moeun Civil Party Application Report, 31 January 2013, EN 00913515 [“In 1977, the applicant’s cousin Thorn Chhoeun”]; **D5/703/1** Nuon Choeun Civil Party Application Report, 31 January 2013, EN 00913546 [“13 relatives. They were killed at Phnum Bros Phnum Srei in 1977, [...] older sibling named Yun [...] Hi [...] Sao [...] Ty [...] Chenda [...] Lnea [...] uncle named Yan [...] older sibling named TAI [...] older sister named Hien [...],

Huon [...] aunt named Him [...] uncle named Soeun [...] older brother named PengLin”]; **D5/704/1** Nuth Savooun Civil Party Application Report, 31 January 2013, EN 00913562 [“In 1977 [...] uncle Nut Nan, [...], his wife along with 4 children [...]. In 1977, his 20-year-old and 22-year-old cousins”]; **D5/708/1** Doak Im Civil Party Application Report, 31 January 2013, EN 00913629 [“great aunt’s family consisting of five members including Inh (her aunt), Jay (her uncle-in-law), Ith (her aunt’s mother), and two children of her aunt”]; **D5/712/1** Koy Kim Civil Party Application Report, 31 January 2013, EN 00913693 [“In 1977, [...] 3 and 5 people [...]. In 1979, the applicant’s younger sister Koy Kim”]; **D5/713/1** Pav Chanthly Civil Party Application Report, 31 January 2013, EN 00913709 [“In 1977, the applicant’s three siblings namely Noeun, 28, [...] and Yooun and Men”]; **D5/715/1** Keo Phoeun Civil Party Application Report, 31 January 2013, EN 00913742 [“In 1977-1978, the applicant’s younger brother Keo Sokhon”]; **D5/724** Sun Chean Civil Party Application Report, 4 March 2012, EN 00997369 [“My father Sat Sok [...] in 1978.”]; **D5/739/1** Heng Chan Thocun Civil Party Application Report, 28 February 2013, EN 00914773 [“In 1977, [...] great uncle and his family members”]; **D5/740/1** Sao Thai Civil Party Application Report, 28 February 2013, EN 00914791 [“In 1977, [...] younger brother-in-law Kao Kin”]; **D5/751/1** Long Chanthol Civil Party Application Report, 28 February 2013, EN 00914980 [“In 1978, the applicant’s older brother Long Vat”]; **D5/753/1** Hon Lihoung Civil Party Application Report, 28 February 2013, EN 00915010 [“In 1978, the applicant’s great uncle namely Hao Chay Heng, aunt namely Kak (Chay Heng’s wife) and their 9 children”]; **D5/754/1** Neou Sok Civil Party Application Report, 28 February 2013, EN 00915026 [“In 1977, the applicant’s younger sister Neou Noen”]; **D5/756/1** Kong Sokchea Civil Party Application Report, 28 February 2013, EN 00915059 [“In late 1978, the applicant’s father”]; **D5/757/1** Yeng Sin Civil Party Application Report, 28 February 2013, EN 00915074 [“In 1978, the applicant’s great uncle, and a cousin”]; **D5/758/1** Sou Dary Civil Party Application Report, 28 February 2013, EN 00915088 [“In 1976, the applicant’s father Sou Yang”]; **D5/760/1** Ing Sokkhan Civil Party Application Report, 28 February 2013, EN 00915119 [“In 1976, the applicant’s older brother Ing Sok Docun”]; **D5/761/1** Much Savocurn Civil Party Application Report, 28 February 2013, EN 00915136-37 [“In 1977, the applicant lost two uncles’ families consisting of five members, [...]. The first uncle Vung Khom, [...]. Five days later, her uncle’s wife and an 8-month-old child [...]. Half a month later, another uncle Vung Khon, [...]. Ten days later, her uncle’s wife, who was seven-month pregnant [...] In 1977, the applicant’s father Yun and her older brother”]; **D5/763** Seng Sun Leang Civil Party Application Report, 22 February 2012, EN 00988617-18 [“In 1977, they took my older brother, his wife, and their children [...] Two brothers-in-law named Vin and Lun [...] in 1977; 4) Seng Kim Hean, [...] in 1978; 5) Two nieces namely Seng Leap and Seng Leak, children of Seng Suor, [...] in 1978.”]; **D5/764/1** Pong Yeat Civil Party Application Report, 29 March 2013, EN 00915184 [“older brother-in-law named Khem Im, 28 years old, [...] together with his wife namely Chheang and their three children, [...] in 1977.”]; **D5/770/1** Lon Chhoan Civil Party Application Report, 29 March 2013, EN 00915280 [“six members in his family, including: [...] His older brother named Lon Ien [...] in 1977”]; **D5/774/1** Voeng Van Civil Party Application Report, 29 March 2013, EN 00915346 [“In 1977, the applicant’s uncle Sim, [...], and Sim’s older brother Man”]; **D5/775/1** Hay Saing Civil Party Application Report, 29 March 2013, EN 00915363 [“In 1977, Sao Kim, the applicant’s son”]; **D5/776/1** Heng Sivkea Civil Party Application Report, 29 March 2013, EN 00915378 [“In 1977, the applicant’s older brother Kimchhay”]; **D5/777** Leng Ra Civil Party Application Report, 17 March 2012, EN 01090089 [in 1977: “I lost three family members: 1) Leng Sroean, older brother [...]; 2) Sieng Eng, uncle [...]; 3) Sieng Ol, cousin [...]; 4) Leng Nhor, older brother”].

⁶⁷² See fn. 630 above.

⁶⁷³ With the exception of a brief stop in late 1977 for 1-2 months after Reap was arrested and before the replacement soldiers from Phnom Penh arrived. See para. 175 and the supporting evidence cited therein.

⁶⁷⁴ See para. 175 above and the evidence cited therein.

⁶⁷⁵ **D219/772** Sat Sim Written Record of Interview, 31 May 2016, A58 and A60, EN 01309839 [from 1975 the witness was stationed near Phnom Pros at Veal Vong airport and was sent away in the rainy season of 1977: “Q: At that time what did the Khmer Rouge use the Phnum Pros Phnum Srei Pagoda for? A: I don’t know, but I knew that they took people to be beaten to death and disposed of at the well. [...] Each night they transported one or two vehicle loads to be killed at that well. [...] And at night I heard the sound of screaming. I was up from Veal Vong. [...] I could hear the sound of people crying there. The well and the place where I kept guard were maybe 400-500 metres apart.”], A65, EN 01309840 [“I heard that more and more people were taken there after I left that place.”], A80 and A85, EN 01309842 [“When I was demobilized [...] and [they] removed me from the army, they had people drive me past that location. [...] The

clothes and shoes were scattered all around the well.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431482 [“In just over one month in mid 1977, Reap’s troops executed somewhere between five thousand and ten thousand people at Phnom Bros. [...] While the frequency of truck arrivals varied, victims were delivered to Phnom Bros almost every day. At the peak of the killings, four trucks would each bring in two loads of people in a single day, thus resulting in the execution of about three hundred individuals. The vehicles would sometimes arrive in the evening, making it necessary to execute people by the light of the moon or the truck’s headlights. Khel noted, ‘The killing was usually over by nine or ten o’clock at night. Afterward, the killers washed off the blood.’”].

⁶⁷⁶ See para. 172 above and the evidence cited therein.

⁶⁷⁷ **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A44-48, A53-54, and A62-64, EN 01374646-49. Regarding the timeframe that Nhem Chen worked for Ao An. See, e.g., **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A96, EN 01224112 [“Sok became Sector Military Commander around November 1977. I was moved to the Sector Military and no longer followed Uncle An.”]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A44, EN 01224088 [“I worked with Ta An from 1976 to late 1977. Then I went to work with Ta Sok.”] noting that Nhem Chen confuses the date Ao An arrived in the area as being 1976 in this statement and elsewhere but see **D219/731** at A12 where he clarifies that Ao An arrived “Approximately early 1977, around February or March.”.

⁶⁷⁸ See, e.g., **D219/226** Penh Va Written Record of Interview, 11 March 2015, A6, EN 01088622 [“I first saw [Ao An] when he arrived in March 1977. He called upon approximately 300 cadres from the sector level to attend a meeting at a pagoda that was situated in Chrey Vien Commune. [...] Two weeks after the meeting took place they drove two trucks and parked them at the corner of Phsar Prey Tortoeng Market. They were waiting for those who had been arrested in various villages and communes to be taken there by ox cart. [...] there were two armed guards standing on those trucks. They were JMC American trailer trucks that could carry up to about 50 people. I learned that those people were taken to be killed at Phnom Pros Phnom Srei Mountains. [...] After being quiet for a while, the trucks came back again and took more people away. I witnessed these incidents in person [...] until October 1977 when I stopped working.”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032987-88 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D219/620** Pall Lay Written Record of Interview, 8 December 2015, A38, EN 01184939 [“Evacuees were transported to Wat Ta Meak Pagoda, and afterwards those evacuees were transported from Wat Ta Meak Pagoda to Phnum Pros.”]; **D219/460** Sat Pheap Written Record of Interview, 7 August 2015, A11 and A15, EN 01151219-20 [“There were two drivers named Se and Det. They worked in the transportation unit of the sector and were assigned to transport people from Wat Ta Meah Pagoda to Phnum Pros Phnum Srei Mountain. [...] But once, when Se returned from transporting people at about 9.00 p.m., he entered my room to find some food, and he whispered to me that those people were not transported to Kratie Province: in fact, those people were transported to Phnum Pros Phnum Srei Mountain. [...] My understanding is that the people were taken from various places to be detained in the [Wat Tameah] pagoda for four or five days, and each time there was a sufficient number, they were transported to the east and Phnum Pros Phnum Srei Mountain. [...] This event probably happened in September 1977.”]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A7, EN 01040460 [witness was a Central Zone military soldier stationed at Phnom Pros, tasked with observing vehicles transporting prisoners up the mountain (see A6): “At first, they used GMC vehicles from the zone military for transporting prisoners from Prey Chhor and Cheung Prey. Later on, I saw them use Chinese lorries to transport prisoners who were arrested in the East Zone”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A167, EN 01067872 [“When I was transplanting rice, I saw them transporting people, including children and old people in convoy of vehicles. The farmers who planted yams at the foot of the mountain told me that the Khmer Rouge transported those people to be killed at the foot of Phnum Pros-Phnum Srei Mountain.”]; **D1.3.11.49** Soeng Leum OCP Statement, 17 November 2006, EN 00222963 [“All of those who were accused of linkages to the mandarins were taken away and killed. This means anyone who was connected to the old society power holders. They were taken away by the truck full and killed right through to 1978. The worst killings took place at Voat Phnum, that is, Phnum Srei and Phnum Pros. [...] The people evacuated to Voat Phnum in 1977 were people of all three categories, all those connected to old society tendencies and anyone who was linked to anybody who had previously been so

connected.”]; **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 [“people with tendencies or connections to Sreng were taken away and executed. [...] The disappearances took place in 1977 after the Southwest cadres had arrived. [...] He was told the people were taken to Phnum Pros Phnum Srey by one of the drivers who collected people in his village.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431597 [“Teeda Mam, a ‘new person’ who was living in the Chomkar Loe district of Region 41 at this time, recalled, ‘[...] when Pauk ordered Reap to ‘clean up’ parts of Regions 43 and 41, Reap’s troops had easy access to a list of suspected ‘diseased elements’ (‘new people,’ reactionaries, and certain ethnic minorities). Reap’s troops first killed people locally and then, perhaps to increase efficiency, trucked victims to the Phnom Bros extermination center. Chlat recalled that in August 1977 his village head suddenly announced that a number of villagers – primarily ‘new people’ – were being sent to live in a ‘new village’; [...] Sruon instructed his wife and children to get ready to go. He told me, ‘Take care of father and our siblings. As for me, don’t believe that they are taking me to a new place. There isn’t one. They are taking us to be killed.’ [...] Upon arriving at Phnom Bros, Sruon and thousands of other Cambodians were lined up and killed”].

⁶⁷⁹ **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431484 [“Although Phal did not execute people as rapidly as Reap had, he continued to kill people at Phnom Bros until the end of DK, and Khel estimates that in the end Phal killed about the same number of people as Reap.”]. See also **D219/138** You Vann Written Record of Interview, 8 January 2015, A93, EN 01059295 [“I only saw the dispatch of people from Sector 42 to be killed in Sector 41 at the Phnum Pros Phnum Srei mountains. [...] That was around a month before the Vietnamese arrived. During that stop, when I was still on the road, I saw a military truck carrying a full load of people including men, women, and children who did not look like cadres. That military truck was a GMC cargo truck.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A223-227, EN 01374663 [“Q: As you have said just now, did they send only a person or a group of people? A: They sent groups of 17 April people who had been arrested to Phnom Pros Phnom Srei Mountains to grab the new land. Q: Where did you see them? A: In short, they were sent by horse carts to Batheay District. At that time, I was at the cooperative farming rice. I asked the cooperative chairpersons where those people were going. They said they were taken to Phnom Pros Phnom Srei Mountain to grab the new land. Q: Was that before or after you worked with Ta An? A: It was after I worked with Ta An. I had left him already.”]; **D1.3.11.16** Henri Locard, Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397-98, Mey Son Interview [“[Mey Son] lived near the hills and would walk along the road to fetch water. He would see 2-3 trucks every day bringing people, with children who looked happy and did not know they would have been massacred soon. They were killed at night. When he went one way, he heard voices, when he came back, everything was silent. They had been buried in pits.”]; **D5/703/1** Nuon Choeun Civil Party Application Report, 31 January 2013, EN 00913545-46 [“In 1977-1978, the applicant looked after animals at Phnum Bros Phnum Srei. He witnessed that Chhocun [...] and other Khmer Rouge cadres killed one truck of people per day at Phnum Bros Phnum Srei [...]. Before killing, the victims were taken off their clothes, and they were clubbed and dropped into pits.”].

⁶⁸⁰ **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 [“From 1975 to 1979, [...] the ‘meditation site’ became a killing site. [...] In 1979, immediately after the liberation, [...] The ‘meditation site’ was full of big pits next to one another. People counted those pits and [found] that there were 48 pits and three wells which were full of dead bodies. [...] After counting, people found out that there were 7,300 skulls there, excluding the pits and many other dead bodies of people who were taken to be killed at Sra Lao Village, at the foot of Phnom Srey Mountain. There were around 1,000 dead bodies [there].”]. EN 01399387 [describing the facilities built on the former ‘meditation site’ after 1997, including a big Buddha statue, a Buddhist library, a gathering hall, other statues and buildings, and a memorial stupa. From this description, it is clear that the ‘meditation site’ where the pits were found covered a large portion of the valley]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211159 [“Achar Thaong Kim says that there were 8 burial pits at Phnom Pros and 8 more burial pits in Sralao village. He arrived in 1979 after the Khmer Rouge had fallen. Villagers told him about the pits. He saw the excavation of the pits. People were digging up the bodies to look for valuables. He did not participate in this.”]; **D6.1.524** DC-Cam Burial Report, 18 February 2008, EN 00379095, line 59 [states that Wat Phnom Pros in Kampong Siem District had 47 pits with more than 10,000 victims]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“on the Northern side between the two Wats are 47 large burial pits, and many more small pits.”]; **D1.3.11.16** Henri Locard,

Kompong Cham: West Bank of the Mekong (Old North Region), 5 June 2007, EN 00208385 [“There are 2 hills, Phnom Pros, Phnom Srey. Pits, heaps of clothes and human remains were found in 1979: some 8,000 skull[s] over an area of about one hectare.”]; EN 00208397, Srey Kanoeun Interview [“There were hundreds of pits at the foot of the hill, on the south side. In 1980, some 10,000 skulls were counted.”]; EN 00208398, Young Met Interview [“He says there were some 40 pits - some 6 by 4 metres, some smaller, 2 by 3. He saw all those after 1979 and counted the pits.”]; EN 00208399, Sor Sorn Interview [“He arrived at Phnom Pros in February 1979. [...] He has just seen ashes of clothes that had been burnt in large quantities in 3 different places. There were between 100 and 200 pits.”]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A48, EN 01090003 [“I have been to the killing site in Phnom Srei Phnom Pros [after the Khmer Rouge regime collapsed] which has a massive pit. The pit was open with skulls, bones and clothes”]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A11, EN 01132630 [“I went to Phnom Bros Mountain [in early 1979], where I saw people digging up pits”]; **D219/293** Cheam Peou Written Record of Interview, 4 May 2015, A10, EN 01111817 [“we discovered bones, skulls, clothes, trees whose bark had been removed, and pits there after the fall of the Khmer Rouge regime.”]; **D3/20** Srei Kanoeun Written Record of Interview, 3 December 2010, A3, EN 00631100 [“As far as I know, after 1979 many people including me climbed up this hill to look for gold and other things. [...] At the current Meditation Centre up to the airfield, we saw many pits which the soil shrank down for a few centimetres. However, at the present time, those pits become villages where people build their houses and factories.”]; **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A9-10, EN 01132626 [“After the Khmer Rouge collapsed, I returned to live in Sralao Village. [...] In my village, there were also ten pits in front of the present sawmill.”]; **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797011 [“These pits were in the north of the hills of Phnom Pros Phnom Srey, lined up in four or five rows and two or three meters deep.”]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309877 [“In the Phnum Bros Phnum Srey area, in the valley between the mountains, it was full of grave pits. In 1979 we walked around the area of Phnum Srey, it was full of grave pits.”]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431459 [“The farming cycle in Banyan also provides grim reminders of the past, as the plows sometimes pull up pieces of cloth, teeth, or shards of bone marking the village’s location next to Phnom Bros, an enormous DK killing center where over thirteen thousand people were executed and then buried in dozens of mass graves and even a couple of village wells.”]; EN 00431462-63 [upon their return to Banyan Village, “[Vong] and his wife found a place where the clothes of the Phnom Bros victims had been burned. ‘Then we found all the graves, some of which still had limbs sticking up through the dirt. The place stank.’ Initially, many Banyan villagers were scared to live so close to the mass graves, some of which had been dug in their rice fields.”].

⁶⁸¹ **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208313 [“The 1996 site visits placed an entirely new dimension on the size of the killing sites along the River in Kampong Cham. A pattern of very large killing and burial sites along the Mekong and along Hwy. 7 emerged, with ease mass transportation being the deciding factor. [...] At a total of 12 burial sites visited to date in Kampong Cham Province we have found a total of 1,740 mass grave with an estimated 96,850 victims killed at these sites.”].

⁶⁸² **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A9, EN 01132626 [“After the Khmer Rouge collapsed, I returned to live in Sralao Village. I went to Phnom Pros and Phnom Srei Mountain, where I saw a pile of old clothes being burnt. I also saw a great number of pits. I saw villagers digging the pits in search of gold or money. The bones and the skulls were scattered all over the place.”]; **D3/20** Srei Kanoeun Written Record of Interview, 3 December 2010, A3, EN 00631100 [“As far as I know, after 1979 many people including me climbed up this hill to look for gold and other things. There, we saw various items such as clothes, knives, spades, hooked knives, kitchen utensils, etc. [...] About in late 1979 or early 1980, after people collected all gold on the land, they started to dig the pits where some people got gold, some diamonds or dollar banknotes. At that time, if we stood on the top of Phnom Pros or Phnom Srei and looked down we would see many white skeletons.”]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A48, EN 01090003 [“I have been to the killing site in Phnom Srei Phnom Pros [after the Khmer Rouge regime collapsed] which has a massive pit. The pit was open with skulls, bones and clothes, and villagers were searching for gold and gemstones. Everyone went to see it.”]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A11, EN 01132630 [“I went to Phnom Bros Mountain [in early 1979], where I saw people digging up pits in search of gold and other valuable items.”]; **D1.3.11.35** Niv Sun OCP Statement,

1 August 2008, EN 00210524 ["After the fall of the regime in 1979, he [Niv Sun] saw many skulls that remained at Phnum Srey. In 1980 he saw many skulls and clothes. People at the foot of the mountain had dug through the buried clothes and remains looking for gold hidden in the clothes. People showed him clothes that had been uncovered by the gold-seekers. He saw skulls and skeletons, but there was no flesh on the bones"]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309878 ["I only knew about it in 1979, when I saw people searching for gold dig up the grave pits looking for it. The grave pits were full of blood and body liquids."]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 ["Many of the pits have been opened and vandalized, and the bones scattered."]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211159 [Information from Achar Thaong Kim: "He arrived in 1979 after the Khmer Rouge had fallen. Villagers told him about the pits. He saw the excavation of the pits. People were digging up the bodies to look for valuables."].

683 **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A10, EN 01132626, *See also D219/812.1 The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399385-86 ["In 1979 [...] [at Phnom Pros] those [human] remains floated to the surface [of the wells] as they had been pulled out by the animals. [...] [there were] many other dead bodies of people who were taken to be killed at Sra Lao Village, at the foot of Phnom Srey Mountain."].

684 **D1.3.11.35** Niv Sun OCP Statement, 1 August 2008, EN 00210524 ["After the fall of the regime in 1979, he [Niv Sun] saw many skulls that remained at Phnum Srey. He went there twice, once in 1980 and once in 1986. In 1980 he saw many skulls and clothes. [...] He saw skulls and skeletons, but there was no flesh on the bones. He could only see a corner of the site, because the jungle was thick and he was afraid of mines, but based on what he saw he believes there were tens of thousands of bodies in the whole area. [...] many people were killed there and the nearby wells were also full of bodies."].

685 **D3/20** Srei Kanocun Written Record of Interview, 3 December 2010, A4, EN 00631100 ["In 1980 or 81, we had an organization called National United Front for Salvation of Kampuchea that mobilized people to collect all human bones to be counted. As far as I can remember, there were more than ten thousand skulls at that time."]; **D6.1.524** DC-Cam Burial Report, 18 February 2008, EN 00379095, line 59 [states that Wat Phnom Pros in Kampong Siem District had 47 pits with more than 10,000 victims]. *See also D1.3.11.16* Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208397, Srei Kanocun Interview ["There were hundred[s] of pits at the foot of the hill, on the south side. In 1980, some 10,000 skulls were counted."].

686 **D219/812.1** *The History of Sovankiri Ratanak Phnom Pros Pagoda*, EN 01399386 ["People counted those pits and founded that there were 48 pits and three wells which were full of dead bodies. Later, those remains floated to the surface as they had been pulled out by the animals. After counting, people found out that there were 7,300 skulls there, excluding the pits and many other dead bodies of people who were taken to be killed at Sra Lao Village, at the foot of Phnom Srey Mountain. There were around 1,000 dead bodies [there]."]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211157 [the head librarian Lang Nguonheng at the library at the base of the mountain at Phnom Pros provided a booklet describing the history of Phnom Pros Phnom Srei with a section on the Khmer Rouge period: "[The booklet] was prepared by the provincial authorities in 2007. [...] According to the booklet, after the Khmer Rouge fled, there were 48 pits, 3 wells, clothes, equipment, and 7,300 skulls left behind. The 7,300 skulls that were found do not include nearly 1,000 people who died at Sralao village."]. *See also D219/377* Morn Mot Written Record of Interview, 24 May 2015, A14, EN 01132626 ["Q: Did you know whether there is an institution that kept records of the number of the dead bodies and victims at Phnom Pros Mountain and Phnom Srei Mountain? A: Yes, I did. At that time, the provincial authority, including the Department of Culture and Propaganda, came to record the number of victims. However I do not know the number of the victims there."].

687 *See fn. 686 above. See also D219/377* Morn Mot Written Record of Interview, 24 May 2015, A9-10, EN 01132626 ["After the Khmer Rouge collapsed, I returned to live in Sralao Village. [...] In my village, there were also ten pits in front of the present sawmill."]; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431459 ["The farming cycle in Banyan also provides grim reminders of the past, as the plows sometimes pull up pieces of cloth, teeth, or shards of bone marking the village's location next to Phnom Bros, an enormous DK killing center where over thirteen thousand people were executed and then buried in dozens of mass graves and even a couple of village wells."].

- ⁶⁸⁸ **D219/377** Morn Mot Written Record of Interview, 24 May 2015, A11-12, EN 01132626 [witness resided in Sralao Village before Phnom Pros was used as an execution site and saw craters that had been left from the bombing by air forces: “Q: Were the bomb craters used as pits? A: No, they weren’t. The Khmer Rouge dug up the pits and buried the dead bodies there.”]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A12-14, EN 01132630.
- ⁶⁸⁹ **D3/20** Srei Kanoen Written Record of Interview, 3 December 2010, A4, EN 00631100 [“In 1980 or 81, we had an organization called National United Front for Salvation of Kampuchea that mobilized people to collect all human bones to be counted. [...] At that time, some of the bones were reserved in a stupa the building of which was sponsored by Oknha Sim Vanna. As far as I can remember, some other bones were transported by ox-carts and stored at the stupa in Nokor Pagoda.”]; **D219/363** Hak Sophal Written Record of Interview, 12 June 2015, A11, EN 01128233 [witness was an interpreter with CGP mapping in Kampong Cham: “Q: We would like you to check the information [in the Mapping Report] regarding Wat Norkor Pagoda (ERN 00208308-EN). At this pagoda the bones of 1,000 victims are kept. They were collected from Wat Phnom Pros Pagoda. Do you remember who gave you the information about this pagoda? A: Van Punleu, who went with us, was the Director of the Provincial Department of Culture and Religion. He and his deputy (Koeurt Pat), who were in charge of managing the documents) gave us information about Wat Phnom Pros Pagoda and Wat Norkor Pagoda. They gave us the information orally because they did not have any written documents. However, they worked on the bone excavation project in 1982.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211157 and 00211159 [the attendant at the memorial “did not live in the area during Khmer Rouge period, although he has been told that the bones were collected in 1979 after the Khmer Rouge regime fell. Originally, there were more than 8,000 skulls, but some decayed and some were sent to Wat No Kor. [...] [Achar Thaong Kim at the temple explains] First, the remains were collected and stored in a big stupa at Phnom Pros. They were kept in the stupa for a while and then half of the remains were sent to Wat No Kor Bachey.”]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 26 February 1996, EN 00208309 [“because of interference with the bones by visitors, most have now been moved to the memorials at Wat No Kor.”].
- ⁶⁹⁰ **D3/23** Phnom Pros Site Identification Report, 1 December 2010, EN 00644196 [“Only a few skulls and bones are now kept in a stupa. Those remains were collected on the killing site in the eighties.”], EN 00644197 [photographs of the memorial stupa]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211157 [“We talked to Suon Leng, who is the attendant at the memorial. He has worked at the memorial since 2000. The skulls and bones in the memorial have been there since at least 2000.”], EN 00211159 [information from Achar Thaong Kim: “He confirmed that the skulls and bones in the memorial at the base of Phnom Pros were collected from near a pond that was located between Phnom Pros and Phnom Srei.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208398, Young Met Interview [“A memorial was constructed in 2002 in between the two hills. Few skulls were left; some were small ones of children.”].
- ⁶⁹¹ **D303** Written Record of Further Appearance, EN 01213486-87 and EN 01213489.
- ⁶⁹² See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.
- ⁶⁹³ **D117/48** Wat Angkounh Dei Site Identification Report, 31 July 2014, EN 00987175 [states that Tuol Beng execution site was located in Tuol Beng village, Krala commune, Kampong Siem District, Kampong Cham Province, Sector 41]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A9, EN 00966998 [“The then old District Security Centre was located to the west of [Wat Angkounh Dei] pagoda [...] in Tuol Beng Village, Krala Commune, Kampong Siem District. It was an execution site.”], A12, EN 00966999 [“The execution site was located in Tuol Beng Village, near the old security centre, west of the pagoda.”]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A4, EN 01132629 [“there was a security office at Tuol Beng, Krala Commune, to the south of Au Svay Commune.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A1, EN 01063605 [“Kampong Siem Security Office was located at Tuol Beng.”]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A15, EN 01090000 [“I know that there was a security office in Tuol Beng.”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A6, EN 01032989 [“Q: Did you know where the security office was located? A: It was at Tuol Beng.”]; **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A18, EN 01032997 [“I knew that there was a security office at Tuol Beng, but I never went there. I heard that Tuol Beng was the district security office.”].

- ⁶⁹⁴ **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A4-5, EN 01132629 [“there was a security office at Tuol Beng, Krala Commune. In 1973, I was assigned to transport rice to the security guards there, but I did not know any of them. Through my observation, there were a great number of prisoners whose legs were shackled, in three or four halls. [...] In my estimation, the number of prisoners was about 200 people. My two uncles, Sath Seth and Eam Sokhon, were imprisoned there.”]; **D219/461** Pen Thol Written Record of Interview, 8 August 2015, A5-6, EN 01151227 [“At that time, the battalion was located in Tuol Beng, and I was there as well. [...] I am referring to late 1975 to early 1976.”]; **D219/501** Written Record of Investigation Action, 11 September 2015, EN 01141626-27 [“Then Thol [...] denied knowing anything saying that he was a low level soldier so he had no knowledge of what went on within the administration. He joined the armed forces prior to the Southwest Zone arriving in the area. He was station[ed] at Tuol Beng and at the time it was just a military office. According to Then Thol there were no detainees at Tuol Beng.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A4, EN 01063606 [“Q: Had the Tuol Beng Security Office already existed when you arrived there in 1977? A: The security office had already existed, but there were no buildings”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A8, EN 01032989-90 [“They had already used Tuol Beng security office as a killing field before the Southwest cadres arrived, and they had already begun to kill the people one by one.”].
- ⁶⁹⁵ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A4, EN 01063606 [“Q: Had the Tuol Ben Security Office already existed when you arrived there in 1977? A: The security office had already existed, but there were no buildings, so I had them and the Southwest people who came with me, construct the buildings at that security office.”].
- ⁶⁹⁶ **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A8, EN 01032989-90 [“They had already used Tuol Beng security office as a killing field before the Southwest cadres arrived, and they had already begun to kill the people one by one. It became a huge and dreadful killing field after the Southwest cadres arrived.”]; **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A12, EN 01034900 [“Sometimes I walked across that entrance [of the Tuol Beng Security Office] to the fields behind the village, and I saw them interrogating the people. I sometimes walked past that entrance in 1977. Fierce killings happened in 1978. I stopped walking through that entrance because of pungent odours.”]; **D5/678** Thon Yang Civil Party Application, 22 February 2012, EN 00981085 [“Yeay Yut became the committee [chief] of Kampong Siem district since early 1977. [...] Yeay Yut was from the Southwest Zone who, after becoming the district committee of Kampong Siem district, sent tens of thousands of people from Kampong Siem district to be killed at Phnom Pros and Phnom Srei, Tuol Beng, and Vihear Thom commune.”]; **D117/48** Wat Angkounh Dei Site Identification Report, 31 July 2014, EN 00987176 [“[Tuol Beng Security Centre] already existed before the arrival of the SW people but was really used as a killing place after the SW people took power of the sector.”]; **D5/678** Thon Yang Civil Party Application, 22 February 2012, EN 00981085 [“Yeay Yut became the committee [chief] of Kampong Siem district since early 1977. [...] Yeay Yut was from the Southwest Zone who, after becoming the district committee of Kampong Siem district, sent tens of thousands of people from Kampong Siem district to be killed at Phnom Pros and Phnom Srei, Tuol Beng, and Vihear Thom commune.”]; **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A12, EN 01034900 [“I sometimes walked past that entrance [of Tuol Beng Security Office] in 1977. Fierce killings happened in 1978. I stopped walking through that entrance because of pungent odours.”].
- ⁶⁹⁷ **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A9, EN 01132629 [“Regarding Tuol Beng, I want to tell you that before the Vietnamese troops arrived, the troops had spent about three days crossing the river from the east side to the west side. During that time, all the remaining prisoners were transported to a prison in Prey Tortoeng. However, I did not know the name of the place. After that, all the prisoners were killed with a grenade thrown into the prison before the Khmer Rouge fled upon the arrival of the Vietnamese troops.”].
- ⁶⁹⁸ **D219/136** Than Yang Written Record of Interview, 22 December 2014, A17-19, EN 01072527 [Than Yang harvested rice for many days near the Tuol Beng Security Centre after the arrival of Prak Yut: “There were two wooden buildings [in Tuol Beng Prison] used for detaining people. Each building was 7 metres wide and 20 metres long. There were about five guards. Those guards were young, approximately 18 years old. [...] Through the window I saw those prisoners had their legs tied to a wooden beam. There were about ten male prisoners in that building, and those prisoners were inhabitants in the area. In the other building, there were fewer than ten female prisoners.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A3, EN 01063606 [“There were two buildings at the [Tuol Beng] security office. One building was for sleeping

accommodation, and soldiers stood guard around that building; they also slept at that place. Another building was a kitchen.”]; **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A12, EN 01034900 [“The security office was a long shelter with shackles. Sometimes I walked across that entrance to the fields behind the village, and I saw them interrogating the people. I sometimes walked past that entrance in 1977.”].

699 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A20, EN 01072527-28 [“Q: Did you see anything strange in the rice field around that prison? A: I saw many pits. Approximately 20 pits had already been dug. Each pit was 5 metres in width, 7 metres in length and 2.5 metres in depth. Those pits were about ten metres from the prison. At that time, those pits were empty. But after the Khmer Rouge regime collapsed, those pits were completely filled and there were many flies.”].

700 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A17-19, EN 01072527 [Than Yang harvested rice for many days near the Tuol Beng Security Centre after the arrival of Prak Yut: “There were two wooden buildings [in Tuol Beng Prison] used for detaining people. Each building was 7 metres wide and 20 metres long. There were about five guards. Those guards were young, approximately 18 years old. [...] Through the window I saw those prisoners had their legs tied to a wooden beam. There were about ten male prisoners in that building, and those prisoners were inhabitants in the area. In the other building, there were fewer than ten female prisoners.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A3, EN 01063606 [“There were two buildings at the [Tuol Beng] security office. One building was for sleeping accommodation, and soldiers stood guard around that building; they also slept at that place. Another building was a kitchen.”]; **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A12, EN 01034900 [“The security office was a long shelter with shackles. Sometimes I walked across that entrance to the fields behind the village, and I saw them interrogating the people. I sometimes walked past that entrance in 1977.”].

701 **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A70, EN 01178455 [“Tuol Beng was a security office, but it was not large. It could accommodate 50 to 60 people.”]; **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A32, EN 01079864 [“[The Tuol Beng Prison] was not very large.”]. A1-3, EN 01079857-58 [Keo Voeun was on the Krala Commune Committee after being transferred to Kampong Cham Province in 1977].

702 **D117/48** Wat Angkounh Dei Site Identification Report, 31 July 2014, EN 00987176 [according to witness S bong Yann, “Now the site is occupied by farms and lands for agriculture. All trac[e]s of the pits have disappeared.”], EN 00987183-8 [photos of the current view of the former Tuol Beng Security Centre]; **D117/41** Thlang Pheng Written Record of Interview, 6 May 2014, A8, EN 01032974 [“After the collapse of the Khmer Rouge regime, [people] came here and began to dig up bones and filled the pits in order to build houses. Now no traces could be found.”].

703 **D117/48** Wat Angkounh Dei Site Identification Report, 31 July 2014, EN 00987176 [“Tuol Beng village is located at approximately 1.5 kilometre West of [Angkuonh] Dei village, on the left side of the national road nr7 to Phnom Penh.”], EN 00987175 [stating that Angkuonh Dei district security centre was located in Angkuonh Dei village, Krala Commune, Kampong Cham Province, Sector 41, Central Zone], EN 00987176 [“According to witness Thou Sokheng, the Security Center was in fact a big open area protected by a roof with two lines of shackles for the prisoners and was located at the East of the Pagoda compound.”]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A5, EN 01031702 [“there was also a security office at Wat Angkuonh Dei premise.”]; **D117/41** Thlang Pheng Written Record of Interview, 6 May 2014, A9, EN 01032975 [“the security office was located in Wat Angkuonh Dei about 1.5 kilometres away east of my house [in Tuol Beng Village].”]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A3, EN 00967610 [“When I arrived in Kampong Siem, [...] I stayed at the security center which was located near Voat Angkuonh Dei Pagoda.”]; **D179/1.2.6** Prak Yut T. 30 January 2012, 13.47.37- 13.48.58, EN 00775491 [“Q: But the security centre you told us about, was it at the pagoda of Angkuonh Dei? A: Yes, the security centre was located in that pagoda.”]. See *contra* **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A1-2, EN 01063605 [“Kampong Siem Security Office was located at Tuol Beng. [...] Angkuonh Dei was not used as any place because it was a totally damaged pagoda. So it could not be used as a security office. But they boiled Khmer traditional medicine at Angkuonh Dei Pagoda. The security office was located at Tuol Beng.”].

704 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A9, EN 00966998 [“As you have seen along Highway 7, from Kampong Cham to Phnom Penh, on the right hand side located in the Sewing Office, followed by the District Handicraft Office and then the Commune Office of Krala (Rom’s office), which were located in front of the entrance route leading to Angkuonh Dei Village.”]; **D219/171.1**

Nhim Kol alias Say Hand-Drawn Map, 11 February 2015 [sketch depicting the Krala Commune Office in relation to Wat Angkuonh Dei Pagoda and other sites in the area]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210447 [“The District Office in the Khmer Rouge period was in Angkuonh Dei village, Krala commune. The building does not exist any more. It was near the place that the Kosma Neary Roat Sewing Training Center is now located. The District Office and the Commune Office were both made of wood and both are gone now. The current primary school was built on the same location as the old commune office.”].

705 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A9, EN 00966998 [“As you have seen along Highway 7, from Kampong Cham to Phnom Penh, [...] On the left hand side was located the district office of Kampong Siem run by Prak Yut, which is about 200m from the current commune office of Krala. The district hospital was located on the left hand side as well, next to the district office. In front of the district hospital located Wat Angkuonh Dei Pagoda. And next to the pagoda was the District Security Centre, located in Thmei Village.”]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A9, EN 01090000 [“Q: Do you remember where the district office was located? A: Yes, I do. It was located in Angkuonh Dei Village, along National Road 7, just across Wat Angkuonh Dei Pagoda.”]; **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A33, EN 01079864 [“Wat Angkuonh Dei Pagoda was located north of the District Office”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A13, EN 01059275 [“Wat Angkuonh Dei Pagoda was located on the opposite side of the road about 100 metres from the Kampong Siem District Office.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A12-16, EN 00966963-64 [“The Kampong Siem District Office was located in Angkuonh Dei Village, Krala Commune. [...] It was opposite Angkuonh Dei Pagoda.”]; **D107/5** Om Kim Eng Written Record of Interview, 18 February 2012, A20, EN 00787226 [“I knew Prak Yut, she was the secretary of Kampong Siem district. [...] Her office was near Angkuonh Dei Pagoda.”]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136855-56 [“Yceay Yuth's office was the present-day firewood-selling place next to Wat Angkuonh Dei Pagoda. [...] Presently, it is a villager's house. [...] She stayed, slept and worked there.”]; **D219/461** Pen Thol Written Record of Interview, 8 August 2015, A5, EN 01151227 [“Kampong Siem District Office was located in front of Wat Angkuonh Dei Pagoda.”]; **D107/5** Om Kim Eng Written Record of Interview, 18 February 2012, A20, EN 00787226 [“I knew Prak Yut, she was the secretary of Kampong Siem district. I was not sure when exactly she arrived in this district-- maybe in 1978. Her office was near Angkuonh Dei Pagoda.”]; **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A40, EN 01044877 [“The district security centre was located near the district office”]. A45, EN 01044878 [“From Kampong Cham along National Road Number 7, the district office was on the left-hand side, and they detained those five or six people behind the district military office, but I did not know if that place was the district security office or not.”]; **D117/41** Thlang Pheng Written Record of Interview, 6 May 2014, A9, EN 01032975 [“The district office was located in Angkuonh Dei Village along the road to Kampong Cham Provincial Town.”]; **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A125-128, EN 01178459 [states the office of the Southwest Zone group cadres was located at Angkuonh Dei Pagoda, where the witness met Prak Yuth]; **D107/2** Samn Son Written Record of Interview, 16 February 2012, A4, EN 00787231 [“the district office was in Angkuonh Dei Pagoda.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A42-44, EN 01098554 [“Near this district office, do you recall if there was a security office or execution site? A: I heard of a security office which was used to detain people. But I never went there. [...] Q: Do you know the name of this security office? A: No, I don't. I only heard it was the district security office.”].

706 **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A47-50, EN 01178454 [“In 1975, after I got married, I fell sick and I went to see the medic at Angkuonh Dei Pagoda. One side of that pagoda was used as a site for rearing pigs. [...] That place was used as a meeting hall. [...] I knew this because when I stayed for treatment at that place, which lasted for one week, I saw them holding a meeting there.”], A72-73, EN 01178456 [“Angkuonh Dei pagoda was used as a hospital, a meeting place and a place for rearing pigs. The temple was used as a meeting place for high level cadres because it was quiet.”]; **D219/319** Written Record of Investigation Action, 21 May 2015, Sum ChanThol, EN 01098093 [“Wat Angkuonh Dei was used as a pig farm. In 1975, after the Applicant got married, she became sick [and] was sent to the pagoda to receive treatment there. The next day, the Applicant's husband was also taken there for treatment. There was a medical section in the pagoda.”].

- 707 **D117/44** Nov Hoen Written Record of Interview, 8 May 2014, A15, EN 01034907 ["As I know, the security office was at Wat Angkuonh Dei, whereas Tuol Beng was a killing field when people were sent there."]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A5, EN 01031702 ["I did not know whether or not the security office was located at Tuol Beng which was a killing site. As I showed you, there was also a security office at Wat Angkuonh Dei premise."]; **D117/52** Bun Ser Written Record of Interview, 27 May 2014, A9, EN 01076884 ["The arrests and killing began in 1977. First they arrested base leadership cadres to Angkuonh Dei. After that, they arrested low-level cadres and their family members and sent them to Kouk Pring. I would like to verify that Ankuonh Dei was a Security Office of the Khmer Rouge located at Wat Angkuonh Dei Pagoda."]; **D117/53** Sun Clean Written Record of Interview, 28 May 2014, A15, EN 01072516 ["As I knew, the district level security office was located at Wat Angkuonh Dei pagoda."]; A27, EN 01072519 ["Yes, my father disappeared in late 1978 At that time he was sick, and he Khmer Rouge sent him to Ankuonh Dei. He has been missing since then. I have never heard anything from him so far."]; **D191.1.112** Nat Hoen Written Record of Interview, 23 March 2012, EN 00797020-21 ["At the end of 1977 [the Civil Party Applicant's brother] was forced to carry salt and was detained in security office Ang Kuoch Dei Security Center."]; **D5/777** Leng Ra Civil Party Application, 17 March 2012, EN 01090089 ["In 1977, I witnessed with my own eyes events that three to five people per night being taken to be killed [at] Angkuonh Dei and Phnum Pros."].
- 708 **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A5, EN 01031702 ["As I showed you, there was also a security office at Wat Angkuonh Dei premise. At that time there was a long tile-roofed shelter and two queues of leg shackles together with iron bars for shackling the prisoners."]; **D117/48** Wat Angkuonh Dei Site Identification Report, 31 July 2014, EN 00987176 ["According [to] witness Thou Sokheng, the Security Center was in fact a big open area protected by a roof with two lines of shackles for the prisoners and was located at the East of the Pagoda compound. The prisoners were detained there for a very short time before being transferred to the sector level or to Tuol Beng execution site."].
- 709 **D117/48** Wat Angkuonh Dei Site Identification Report, 31 July 2014, EN 00987177 ["Except the Pagoda, all the other buildings or barracks have been destroyed."]; EN 00987178-82 [photos of the current view of the Wat Angkuonh Dei Pagoda and where the former Wat Angkuonh Dei Security Centre was located].
- 710 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A23, EN 01056217 ["I was Kampong Siem Secretary and the sixth member [of the Sector 41 Committee.]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A23, EN 01056225 ["Grandfather An appointed us to various districts in Sector 41. I was assigned to Kampong Siem district."]; A44, EN 01056228 ["I was Kampong Siem District Secretary.]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["Yeay Yut was secretary of District 101, the numerical code for Kampong Siem district.]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136828 ["I know Yuth when she was a district secretary. At that time, it was called, 'District 101'. [...] Kampong Siem was District 101.]; **D5/676/1** Nhim Kol alias Say Civil Party Application Report, 24 February 2012, EN 00911588 ["The applicant stated that Yeay Yut (Prak Yut) came to Kampong Siem District since 1977 (approximately March or April). She was a chief of district, and she controlled the whole district.]; **D107/5** Orn Kim Eng Written Record of Interview, 18 February 2012, A5, EN 00787225 ["Prak Yut was the [Kampong Siem] district secretary."]; A20, EN 00787226 ["I knew Prak Yut, she was the secretary of Kampong Siem district.]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A12, EN 01040461 ["Prak Yut was the secretary of Kampong Siem District.]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A4, EN 00967610 ["Prak Yut was the Secretary of Kampong Siem District"]; **D117/38** Kruoch Kim Written Record of Interview, 24 April 2014, A10, EN 01056736 ["Yeay Yut was District Committee Chairperson in Kampong Siem District.]; **D219/702.1.87** You Vann, T, 14 January 2016, 14.12.13-14.13.30, EN 01438493 ["Q: And who was the chief of Kampong Siem district? A: It was Prak Yut.]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A9, EN 00966963 ["I only knew that Prak Yut was appointed to control Kampong Siem District.]; **D117/44** Nov Hoen Written Record of Interview, 8 May 2014, A9-10, EN 01034906-07 ["I would like to confirm that [...] when Prak Yut was the secretary of Kampong Siem District, I was her messenger."]; A5, EN 01034906 ["The ones in charge of Kampong Siem District were Prak Yut [...] I knew her because I used to work at the mobile unit in Kampong Siem District"]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A5, EN 01032989 ["Prak Yut was the governor of Kampong Siem District.]; **D117/50** Im Pon Written Record of Interview, 23 May 2014, A19, EN 01059865 ["Q: Do you remember if Yut was Secretary in charge of Kampong Siem District? A: Yes.]; **D1.3.11.45** San Son OCP

Statement, 5 August 2008, EN 00210475 ["I also knew a Yeay Yut. She was chief of the district."]; **D5/678** Thon Yang Civil Party Application, 22 February 2012, EN 00981085 ["Yeay Yut became the committee [chief] of Kampong Siem district since early 1977."]; **D107/6** Chheng Yeun Written Record of Interview, 18 February 2012, EN 00787194 ["[As to leaders] at the district level there was Yeay Yut."]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210446 ["I believe [Yeay Yut] was District Chief or Governor."]; **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A8-9, EN 01072515 ["In 1977, Ta Chea and a female cadre named Yut came in to be in charge of this district. [...] according to my observations, she was in charge of all the villages and communes in Kampong Siem District."].

711 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A14, EN 01034078 ["Q: Did Prak Yut know about the security office and killing site at Tuol Beng? A: Definitely, it was under her management in which she was on the committee of Kampong Siem District."]; **D219/776.1.1** So [Sau] Saren DC-Cam Statement, 3 May 2016, EN 01309874 ["The Kampong Siem district prison was at Tuol Beng."]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 ["The District Office of Yeay Yut was adjacent to Wat Angkuonh Dei pagoda"]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A9, EN 00966998 ["Q: Can you sketch a map showing the location of and offices under the district of Kampong Siem and of the commune of Krala? A: [...] in front of the entrance route leading to Angkuonh Dei Village. On the left hand side was located the district office of Kampong Siem run by PRAK Yut, which is about 200m from the current commune office of Krala. The district hospital was located on the left hand side as well, next to the district office. In front of the district hospital located Wat Angkuonh Dei Pagoda. And next to the pagoda was the District Security Centre, located in Thnei Village. The then old District Security Centre was located to the west of the pagoda, which was located in Tuol Beng Village, Krala Commune, Kampong Siem District."]; **D117/53** Sun Chean, 28 May 2014, A15, EN 01072516 ["As I knew, the district level security office was located at Wat Angkuonh Dei pagoda"]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A1, EN 01063605 ["Kampong Siem Security Office was located at Tuol Beng"]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A62, EN 01056231 ["There was only one security centre in Kampong Siem district, located approximately 3 kilometres east of the District Office, and that security centre was in front of Angkuonh Dei Pagoda"]; **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A6, EN 01034906 ["Q: Did you ever meet Yeay Prak Yut and Chea? A6: I used to meet them at their offices in Angkuonh Dei."].

712 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A48-53, EN 01056228-29 ["During a monthly meeting, Grandfather An ordered me to identify Cham people and Lon Nol soldiers in each commune. [...] I had a meeting with the commune chiefs to tell them to identify and make a list of Cham people and former Lon Nol soldiers who took some action such as opposing communal eating and creating other problems. [...] I sent the name lists to Grandfather An, and Grandfather An had me send those people to him. Q: How was the communication with Grandfather An made? A: Through messengers. Q: How did the arrests take place? A: After I reported to Grandfather An, he gave an order to me, and I ordered Sy to organize the arrests. [...] People were arrested from the base to be sent to the district security, and I sent them to the sector security."]; **D219/702.1.94** You Vann T. 18 January 2016, 10.02.00-10.03.21, EN 01431608 ["Prak Yut was also under the supervision of the Ta An"]. See also **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A25, EN 01178452 ["Prak Yuth reported to the sector level, which was based in Prey Tortung District, in my village."]; **D219/461** Pen Thol Written Record of Interview, 8 August 2015, A12, EN 01151228 ["Q: Do you know to whom Yeay Yuth reported? A: She was Kampong Siem District Committee. Therefore, she clearly had to report to Ta An, who was Sector 41 Committee"].

713 **Instructions regarding the purge of cadres:** **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A38-39, EN 01056227 ["I recall that I arrived in Kampong Siem District in January 1977. Approximately in February 1977, the Southwest Zone sent their cadres to replace the old cadres in Kampong Siem district. [...] First, I made a report about activities of the old cadres and made a request to replace them with the Southwest cadres. After consulting with KE Pauk, Grandfather An requested me to replace all those old cadres."]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A36, EN 01056218 ["In fact, during the meetings in the sector, I reported about inactiveness of the commune chiefs, and the sector gave an instruction to collect them to be re-educated in the sector, but I do not know what happened to them."]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A51, EN 01063616 ["As I said in my previous interview in June 2013, I made a report and sent it to Grandfather An. After Grandfather An consulted with KE Pauk, they arranged to remove all the remaining commune chiefs."]; **D219/138** You Vann

Written Record of Interview, 8 January 2015, A45, EN 01059283 [“Q: Did Prak Yut have the right to change those commune chiefs? Or did she have to ask permission of Ta An? A45: The order must have come from Ta An because he was Sector Chairperson. Khom took Prak Yut to meet Ta An at the Sector level. When they returned, Khom told me they would arrange to have new commune chiefs.”]. **Instructions regarding the purge of ordinary civilians: D219/120** Prak Yut Written Record of Interview, 30 September 2014, A19, EN 01063610 [“Grandfather An gave an order to me to identify those who opposed the revolution, those who wanted to topple the revolution and those who were not satisfied with their living conditions, and to arrest those people to be smashed.”]. **Instructions regarding the purge of the Cham: D219/120** Prak Yut Written Record of Interview, 30 September 2014, A12-14, EN 01063608-09 [“[F]or example, all Cham people were arrested without any reason. I did not support the arrests of Cham people, but I had an obligation to follow the upper echelon’s orders. [...] I attended a meeting at the Sector level which decided arrests of Cham people. I also knew that Cham people were arrested after that meeting. [...] [W]e had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. [...] After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”]. **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A4-15, EN 01056238-40 [“One day, Ta An came to meet me, and gossiped to me that the Centre Committee had begun to arrest Cham people, and he ordered me to list the names of all Cham people in my district. I did not at all know why I was ordered to list the names and seek to arrest Cham people. I delegated this task to my deputy named Nan. [...] In fact, I received orders from the Sector Committee to identify, for example, former Lon Nol soldiers and Cham people in my district. Then, I delegated this task to my deputies, namely, Nan and Sy. After they listed the names of those people, I sent the names to the Sector level. [...] Actually, I received orders from Ta An, but I am not sure if Ta An initiated the orders or he received the orders from the upper level, or what.”]. **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A6, EN 01056235 [“Grandfather An did not tell me any reason. He just told me to target Cham people and former Lon Nol soldiers and arrested them.”]. **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A47-48, EN 01056228 [“During a monthly meeting, Grandfather An ordered me to identify Cham people and Lon Nol soldiers in each commune.”]. **Specific arrest lists provided by Ao An: D219/120** Prak Yut Written Record of Interview, 30 September 2014, A32 -35, EN 01063612-13 [“Q: Did Grandfather An ever give you lists of people for you to arrest? A: Yes, I received name lists of people to be arrested. I did not know their roles or positions of those people because I was not interested, but I think that perhaps the Zone sent the lists to him and he forwarded the lists to me because people whose names in the lists were in my district. [...] I was only tasked to collect and arrest the people whose names in the lists to be detained at the district overnight, and the Sector was charged with taking those people to the Sector on their own. [...] Those people were detained at Tuol Beng Military Security Office.”]. A75-76, EN 01063621 [“The Sector provided the lists in advance, and after collecting prisoners to be sent to the Sector, I had to annotate the lists of those prisoners. [...] If the Sector sent name lists of people to be arrested to me, I wrote annotations about the arrests. I had to keep the list they first sent to me. After that, I collected prisoners to be sent to the Sector, based on the name list. Then a person who came to transport prisoners to the Sector gave me a new list with the name of all the prisoners in order for me to inscribe the phrase ‘Sent’, and the name Grandfather An was written on that list.”]. **Instructions regarding the fate of particular arrestees: D219/138** You Vann Written Record of Interview, 8 January 2015, A107, EN 01059299 [“Q: Who decided who was to be taken to the upper echelon? A: Ta An did, based on the list I generated. The list I prepared also mentioned backgrounds, ranks, and duties of those people. The first list he sent back to make arrests was of the most important people. The next list was of those whose rank was lower. The list that Ta An sent back was enclosed with his annotations that this or that person could be killed at district level, or had to be sent to Sector level. Those decisions were made prior to the arrests of those people. Ta An never ordered District Military to do any investigations after all those people had been arrested. All the lists were sent back to District Military through Sector Military.”].

714 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A19, EN 01063610 [“Grandfather An gave an order to me to identify those who opposed the revolution, those who wanted to topple the revolution and those who were not satisfied with their living conditions, and to arrest those people to be smashed.”].

715 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A29, EN 01063612 [“Q: After the arrests of no-good elements and those who attempted to overthrow the revolution, did you have authority to

decide who to release, who to detain, who smash, and who to be sent to Tuol Beng or Kork Pring? A29: After I received information or a report from the communes, I would decide on a case-by-case basis to decide who could be kept and who could not be kept, who could cause great danger to the revolution, and who was to be sent to Tuol Beng or Kork Pring.”].

716 **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 1059298 [“Sometimes Ta An took a vehicle to meet Prak Yut personally”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A30-31, EN 01063612 [“Grandfather An never came to verify the numbers of people arrested, detained, or smashed by the district, but he occasionally came to meet me when necessary. [...] Grandfather An did not come to discuss only issues related to arrests of people, but also other issues such as building dams, growing rice, finding places to grow crops and to build dams, but sometimes he came to discuss with me specific issues related to people whose names they had identified to be arrested to decide their fates.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A13, EN 00977333 [“Ta An, who was Chairman of Sector 41, also visited that district. He met with Prak Yut, but I did not dare to go near them to listen to their discussions.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A7, EN 00966998 [“I met Ta An only two times. I first met him in Angkuonh Dei Village when he was coming to visit the newly built communal kitchen. Later I saw him in Prey Chhor, when I was travelling to Kang Meas District.”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A10, EN 01032990 [“I heard that Ta An came to attend a meeting at the district office which was located in Angkuonh Dei Village, but I never saw him.”].

717 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A51, EN 01056229 [“Q: How was the communication with Grandfather An made? A: Through messengers”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A68, EN 01063620 [“I had to send the list of prisoners who had been refashioned to Grandfather An through messengers. Then Grandfather An replied with his decision through the messengers to me.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 1059298 [“Sometimes Ta An took a vehicle to meet Prak Yut personally, and sometimes he sent her a letter.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A23-A25, EN 01059277-78 [“When I was Prak Yut's messenger in Kampong Siem, I only delivered letters from Prak Yut to Ta An. [...] Sometimes, Ta An read Prak Yut's letters immediately, wrote replies to Prak Yut, and had me to deliver them immediately. [...] Q: How often did Ta An and Prak Yut exchange letters? Once a week or once every two or three weeks. Those letters were about cooperative work and work results.”], A28-30, EN 01059278-79 [“Q: Did Prak Yut's reports or letters mention numbers of births or deaths? A: Yes, in the reports sent to Ta An. Q: Did the reports of deaths refer to people who died of starvation, disease or disappearance? A: They referred to those who had died of starvation and disease, not to those who had disappeared. Q: Were there correspondence about those sent to be re-fashioned and about the security office? A: No, that was the work of the security personnel.”]. In her Case 002/02 testimony, You Vann indicated that she did not personally carry messages between Prak Yut and Ao An, but confirmed that they did communicate via other messengers. **D219/702.1.87** You Vann T. 14 January 2016, 14.23.05 - 14.26.31, EN 01438497 [“Q: And what about Ta An, did you ever deliver messages from Prak Yut to Ta An? A: No, I did not because he was far from where we were. They communicated amongst their - - their own selves. They had bicycles and, actually, Prak Yut had another male messenger who knew how to ride a motorbike.”].

718 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A22, EN 01063610 [“Q: How did you receive the orders to identify and arrest no-good elements to be smashed? A: I received the orders during monthly meetings of the Sector with participation of all the district committees. Written orders were not sent to me through messengers or other people.”]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A29, EN 01056217 [“Q: How many times did you attend meetings with Grandfather An per month? A: The meeting was held once a month every month in Prey Chhor district.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A48, EN 01056228 [“During a monthly meeting, Grandfather An ordered me to identify Cham people and Lon Nol soldiers in each commune.”]. See also **D219/702.1.87** You Vann T. 14 January 2016, 14.24.23-14.30.23, EN 01438497-99 [“Q: [...] were you ever aware of Prak Yut meeting with Ta Mok in Sector 41 or anywhere else? A: Yes, he came to meetings at Prey Chhor with Ta An and he did not go to Kampong Siem. Usually such meetings were held at Prey Chhor. Q: And did Prak Yut also attend those meetings at Prey Chhor? A: Yes. Q: And what about Ta An, did he attend those meetings? A: Yes, he did. [...] Of course, I did not have the authority to attend the meeting because the meeting was only for senior cadres. [...] Q: But you were present under the house, is that correct? A: Yes. Q: And do you know what was

discussed at these meetings. what topics? A: I heard them talking about instructing Prak Yut to lead people to engage in the rice production but I did not hear them say anything about killing people. Q: Can you estimate how often these meetings would take place, specifically meetings attended by Prak Yut, Ta Mok, and Ta An? A: The meetings were held three to four times a month.”]

719 **D219/138** You Vann Written Record of Interview, 8 January 2015, A98, EN 01059297 [“The Sector Military] managed the work of the District Military. For example, if Ta An ordered people taken to be killed, Sector Military referred this order to District Military to conduct the arrests. After Phen came back from the Sector Military Office, he reported to Phon. Phon referred the report to Prak Yut. I heard this from Ni. In fact, District Military personally conducted arrests.”], A106, EN 01059299 [“Q: Did they report the killings [at Tuol Beng] to Ta An? A: Yes, they followed his orders, so they had to report back to him after they carried out the orders. Ni reported back to him verbally or in writing via Sector Military. Sometimes, they detailed the names of those killed, and sometimes they wrote only the number. They wrote names of those killed, and they also detailed ethnicity or composition. I heard this from Ni.”]

720 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A44, EN 01056228 [“Sy was in charge of district security.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“I delegated the work to Si, my deputy chairman, to implement. Si was the one who contacted the villages and communes to compile the names and count the number of all the Cham people and took them to be killed at Tuol Beng. After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A6, EN 01063606 [“Grandfather Si, who was my deputy.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A9, EN 00966988 [“Ta Si later became deputy secretary of Prak Yut in Kampong Siem District.”], A15, EN 00966990 [“Ta Si was appointed as deputy secretary of Kampong Siem District.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A43, EN 01059282 [“Ta Si was Kaoh Mitt Commune Chief and Prak Yut’s deputy.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A8, EN 00966998 [“I remember that Ta Si was Prak Yut’s deputy.”]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A4, EN 00967610 [“Prak Yut was the Secretary of Kampong Siem District, and probably Si was Prak Yut’s deputy.”]. *See also* **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A10, EN 01044873 [“I knew a person called Pou Sy, who was a commune chief in Take[o] province and later assigned as Prey Chhor District Secretary. Then he was sent to Kampong Siem district.”], A19-A26, EN 01044875 [“I think that I worked as a messenger at Prey Chhor district for about one or two months. Then Pou Si was sent to Kampong Siem, and I also followed him. [...] When I arrived in Kampong Siem with Pou Si and Yeay Yuth, the Kampong District Secretary, I did not know what exact position Pou Si held.”]. *See contra* **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A5, EN 01034075 [“I know that [the Southwest cadres who came to Kampong Siem District] included [...] Ta Nan who was Prak Yut’s deputy.”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A5, EN 01032989 [“Prak Yut was the governor of Kampong Siem District. Ta Nan was Prak Yut’s deputy.”]

721 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A44, EN 01056228 [“Nan was District Office Chairman and was in charge of social work.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787214 [“Ta Nan, male, served as chairman of the Kampong Siem District Office.”]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A10-11, EN 01056215-16 [“You gave a name list of many people who later became the commune chiefs in Kampong Siem district after my arrival. They included [...] Grandfather Nan, the Chairman of Kampong Siem District [...] They were sent by the upper echelon, from the Central Zone to take over the communes in Kampong Siem district.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787220 [“When Yeay Yut had left, [...] Yeay Yut’s position was taken over by Office Chairperson Nan, who became district secretary.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A8, EN 00966998 [“Nan was the third in command and chairman of the district office as well. He came from the Southwest Zone too.”]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A14, EN 00966964 [“I remember the persons working closely with Prak Yut [included] Nan (male), chief of the district office”]; **D219/191** Keo Vouen Written Record of Interview, 19 February 2015, A3, EN 01079858 [“I once had a meeting with an office chairperson named Nan (male) and a village chief”], A11, EN 01079860 [“Nan, the Office Chairman, was the one who received the report.”]. *See also* **D117/31** You Vann Written Record of Interview,

11 November 2013, A15, EN 00966989 ["Nan was appointed [by Prak Yut] as the district clerk."]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A4, EN 01031702 ["[The cadres from the Southwest Zone included] Ta Nan and Chea who were working at Kampong Siem District too, but I did not know their positions."].

722 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A5, EN 01034075 ["Q: Do you remember the names of the Southwest cadres who came to Kampong Siem District? A: I know that they included Prak Yut who was on the district committee."], A14, EN 01034078 ["Q: Did Prak Yut know about the security office and killing site at Tuol Beng? A: Definitely, it was under her management in which she was on the committee of Kampong Siem District."]; **D219/422.13** Vorng Sokun Transcript of Audio Interview (D107/4), 17 February 2012, EN 01137012 ["[Yeay Yuth] was on the District Committee of Sector 41. [...] Q: Was it in Kampong Siem District? A: Yes, it was."]; **D117/37** Leng Ra Written Record of Interview, 23 April 2014, A8, EN 01072506 ["Yeay Yut was [on] Kampong Siem District Committee."]; **D117/43** Sbrong Yann Written Record of Interview, 7 May 2014, A5-6, EN 01034899 ["Yeay Prak Yut was on the committee of Kampong Siem District."]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A4, EN 01031702 ["[The cadres from the Southwest Zone included] Yeay Prak Yut who was on the committee of Kampong Siem District."]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A44, EN 01056228 ["Q: Who were the members of the Kampong Siem district committee? A: I was Kampong Siem District Secretary. Nan was District Office Chairman and was in charge of social work. Sy was in charge of district security."]; **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A14, EN 00966964 ["Q: While Prak Yut was the Secretary of Kampong Siem District, who were the members of the district committee? A: I remember the persons working closely with Prak Yut were Nan (male), chief of the district office, and Sei (male). I did not know what position Sei was holding, but he looked like a powerful person. Both Nan and Sei came from Takko Province, but I had no idea which commune or district they had come from."]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A40, EN 01098554 ["Uncle Sy and Prak Yuth were [on the district committee]."]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A9, EN 00977333 ["Q: Can you remember who the members of the district committee with Prak Yut were? A: I remember that there were two men: one was Si and one was Nan [deceased]."]; **D219/378** Tem Chheang Written Record of Interview, 24 June 2015, A3, EN 01132628-29 ["Yeay Yuth and Sy were on the district committee."].

723 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A48-53, EN 01056228-29 ["Q: How did the arrests take place? A: After I reported to Grandfather An, he gave an order to me, and I ordered Sy to organize the arrests. [...] People were arrested from the base to be sent to the district security, and I sent them to the sector security."]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 ["Si was the one who contacted the villages and communes to compile the names and count the number of all the Cham people and took them to be killed at Tuol Beng."].

724 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A11, EN 01056216 ["Q: Were they all your relatives? A: Only Rum who was Krala Commune Chief was my relative."]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136836 ["Comrade Rom is a cousin of Yeay Yuth."]; **D219/422.5** Nhim Kol alias Say Transcript of Audio Interview, 19 February 2012, EN 01136861 ["[Yeay Yuth] was related to Comrade Rom who was the Commune Chief. Yeay Yuth was her cousin. The mothers of Rom and Yeay Yuth were sisters. So, Yeay Yuth often visited her younger relative and aunt. I saw her every day. I saw her both in the morning and in the evening."]; **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A9, EN 01034907 ["I think Rom [chief of Krala Commune] was Prak Yut's younger sister."]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A15, EN 00966999 ["Rom was chief of Krala commune"]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["In June 1977 [...] [Yeay Yut] told me to work at a cooperative with Rom, who served as chairperson of Krala commune."], EN 00787213 ["After Ta Locung was transferred to Koh Roka commune, Rom (female) rose to become chairwoman of Krala commune."]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136827 ["Rom served as a Krala Commune chairperson."]; **D219/191** Keo Voem Written Record of Interview, 19 February 2015, A3, EN 01079858 ["I was on the [Krala] Commune Committee, and Rom (female) was my chairwoman."]; **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A10, EN 01056215 ["You gave a name list of many people who later became the commune chiefs in Kampong Siem district after my arrival. They included [...] Rum (female), Krala Commune Chief."]; **D107/6** Chheng Yeun Written Record of Interview, 18 February 2012, EN 00787194

["The [Krala] Commune Leader was Rom, and at the district level there was Yeay Yut. They were both women.": **D117/26** Put Kol Written Record of Interview, 25 September 2013, A19, EN 00977334 ["Q: Do you remember a lady named Rom? A: I remember her: she was the Chief of Krala Commune.": **D117/31** You Vann Written Record of Interview, 11 November 2013, A15, EN 00966989 ["Rom was the chief of Krala Commune.": **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A5, EN 01034075 ["[The Southwest cadres who came to Kampong Siem District] included [...] Rom who was Krala Commune Chief.": **D117/43** Sbond Yam Written Record of Interview, 7 May 2014, A5, EN 01034899 ["Rom was Krala Commune Chief.": **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A9, EN 01034907 ["Sometimes, Rom, chief of Krala Commune, also had me work days and nights.": **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A4, EN 01031702 ["[The cadres from the Southwest Zone included] Rom who was the chief of Krala Commune.": **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A5, EN 01032989 ["Rom was Krala Commune chief.": **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A3-4, EN 01032995 ["Q: Based on what you know, did Yeay Rom come from the Southwest? A: Yes, she did. Q: What was the name of the person who was on the committee of Krala Commune at that time? A: That was Yeay Rom. Her husband was Phon.": **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A8, EN 01090000 ["Rom (female) was the chief of Krala Commune. She was Loeung's successor.": **D107/5** Om Kim Eng Written Record of Interview, 18 February 2012, A22, EN 00787227 ["Phon was the husband of Rom, who was then the chairwoman of the Angkuonh Dei [Krala] commune.": **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A3, EN 00967004 ["Actually my elder cousin, Prak Yut, assigned me as Chief of Krala Commune because I had just delivered a baby. Thus, she wanted me to hold a position so others would not be jealous of me because I did not do any work besides looking after my baby: but actually I was under the management of Nan.": *See contra* **D117/24** Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A17, EN 00966964 ["I was not the Secretary of Krala Commune. Nan, the chief of the district office, was also holding the position as the Secretary of Krala Commune. I was sent to do normal work tasks in Krala Commune.": **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A55, EN 01098556 ["I already stated that no district chief appointed me as the commune committee member. My elder cousin had me work at Krala Commune and I received orders from Nan. The latter had me work with people in a section of the commune while they were responsible for the other section. I knew they were committee members of Krala Commune. I was ordered to prepare a list of names of those in the commune.": **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A22, EN 01076946 ["During the dry season in late 1977, I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained, Rom had to report that to Prak Yuth. I heard them talking when Yeay Yuth arrived at the Commune Office.": **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A3, EN 00967004 ["I was under the management of Nan. Nan was the Chief of Kampong Siem District, the third-ranking person in Kampong Siem District. He laid out orders from the district level to me.": **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A55, EN 01098556 ["I received orders from Nan. [Nan] had me work with people in a section of the commune while they were responsible for the other section.": **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A16, EN 01034907 ["Q: Did you know who ordered the arrests of people? A: Only Rom or Prak Yut did.": **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A21-23, EN 01032997 ["Q: To your recollection, who was in charge of the management of the detention and the transfer of those people [to Tuol Beng]? A: Yeay Rom was. They brought those people in for a while and transferred them to another place. Q: When they took the people from the commune to the district, who dispatched them: to our knowledge, Rom alone could not do this? A: Yes, she had her soldiers send them. Q: To your recollection, did Rom control and order the dispatch of people to Tuol Beng or other places? A: Yes, only she and her husband [Phon] were authorised to do such work.": **D5/714** Nov Hocun Civil Party Application, 26 February 2012, EN 00997362 ["In 1977 [...] They had me escort 5-6 people from the Security Office to Tuol Beng to be killed. [...] Rom, Yeay Yut's deputy was the one who issued the order.": **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076939-40 ["Rom never told me what was discussed in those meetings. However, sometimes after the meetings, Rom called a meeting among village chiefs and advised them to search for internal enemies such as the Yuon and Lon Nol officials. [...] The village chiefs would report to Rom directly about which Yuon families and which Lon Nol soldiers were found.": **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A22, EN 01076946 ["During the dry

season in late 1977. I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained. Rom had to report that to Prak Yuth. I heard them talking when Yeay Yuth arrived at the Commune Office.”]; A2, EN 01076939-40 [“I was also responsible for keeping records and statistics of people, cattle, and rice. The statistics included the numbers of births and deaths, including those taken to be killed. Each village had to provide data to me four times a month. After collecting all information, I gave it to Rom. Then Rom sent it to Ta Nan who was in charge of the district.”]. See also **D5/714** Nov Hoeun Civil Party Application, 26 February 2012, EN 00997363 [“I was a messenger. I rode a horse to deliver letters from Krala Commune to the villages. Those letters were sealed, so I do not know the content of the letters. However, on the day a letter was delivered, people were taken from the village mostly at 8.00 p.m. sometimes straight to Tuol Beng and other times to Phnum Pros to be killed.”].

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D117/24 Peau [Pov] Sarom alias Rom Written Record of Interview, 7 August 2013, A19, EN 00966965 [“My husband, Phon, was the chief of the district military. He has already passed away.”]; **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Phon, the husband of Rom, served as the district military commander. He has already passed away.”]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136843 [“Q: Phon, the district commander, was Rom’s husband. Is that correct? A: Yes, it is.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A15, EN 00966999-7000 [“Initially Van was a deputy of Phon (Rom’s husband) who was chief of Kaoh Roka Commune. Later Phon was promoted to be chief of the district military. [Phon] was in charge of arrests.”]; **D117/26** Put Kol Written Record of Interview, 25 September 2013, A19, EN 00977334 [“Her [Rom’s] husband, Phon, was the commander of the district military. Phon is deceased.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A15, EN 00966989 [“Phon (deceased), who was Rom’s husband, was chief of the district army.”]; **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A9-10, EN 00967005 [“Q: What did Phon, your husband, do at that time? A: He was the Chief of the District Military. [...] His office was at the District Office. In daytime he trained his soldiers in the compound of Voat Angkuonh Dei Pagoda.”]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A3, EN 00967610 [“When I arrived in Kampong Siem, I became a member of the military of Kampong Siem District. Phon was the Chief of Kampong Siem District Military. I was Phon’s deputy.”]; A8, EN 00967611 [“Phon who was the Chief of the District Military conducted the arrest of those people.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A5, EN 01034075 [“[The Southwest cadres who came to Kampong Siem District] included [...] Phon who was Rom’s husband and in charge of security.”]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A4, EN 01031702 [“[The cadres from the Southwest Zone included] Phon who was in charge of the security of Kampong Siem District was Rom’s husband.”]; **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A36, EN 01044877 [“Yeay Yuth had me work [as] a Kampong Siem district soldier with Phon who was the chairman of the district military and Yeay Yuth’s nephew.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A58, EN 01063618 [“The district military was comprised of three members including Yeng and Phon. [...] Yeng replaced Phon as the Chairman of the District Military after Phon went to Battambang Province with me.”]; A94, EN 01063624 [“Phon and Yeng were in charge of re-education.”]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A14, EN 01040462 [“I still remember that Phon was a military chairman of Kampong Siem District and his wife named Rom was on the Krala Commune Committee. Phon arrested the people in Kampong Siem District to be killed.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A56, EN 01059286 [“Phon was Kampong Siem District Military Commander, but he handed over work and assigned it to Phen due to his greater experience and awareness of that site.”]; **D219/702.1.87** You Vann T. 14 January 2016, 14.12.13-14.15.24, EN 01438493 [“Q: Do you recall who was the head of the district military or district army of Kampong Siem district? A: Phon was in charge of the district army and his deputy was Phaen; [...] They were in charge of the district soldiers.”]. See also **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A47, EN 01098554-55 [“So far as I recall my husband had a role in the district army. He trained the soldiers daily. He travelled far away from home every month or two. He guarded the Chroy Chek Dam in the district. I do not know where this dam was located.”].

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D219/120 Prak Yut Written Record of Interview, 30 September 2014, A3, EN 01063606 [“The person in charge of the military at [the Tuol Beng Security Office] was called Phon, but he died in 1979.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A108, EN 01059300 [“Torturers [at Tuol Beng] included Phon, Ni, and Phen.”].

- 728 **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A9, EN 01031703 [“Q: Do you remember who the responsible persons for security at Wat Angkuonh Dei were? A: I do. They included Phon, who was in charge of the security in Kampong Siem District”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A71, EN 01063620-21 [“Q: Who was the chairperson at Angkuonh Dei? A: There were only normal soldiers staying there; Prak Ni and Phon were in charge of that place.”]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A15, EN 00967611 [“Q: Did Phon stay at that office [at Wat Angkuonh Dei]? Or did he stay at a different place with his wife? A: Sometimes he stayed with his wife, and sometimes he stayed at the security center.”]. *See also* **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136835 [“Comrade Vun [Phon] and Comrade Ni were in charge of the security of Kampong Siem District.”].
- 729 **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A3, EN 00967610 [“When I arrived in Kampong Siem, I became a member of the military of Kampong Siem District. Phon was the Chief of Kampong Siem District Military, I was Phon’s deputy.”]; **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A36, EN 01044877 [“I worked at the commerce warehouse for a short period of time. Then Yeay Yuth had me work [as] a Kampong Siem district soldier with Phon who was the chairman of the district military and Yeay Yuth’s nephew.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A5-6, EN 01063606 [“Prak Ni was Phon’s deputy working at Tuol Beng Security Office. [...] At first, Prak Ni worked with Grandfather Si, who was my deputy. Later on, Prak Ni became Phon’s deputy because Phon was illiterate.”]. *See contra* **D219/27** Prak Ny Written Record of Interview, 14 October 2014, A9, EN 01044884 [“Q: How do you think when other witnesses said that you were Phon’s deputy? A: I have no idea. Perhaps they think that I was from the Southwest Zone, so they said that I was Phon’s deputy.”], A11, EN 01044885 [“Q: During the interview in November 2013, you said that you were Phon’s deputy and stayed the security office near Wat Angkuonh Dei pagoda for three or four months. Could you explain why you denied your previous statement? A: Because I got confused.”].
- 730 **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 [“Comrade Ni, male, was in charge of Kampong Siem district security.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A10, EN 00966998 [“Q: Who was the chief of the Kampong Siem District Security Centre? A: Ny, who had come from the Southwest Zone, was the chief.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A15, EN 00966990 [“Ny was appointed as chief of district security.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A30, EN 01076948 [“Q: How did they take the prisoners to Wat Angkuonh Dei Pagoda? A: [...] When Prak Yuth received any report, Yuth would order Ni to arrest the suspects directly. Ni was Security Office Chairman.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A56, EN 01059286 [“Ni was also in the District Military structure. His rank was under Phen. Ni was in charge of the District Security Office, and he worked there until the Vietnamese arrived.”]; **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136835 [“Comrade Vun [Phon] and Comrade Ni were in charge of the security of Kampong Siem District.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A45, EN 01098554 [“I heard from Uncle Sy that Ny, male, was responsible for security in this district.”]; **D219/702.1.87** You Vann T, 14 January 2016, 14.16.44-14.19.31, EN 01438494-95 [“Q: Do you recall who was the head of district security for Kampong Siem district? A: Ni was chief of security. [...] Ni came from Takeo. [...] I knew him because we travelled together and later on he was appointed chief of security. [...] Ni was in charge of the security.”].
- 731 **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A3, EN 00967610 [“I stayed at the security center which was located near Voat Angkuonh Dei Pagoda. I stayed there for only three to four months; then I sneaked to return to Chum Rubber Plantation without informing Phon and Prak Yut.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A10, EN 00966998 [“Q: Who was the chief of the Kampong Siem District Security Centre? A: Ny, who had come from the Southwest Zone, was the chief. [He] stayed in the security center.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A105, EN 01059299 [“[Ny] was stationed at the District Military Office [near the district office in Krala Commune].”]; **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A13, EN 00967005 [“Q: Who managed that [Wat Angkuonh Dei] security centre? A: A man named Ny. I saw Ny there since my arrival in Kampong Siem in 1977 until I was sent to Battambang in 1978.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A69 -72, EN 01063620-21 [“Prak Ni worked at Tuol Beng. [...] Q: Who was the chairperson at Angkuonh Dei? A: There were only

normal soldiers staying there; Prak Ni and Phon were in charge of that place. Q: Where was Prak Ni's office? A: He did not have an office. He worked at Tuol Beng.”]

732 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A69, EN 01063620 [“Prak Ni worked at Tuol Beng.”]; A5, EN 01063606 [“Prak Ni was Phon's deputy working at Tuol Beng Security Office.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A16, EN 01059275 [“Q: Who supervised Tuol Beng Security Office? A: Ni, like me, was from Takeo. We attended monthly meetings at the District Office together, but Prak Yut had separate meetings with the military and the Security Office.”], A105, EN 01059299 [“Ni was responsible for Tuol Beng Security Office, but he was stationed at the District Military Office.”]. *See also* **D219/138** You Vann Written Record of Interview, 8 January 2015, A108, EN 01059300 [“Torturers [at Tuol Beng] included Phon, Ni, and Phen.”].

733 **D219/702.1.87** You Vann T, 14 January 2016, 14.20.45- 14.23.05, EN 01438496 [“Q: Do you know whether Prak Yut met with district military and district security forces or with the leaders? A: Yes, she supervised both the soldiers, the police and the security; however, they were all under the supervision of Ta An.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A106, EN 01059299 [“Q: Did they report the killings [at Tuol Beng] to Ta An? A: Yes, they followed his orders, so they had to report back to him after they carried out the orders. Ni reported back to him verbally or in writing via Sector Military. Sometimes, they detailed the names of those killed, and sometimes they wrote only the number. They wrote names of those killed, and they also detailed ethnicity or composition. I heard this from Ni.”].

734 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A52, EN 01056229 [“After I reported to Grandfather An, he gave an order to me, and I ordered Sy to organize the arrests.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“For example, we had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. Then I delegated the work to Si, my deputy chairman, to implement. Si was the one who contacted the villages and communes to compile the names and count the number of all the Cham people and took them to be killed at Tuol Beng.”].

735 **D107/5** Om Kim Eng Written Record of Interview, 18 February 2012, A22, EN 00787227 [“[Prak Yut] was responsible for arresting people in Kampong Siem district. She had her own military unit called the district military for arresting people.”]; **D219/27** Prak Ny Written Record of Interview, 14 October 2014, A3, EN 01044883 [“The special unit was tasked to make arrests, but I did not know if they received orders from Prak Yuth or the upper echelon, I did not know who gave orders to the special unit to make arrests.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A98, EN 01059297 [“I heard this from Ni. In fact, District Military personally conducted arrests. For example, they ordered the arrests of 10 people, so District Military went to various villages to arrest three or four people from this or that village and took them to Tuol Beng Security Office.”], A9, EN 01059274 [“The District Office decided what to do with those wrongdoers. District Military came to take them away.”]; **D219/702.1.87** You Vann T, 14 January 2016, 14.13.30-14.16.44, EN 01438493-94 [“Q: As far as you know, was the district military ever involved in making arrests? A: They did, from what I knew, but I cannot tell you I knew everything. And at the time, I knew that they were involved in the arrest, but I did not dare to say it out and I did not know where they took those people they arrested to. Q: Can you tell us how you learned that the district military was involved in arrests? A: Because I was a messenger delivering messages to Prak Yut and that's what Prak Yut had told me: for example, on this day, a number of people were arrested by them and on the other day, they went to arrest these people.”]. *See also* **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“To my knowledge, the Sector never came and arrested people on its own. The district and communes arrested them, then sent them and reported to the Sector.”].

736 **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A41, EN 01044877-78 [“The district military chairman, Phon, had a special squad tasked to make arrests. [...] I think when they reported to the district, the district would give orders to the chairman of the district office, and the district office chairman would give order to the district military chairman (Phon). Then Phon gave an order to the special squad to make arrests.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A9, EN 01034076 [“The ones who were in charge of the arrests included Phon”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A15, EN 00966999-7000 [“Phon was in charge of arrests.”]; **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A23-24, EN 01032997 [“To your recollection, did Rom control and order the dispatch of people to Tuol Beng or other places? A: Yes, only she and her husband [Phon] were authorised to do such work. [...] Her husband was a soldier, but I did not know if he was the

military commander or the security chairman.”]; **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A14, EN 01040462 [“I still remember that Phon was a military chairman of Kampong Siem District and his wife named Rom was on the Krala Commune Committee. Phon arrested the people in Kampong Siem District to be killed.”]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A32, EN 00966992 [“Phon, chief of the district army, was the person responsible for arresting [Cham people and former Lon Nol soldiers].”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A99, EN 01059297 [“Before they [the district military] arrested people Phon reported to Prak Yut, and Prak Yut said, ‘Go ahead since it is their order.’ After the number of arrested people was complete, they would verbally report to her again.”]; **D219/702.1.87** You Vann T. 14 January 2016, 14.12.13-14.16.44, EN 01438494 [“Q: As far as you know, was the district military ever involved in making arrests? A: They did, from what I knew, but I cannot tell you I knew everything. And at the time, I knew that they were involved in the arrest, but I did not dare to say it out and I did not know where they took those people they arrested to. Q: Can you tell us how you learned that the district military was involved in arrests? A: Because I was a messenger delivering messages to Prak Yut and that’s what Prak Yut had told me”].

737 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A30, EN 01076948 [“Q: How did they take the prisoners to Wat Angkuonh Dei Pagoda? A: [...] When Prak Yuth received any report, Yuth would order Ni to arrest the suspects directly. Ni was Security Office Chairman. I do not remember any other staff who worked with Ni.”].

738 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A9, EN 01063607 [“[W]hen there were orders from the Sector, Tuol Beng Security Office sent forces to arrest those people to be detained at Tuol Beng Security Office.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A18, EN 01059275-76 [“District soldiers came to arrest people themselves. Each time they came, they arrested one, two, or three people.”]. A98, EN 01059297 [“Q: What were the duties of the Sector Military? A: They managed the work of the District Military. For example, if Ta An ordered people taken to be killed, Sector Military referred this order to District Military to conduct the arrests. After Phen came back from the Sector Military Office, he reported to Phon. Phon referred the report to Prak Yut. I heard this from Ni. In fact, District Military personally conducted arrests. For example, they ordered the arrests of 10 people, so District Military went to various villages to arrest three or four people from this or that village and took them to Tuol Beng Security Office. They arrested the exact number of people written on the list before they transported all of them by Sector vehicle from Tuol Beng Security Office. Sometimes they took those people to the Sector Military Office, but I do not know why. This is only what I had heard from Ni. Arrests were mostly conducted at night. District Military did not have vehicles, except motorbikes, but the Sector Military did. I did not know how often Sector Military ordered District Military to arrest people.”].

739 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A9, EN 01063607 [“For those who committed light offences for example in mobile units, the village chairmen and the commune chairmen brought them to us.”]. A10, EN 01063607 [“There were two cases of arrests. Firstly, the village chief and commune chief arrested people and then brought them to my place. Then I sent them to Tuol Beng Security Office.”].

740 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A10, EN 01063607 [“There were two cases of arrests. [...] Secondly, when a village or commune chief received a written order or permission from me, he would arrest them, and I would send them to Tuol Beng Security Office.”]. A28, EN 01063611-12 [“Actually, after the meeting with the Sector level, I returned to the district. Then I forwarded the order to the commune chiefs to designate by level of seriousness those who strongly opposed the revolution and those who could cause great danger to the revolution. After that, the commune chiefs started to arrest no-good elements who wanted to overthrow the revolution to be detained or smashed.”]. See also **D117/59** Ben Muy Written Record of Interview, 23 July 2009, A19-20, EN 01031710 [“We received the order from the commune committee, and the commune committee received the order from the district. [...] First, the group chief always had meetings with us and told us that the commune committee went to receive plans from the district. Second, it was related to work with people in general, and in the meetings they always told us that the commune committee had duties to do both in the commune and at the district.”].

741 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A30, EN 01076948 [“Q: How did they take the prisoners to Wat Angkuonh Dei Pagoda? A: When the village arrested the suspects, they would send them to the commune, and then the commune would send them to the district. After that the guards from Wat Angkuonh Dei Pagoda would take the arrestees.”]; **D117/51** Yim Seng Written Record of

Interview, 25 May 2014, A19, EN 01032997 ["Q: But when I interviewed Hoeun who used to work with you, he told me that at that time they arrested and took the people to the commune office for about two or three hours and sent them to Tuol Beng. Did you ever see them? A: Yes.": **D5/714** Nov Hoeun Civil Party Application, 26 February 2012, EN 00997363 ["I was a messenger. I rode a horse to deliver letters from Krala Commune to the villages. Those letters were sealed, so I do not know the content of the letters. However, on the day a letter was delivered, people were taken from the village mostly at 8.00 p.m. sometimes straight to Tuol Beng and other times to Phnum Pros to be killed."]. See also **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A52-53, EN 01056229 ["After I reported to Grandfather An, he gave an order to me, and I ordered Sy to organize the arrests. [...] People were arrested from the base to be sent to the district security, and I sent them to the sector security."].

742 **D107/7** Nhim Kol alias Say Written Record of Interview, 19 February 2012, EN 00787213 ["In June 1977, I was required to join the army, but Yeay Yut noted my disabled leg--she told me to work at a cooperative with Rom, who served as chairperson of Krala commune.": **D219/422.4** Nhim Kol alias Say Transcript of Interview, 20 February 2012, EN 01136827 ["Rom served as a Krala Commune chairperson. [...] Yeay Yuth had me return to the cooperative. Rom saw and informed me to work with her.": **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A2, EN 01076939-40 ["I worked in Krala Commune for about nine months starting from June 1977. At that time, my commune chief was Rom and the deputy commune chairwoman Neary Voeun and I were members of the Commune Committee.": **D117/46** Iem Channy Written Record of Interview, 9 May 2014, A25, EN 01032982 ["Besides Prak Yut, I knew [...] Say (male) who was a messenger. [...] Say and Sun were the base people."].

743 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A15, EN 01076944 ["Q: From where did they take the arrestees? A: They took them from the District Office at Angkuonh Dei Village. I could enter the office because it was close to the Commune Office. I want to explain how they arrested people during that time. Sometimes the district or the Sector sent letters calling people they planned to arrest to a meeting and then arrested them at the meeting. Sometimes Yeay Yuth could not find someone to send invitation letters to the communes, she asked me to deliver the letters. [...] Then, those village chairmen had a meeting in the District Office. When five or six left and only two or three were able to return home, we knew the others had been arrested. Prak Yuth assigned me to deliver letters to other communes in early 1978, when the arrests increased significantly."].

744 **D5/676/1** Nhim Kol alias Say Civil Party Application Report, 24 February 2012, EN 00911589 ["The applicant didn't see any killing but he heard that people were taken to be killed on the pretext of receiving foodstuff and materials."].

745 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A19, EN 009667000 ["I know that those people whose names were listed down were falsely told that they would be taken to work at the Rubber Plantation Union. But actually they were taken away and killed."].

746 **D117/46** Iem Channy Written Record of Interview, 9 May 2014, A22-23, EN 01032982 ["I remember that one night, the chairperson of Trapeang Russei Village, Ret, threw a huge party in which there were enough food, beef, and drinks to be served. They invited all villagers, especially hundreds of Cham ethnics in Trapeang Russei Village to eat as much as they wanted. I also attended and ate at this party. The next morning I observed that it was quiet in Trapeang Russei Village, and all Cham ethnics, the old and the young, disappeared even a small child named Romass whom I knew and used to play with also disappeared. My mother said that such disappearances would occur after having had such a party. Less than a month later, a Khmer Krom family that was living at the corner of my house also disappeared, and I did not know what happened to them. Q: Do you remember when that party was thrown? A: That party was thrown in 1978, but I do not remember the season, or month clearly."].

747 **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988626 ["In 1977, I witnessed 100 Cham families consisting of some 150 people being collected in Trapeang Russei Village. They were taken by ox-carts to be killed at Tuol Beng under the pretext that they were being taken to live in a new village.]. See also **D107/4** Vorng Sokun Written Record of Interview, 17 February 2012, A4, EN 00787236 ["The arresters yelled at him, 'You are a teacher and a 17 April People. We will send you to live in a new village.": **D219/422.13** Vorng Sokun Transcript of Audio Interview (D107/4), 17 February 2012, EN 01137017 ["Then they said they would take him to a new village. My father begged them not to mistreat him."].

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To Tuol Beng: **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“[The Cham people] were walked from Kampong Siem District Office towards Tuol Beng. I saw the security guards arresting them at around 7 p.m.”]; **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A12-13, EN 01034907 [“As I remember, there were three people who arrested the people in the district at night. I do not remember their names. [...] they were walked to Tuol Beng.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A22, EN 01072528 [“I saw them walk about 20 people, both children and their parents, with packs of clothes that night. [...] They were walked toward Tuol Beng Village.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A4-A7, EN 01152370 [“In conclusion, I saw them taking people away at night five times. [...] That family was transported in an ox cart to an education site at Tuol Beng. I heard this from his relatives.”], A12-13, EN 01152371-72 [“I saw a cadre named Men being arrested. [...] It was nighttime, and they told me that they had arrested a traitor. [...] I think they took him to Tuol Beng.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A9, EN 01034076 [“They arrested people every night. Some were arrested together with their whole families, and sent to the commune office by ox-carts, and at the dead of night those people disappeared. I clearly knew that they were sent to be killed at Tuol Beng, but I did not see that killing.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526-27 [“I saw an arrest for the first time at night in March after the meeting with Yeay Yut. [...] They were walked from the east to the west toward Tuol Beng.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625-26 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform. [...] Mostly I saw these events at around 7.00 p.m. as they escorted those prisoners next to my house that was located by a pail. They escorted three to five people each time.”]; **D5/714** Nov Hoeun Civil Party Application, 26 February 2012, EN 00997363 [“I was a messenger. I rode a horse to deliver letters from Krala Commune to the villages. Those letters were sealed, so I do not know the content of the letters. However, on the day a letter was delivered, people were taken from the village mostly at 8.00 p.m. sometimes straight to Tuol Beng and other times to Phnum Pros to be killed.”].

To Wat Angkuonh Dei: **D5/777** Leng Ra Civil Party Application, 17 March 2012, EN 01090089 [“In 1977, I witnessed with my own eyes events that three to five people per night being taken to be killed [at] Angkuonh Dei and Phnum Pros.”]; **D5/1478** Thy Sok Ny Civil Party Application, 12 March 2014, EN 01144374 [“When I stood by at night, some patients were taken away by A Chea’s partisans who told me that those patients were being taken to be treated at Angkuonh Dei. Some patients refused to go, but they were tied together in a queue. Those patients were taken away and have disappeared.”]. See also **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526 [“I saw people being arrested in groups.”].

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D117/42 Khoem Neary Written Record of Interview, 6 May 2014, A8, EN 01034076 [“It was true that many people were arrested at the time. Sometimes, from five up to twenty people were arrested a night, and sometimes people were arrested in the daytime too.”].

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D219/502 Muok Sengly Written Record of Interview, 4 September 2015, A4, EN 01152370 [“Sometimes they arrested an entire family and transported them in an ox cart. Armed cadres took them away.”], A12-13, EN 01152371-72 [“I saw a cadre named Men being arrested. Men was Ampil Chrum Village Chairman, close to my village. Three soldiers walked him away, but I do not know their level. They were not ‘base’ people. They were probably from Takeo or Kampong Speu.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072527 [“[The arrestees] were walked from the east to the west toward Tuol Beng. I do not know the escorts. They were not from this area.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform.”].

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D219/502 Muok Sengly Written Record of Interview, 4 September 2015, A4, EN 01152370 [“Sometimes they arrested an entire family and transported them in an ox cart. Armed cadres took them away. Sometimes, I did not see the event first-hand, but I heard the sound of the cart trundling along.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A9, EN 01034076 [“Some were arrested together with their whole families, and sent to the commune office by ox-carts, and at the dead of night those people disappeared. I clearly knew that they were sent to be killed at Tuol Beng, but I did not see that killing.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988626 [“In 1977, I witnessed 100 Cham families

consisting of some 150 people being collected in Trapeang Russei Village. They were taken by ox-carts to be killed at Tuol Beng under the pretext that they were being taken to live in a new village.”].

752 **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“They were tied from one to another, and sometimes they were even beaten with whips from behind. I also saw the security guards from Tuol Beng Security Office capturing Khmer people by tying their hands tightly behind their back.”]; **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A13, EN 01034907 [“People were arrested with their hands tied behind their back, and they were walked to Tuol Beng. I did not know if they were taken to be killed or what.”]; **D5/714** Nov Hoeun Civil Party Application, 26 February 2012, EN 00997362 [“People I was ordered to escort had been tied with their arms behind their backs and consisted of both men and women. Then they attached one to another by a cloth line, and escorted straight to Tuol Beng alias Neak Ta Beng.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A12-13, EN 01152371-72 [“They used a hammock string to tie [the arrestee’s] arms behind his back. [...] I think they took him to Tuol Beng.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform. [...] Usually, they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them to be killed at Phnum Pros Phnum Srei.”].

753 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078 [“Once when I was standing in front of the district tailoring unit house, I saw many ethnic Cham being arrested and walked in queues. [...] Those Cham’s palms were punched from one side to another and strings were put and tied through the punched palms of the Cham who were walked towards Tuol Beng.”].

754 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072527 [“[The arrestees] were walked from the east to the west toward Tuol Beng. I do not know the escorts. They were not from this area. They kicked and beat the people whom they were escorting.”].

755 **D117/43** S bong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“They were tied from one to another, and sometimes they were even beaten with whips from behind.”]. **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A26, EN 01034909 [“I used to see them arresting people and tying their hands behind their back, and walking them along the National Road towards Tuol Beng.”].

756 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A8, EN 01034076 [“I saw the arrest of a couple whose wife was pregnant. [...] Phal who was Prak Yut’s messenger beat that pregnant lady, put her on a cart and covered her with a sack. He shouted, ‘How loudly this pregnant bitch is yelling!’ Later on that couple was taken to be killed at Tuol Beng.”].

757 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A34-35, EN 01063613 [“I was only tasked to collect and arrest the people whose names in the lists to be detained at the district overnight, and the Sector was charged with taking those people to the Sector on their own. [...] Those people were detained at Tuol Beng Military Security Office.”]; **D219/422.5** Nhim Kol alias Say Transcript of Audio Interview, 19 February 2012, EN 01136883 [“As far as I know, [the arrestees who were ordinary] people were taken to the commune level, but cadres, such as village chiefs, were taken to the district security for one night or two nights and then sent to the sector. They were not smashed or killed at the district level.”].

758 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A73, EN 01063621 [“Q: How were prisoners sent from Tuol Beng to the Sector? A: By vehicle.”]. A90, EN 01063623-24 [“How were the prisoners sent to the Sector? A: The Sector came to take the prisoners by themselves. The same driver did not come regularly, sometimes once a month and other times once in every ten days. That vehicle could transport 10-15 people. I do not recall the name of that driver.”]. See also **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“The district and the Sector had their respective security offices. The Sector Security Office was at Wat Ta Meas pagoda, Prey Totueng. [...] For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards send village chairpersons to the Sector, and the district would decide the fate of village deputies.”]. EN 00787219 [“To my knowledge, the Sector never came and arrested people on its own. The district and communes arrested them, then sent them and reported to the Sector.”].

759 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A12, EN 01063608 [“Some of the arrested people were not sent to the Sector level because the Sector level did not have space to detain them.”]. A66, EN 01063620 [“[W]hen the Sector required us to send prisoners to the Sector, we had to do so. If they did not require us to send prisoners to the Sector, we kept prisoners at the district, at Tuol Beng.”]. A92, EN 01063624 [“Q: Were all prisoners at Tuol Beng to be sent to the Sector? A: No, at Tuol Beng there were

types of prisoners: light-offence prisoners and serious-offence prisoners. Light-offence prisoners would be released after being refashioned and serious-offence prisoners were sent to the Sector. Cham prisoners were also sent to the Sector.”]; **D107/8** Nhim Kol alias Say Written Record of Interview, 20 February 2012, EN 00787219 [“Arrests proceeded as follows. For ordinary people, they would be killed on the spot--at the grassroots. For cadre such as village chairpersons and deputies, they would be sent to the district. The district would afterwards send village chairpersons to the Sector, and the district would decide the fate of village deputies. Yeay Yut then had the power to decide the fate of village deputies who had been arrested and brought in.”].

760 **D117/46** Iem Channy Written Record of Interview, 9 May 2014, A24, EN 01032982 [“I used to hear about Tuol Beng during the Khmer Rouge regime, and those who had been arrested were sent to Tuol Beng.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A79-81, EN 01098558 [Q: Did you ever hear of Tuol Beng Security Office? A: Yes, I did. [...] I heard the name of the security office. But I never went there, I heard some arrestees being sent here. But I do not know where other arrestee[s] were sent. [...] I heard some rumour about it when I was at the district office on some occasions.]; **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A14, EN 01031704 [“Q: Did you know about the arrests of people in your village? A: No, I did not, I knew they were made for different reasons, and I even heard that people were sent to the Centre in Phnom Penh, and some of them were taken to Tuol Beng. However, I did not know what they did there.”]; **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A19, EN 01032997 [“Q: But when I interviewed Hooun who used to work with you, he told me that at that time they arrested and took the people to the commune office for about two or three hours and sent them to Tuol Beng. Did you ever see them? A: Yes.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16-17, EN 01072526-27 [“I saw people being arrested in groups. [...] They were walked from the east to the west toward Tuol Beng. [...] There was a prison in Tuol Beng. Those who were taken to be killed were detained there first.”].

761 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A53, EN 01063617 [“Some old cadres and commune chiefs were arrested and detained at the Kampong Siem District Security Office [in Tuol Beng] before being sent to the Sector security office.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A12-13, EN 01152371-72 [“I saw a cadre named Men being arrested. Men was Ampil Chrum Village Chairman, close to my village. [...] I think they took him to Tuol Beng.”].

762 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078 [“Ethnic Cham were arrested first. Their whole families were arrested. At that time I saw old and young ethnic Cham being walked [...] towards Tuol Beng, I did not follow them up to Tuol Beng. At that time they did not allow anyone to go to Tuol Beng.”]; **D117/43** Sbong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977. They were walked from Kampong Siem District Office towards Tuol Beng.”]; **D117/51** Yim Seng Written Record of Interview, 25 May 2014, A19-20, EN 01032997 [“Q: But when I interviewed Hocun who used to work with you, he told me that at that time they arrested and took the people to the commune office for about two or three hours and sent them to Tuol Beng. Did you ever see them? A: Yes. [...] Yes, most of them were Cham ethnics.”]; **D219/329** Written Record of Investigation Action, 25 May 2015, EN 01099705 [“Muok Sengly (D5/778) (1.16 - 1.24 pm): This civil party stated that most of the victims at Tuol Beng were Cham or ‘new people.’”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526 [“I saw people being arrested in groups. Some were Cham and others were Khmer.”], A21, EN 01072528 [“I saw them walk both Cham and Khmer people toward Tuol Beng, but I do not know where they took those people. I saw this the first time about one year before the Vietnamese came.”].

763 **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A6-8, EN 01152370-71 [“I personally saw them arrest ‘17 April’ families. [...] That family was transported in an ox cart to an education site at Tuol Beng. I heard this from his relatives. Q: Why were all those people arrested? A: The ‘base’ people reported to the cadres that this person or that person had been a teacher or civil servant during the previous regime.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform. They said that those people were being taken to the corrections office since they were considered to be enemies of the revolution. Those accused of being enemies were mostly 17 April people: others were former policemen, soldiers, teachers, and medical staff members of Lon Nol. Usually, they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them

to be killed at Phnum Pros Phnum Srei.”]; **D219/329** Written Record of Investigation Action, 25 May 2015, EN 01099705 [“Muok Sengly (D5/778) (1.16 - 1.24 pm): This civil party stated that most of the victims at Tuol Beng were Cham or ‘new people’.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A21-22, EN 01072528 [“I saw them walk both Cham and Khmer people toward Tuol Beng, but I do not know where they took those people. I saw this the first time about one year before the Vietnamese came. [...] They were also Khmer--old people and new people. They were walked toward Tuol Beng Village. I never saw those people again.”].

764 **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“At the end of the Khmer Rouge regime, five or six people were arrested at the dining shelter in Tuol Beng Village for having had the Vietnamese wives. They were taken to be killed at Tuol Beng Security Office.”].

765 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A8, EN 01034076 [“I saw the arrest of a couple whose wife was pregnant. That couple was arrested because the wife had been so hungry that she had stealthily picked up the unhusked rice [from the field] to eat. [...] Later on that couple was taken to be killed at Tuol Beng.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A8, EN 01063607 [“Actually, those I sent to Tuol Beng Security Office were working at mobile units who were considered to be lazy and thieves who committed offences. After receiving reports from the village chairmen and the commune chairmen I sent them to that security office to be re-educated; not to be killed.”]; **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A71, EN 01178456 [“Q: What prisoners were sent to Tuol Beng Security Office? A: The prisoners who were sent to that place were accused of committing moral misconducts and mistakes like those that I outlined earlier.”].

766 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526-27 [“There were about ten families of 17 April people including children and their parents. They were walked from the east to the west toward Tuol Beng.”], A22, EN 01072528 [“I saw them walk about 20 people, both children and their parents, with packs of clothes that night. [...] They were walked toward Tuol Beng Village. I never saw those people again.”].

767 **D219/472** Sum Chanythol Written Record of Interview, 24 August 2015, A69-70, EN 01178455 [“I knew only Tuol Beng because it was only about one kilometre from my village. [...] Tuol Beng was a security office, but it was not large. It could accommodate 50 to 60 people.”].

768 **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A31, EN 01079863-64 [“At that time, it was in 1978. The prison was Tuol Beng Prison. I saw about 20 to 30 prisoners. Most of them were men between the age of 40 and 50.”].

769 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A19, EN 01072527 [“Through the window I saw those prisoners had their legs tied to a wooden beam. There were about ten male prisoners in that building, and those prisoners were inhabitants in the area. In the other building, there were fewer than ten female prisoners. I did not know them, and I also do not know why they were detained there. I do not know if they were injured or not.”].

770 **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“[Arrests of ordinary people] took place after the arrests of those senior cadres, including unit or group chairpersons. After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arrested people associated with, or family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“Another type of detainee [at Wat Angkuonh Dei] was people holding the rank from village deputy chief to commune chief and Lon Nol’s soldiers who were then sent to the Sector Security Centre.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“After arresting the Cham, they began to arrest the former village chairmen or unit chairmen, and they were taken to Wat Angkuonh Dei Pagoda prison before being sent to other places.”]; **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797010 [“My brother Nat Noen was appointed village chief. People came from the Southwest and accused him of belonging to the CIA. [...] From my workshop I saw him being arrested. I was able to take him some food to Angkuonh Dei where he had been taken. In fact I saw him when he was working on the pond and that was when I gave him some food secretly. After that he disappeared.”]; **D191.1.112** Nat Hoeun Written Record of Interview, 23 March 2012, EN 00797020-21 [“My older brother was made chief of district 4. At the end of 1977 he was forced to carry salt and was detained in security office Ang Kuoeh Dei Security Center. [...] I do not [know] why he was arrested. The deputy chief of village and someone else close to him were also arrested. [...] He was

innocent. And perhaps he belonged to a network. When he was arrested, everybody else in the village was also arrested and executed.”]

- 771 **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A3-8, EN 00967610-11 [“I stayed at the security center which was located near Voat Angkuonh Dei Pagoda. [...] Q: Do you remember where those prisoners were sent from? Why were they arrested? A: Probably they were the ‘new citizens’. I did not know why they were arrested.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A34, EN 01076949 [“Q: When did they arrest the 17-April people? A: When the Southwest group arrived, there were still former Lon Nol soldiers, police officers and officials, and other people who had been evacuated from other places. Then they investigated their backgrounds and arrested them one by one until the Khmer Rouge regime collapsed when the Vietnamese came.”], A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng.”].
- 772 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“Another type of detainee [at Wat Angkuonh Dei] was people holding the rank from village deputy chief to commune chief and Lon Nol’s soldiers who were then sent to the Sector Security Centre.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng.”], A34, EN 01076949 [“Q: When did they arrest the 17-April people? A: When the Southwest group arrived, there were still former Lon Nol soldiers, police officers and officials, and other people who had been evacuated from other places. Then they investigated their backgrounds and arrested them one by one until the Khmer Rouge regime collapsed when the Vietnamese came.”].
- 773 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A67, EN 01063620 [“Q: What types of prisoners were detained at Angkuonh Dei Pagoda? A: Light-offence prisoners.”]; **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797009-10 [“I did not see any disappearances myself but I do know that if in those days, anybody refused to do what they were told to do, they disappeared or at the very least were taken to the security center to the village of Angkuonh Dei where the district committee office was. For example, in the mobile units, if you stole something, you were tortured and killed.”]. *See also* **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“those who were arrested from the villages and communes of Kampong Siem District were brought to the District Security Centre [at Wat Angkuonh Dei].”]; *See contra* **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A92, EN 01063624 [“Q: Were there prisoners at Angkuonh Dei? A: Angkuonh Dei was not a place for detaining prisoners.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A31, EN 01076948 [“There were no minor-offense prisoners at Wat Angkuonh Dei. After they held a prisoner there, they would send him on to other places.”].
- 774 **D107/6** Chheng Yeun Written Record of Interview, 18 February 2012, EN 00787194 [“Q: Did you see a younger brother of [Vorng] Sokun being arrested? A: No, I didn’t. I just heard shouting. Q: Please further describe the situation where you heard so and the arrest of your nephews. A: Those kids were arrested and taken for detention in Wat Angkuonh Dei pagoda. One night, those kids stealthily fled the place of detention to seek my help at my house. Upon arrival, they hid at a sesame field adjacent to my house. The militia then followed and found them at the sesame field during the night, and re-arrested them during the night. I heard the kids shouting for my help, but I did not dare come forward to look because I was also fearful for my personal safety. I didn’t know the arrestors.”].
- 775 **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A13, EN 01152372 [“in my area, there were only two places: one at Angkuonh Dei, a temporary detention office and hospital; and another at Tuol Beng, which was a large site.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A19, EN 01076945 [“[Wat Angkuonh Dei Pagoda] was not for mass killings. It was a site where they detained people separately from their families.”], A24, EN 01076947 [“Wat Angkuonh Dei Pagoda was a temporary detention. The prisoners were kept for a short time before they were sent elsewhere. Sometimes there were five prisoners, and sometimes there was only one prisoner.”].
- 776 **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“[Arrests of] ordinary people accused of being enemies [...] took place after the arrests of those senior cadres, including unit or

group chairpersons. After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arresting people associated with, or family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“After arresting the Cham, they began to arrest the former village chairmen or unit chairmen, and they were taken to Wat Angkuonh Dei Pagoda prison before being sent to other places.”], A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“Another type of detainee [at Wat Angkuonh Dei] was people holding the rank from village deputy chief to commune chief and Lon Nol’s soldiers who were then sent to the Sector Security Centre.”].

777 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A32, EN 01076949 [“Q: How many prisoners were held in Wat Angkuonh Dei Pagoda during your stay in Krala Commune? A: Prisoners were sent there every day. They arrested up to ten prisoners, and there was no regular time. They moved people in and out every day.”], A24, EN 01076947 [“Wat Angkuonh Dei Pagoda was a temporary detention. The prisoners were kept for a short time before they were sent elsewhere. Sometimes there were five prisoners, and sometimes there was only one prisoner.”]; **D219/26** Prak Ny Written Record of Interview, 13 October 2014, A41, EN 01044877 [“I saw only five or six prisoners who were arrested and detained in shackles at that security office [near the district office] when I arrived there.”]; **D117/34** Prak Ny Written Record of Interview, 14 November 2013, A9, EN 00967611 [“Q: While you were working at that security centre [which was located near Wat Angkuonh Dei], how many prison[er]s were there? A: It was a small place, to my recollection there were [no] more than 10 prisoners.”].

778 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A31, EN 01076948-49 [“I knew only one case in which two people were released. Generally, once arrested, no one was released. Those two people were a man called Oem who was the village chairman of Tuol Beng and the other, a woman called Au Vanny, who was a villager of Trapeang Chrey, Krala Commune. Those two people committed moral misconduct, and when their affair was revealed, they decided that they would commit suicide by using a hand grenade. I also joined the militiamen to call them from home. They took them to Rom’s house and Rom told militiamen to take them to Ni at Wat Angkuonh Dei. Later Prak Yuth decided to free both of them.”].

779 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A18, EN 01072527 [“There were two wooden buildings [in Tuol Beng Prison] used for detaining people. Each building was 7 metres wide and 20 metres long.”], A19, EN 01072527 [“Through the window I saw those prisoners had their legs tied to a wooden beam. There were about ten male prisoners in that building, and those prisoners were inhabitants in the area. In the other building, there were fewer than ten female prisoners. I did not know them, and I also do not know why they were detained there. I do not know if they were injured or not.”]; **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A31, EN 01079863-64 [“I walked past a prison with people who worked with me and saw prisoners being shackled. At that time, it was in 1978. The prison was Tuol Beng Prison [...] They were shackled and sat facing one another in two queues.”].

780 **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A31, EN 01079863-64 [“I walked past a prison with people who worked with me and saw prisoners being shackled. At that time, it was in 1978. The prison was Tuol Beng Prison [...] They were thin, but they did not have any wounds.”].

781 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A19, EN 01072527 [Re. Tuol Beng prison: “It seemed that they had insufficient food to eat. They shouted for help and asked us to bring tree leaves and beans for them to eat, and we said that we did not dare. A guard shouted to me, ‘Do not look! Just think about your own work.’”].

782 **D117/45** Thou Sokheng Written Record of Interview, 9 May 2014, A5, EN 01031702 [“As I showed you, there was also a security office at Wat Angkuonh Dei premise. At that time there was a long tile-roofed shelter and two queues of leg shackles together with iron bars for shackling the prisoners.”]; **D117/48** Wat Angkuonh Dei Site Identification Report, 31 July 2014, EN 00987176 [“According [to] witness Thou Sokheng, the Security Center was in fact a big open area protected by a roof with two lines of shackles for the prisoners and was located at the East of the Pagoda compound. The prisoners were detained there for a very short time before being transferred to the sector level or to Tuol Beng execution site.”]. See *contra* **D219/138**

You Vann Written Record of Interview, 8 January 2015, A14, EN 01059275 ["Q: Did you ever see people shackled or tied up and detained at Wat Angkuonh Dei Pagoda? A: No, I did not."].

783 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078 ["I did not follow [the arrested Cham people] up to Tuol Beng. At that time they did not allow anyone to go to Tuol Beng"]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A13-14, EN 01152372 ["[I]n my area, there were only two places: one at Angkuonh Dei, a temporary detention office and hospital; and another at Tuol Beng, which was a large site. [...] During that era, I never went to those places. However, my older siblings who had to carry earth near those two places said that people were forbidden to approach those sites."].

784 **D117/48** Wat Angkuonh Dei Site Identification Report, 31 July 2014, EN 00987176 ["Information about the [Tuol Beng] killing site and the numbers of victims is also confirmed by the witness Thlang Pheng. Witnesses Khoem Neary and Aok Chanty also gave information about the use of Tuol Beng as a killing site."]; **D117/38** Kruoch Kim Written Record of Interview, 24 April 2014, A17, EN 01056738 ["Q: Did you ever hear about a killing site named Tuol Beng? A: Everyone knows that place. I have never seen the place, but I heard many people were killed and dropped into a well in that area."]; **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A9, EN 01034900 ["the security office was at Tuol Beng where people were killed."]; **D117/44** Nov Hoeun Written Record of Interview, 8 May 2014, A15, EN 01034907 ["Tuol Beng was a killing field when people were sent there."]; **D5/222** Sum Chanthol Civil Party Application, 15 January 2010, EN 01195967 ["[Tuol Beng Village] was a notorious killing site."].

785 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A22, EN 01072528 ["I saw them walk about 20 people, both children and their parents, with packs of clothes that night. [...] They were walked toward Tuol Beng Village. I never saw those people again."]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A7-8, EN 01152370-71 ["That [17 April] family was transported in an ox cart to an education site at Tuol Beng. [...] As for those arrested, we were told they had been moved to live elsewhere, but we thought they must have taken those people to be killed because we never met those people again."]; **D191.1.112** Nat Hoeun Written Record of Interview, 23 March 2012, EN 00797022 ["I was told that [my brother] had disappeared by other people who had been arrested and who managed to escape. They told me that my older [brother] had been interrogated then executed at Tuol Bayng."].

786 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A20, EN 01072527-28 ["Q: Did you see anything strange in the rice field around that prison? A: I saw many pits. Approximately 20 pits had already been dug. Each pit was 5 metres in width, 7 metres in length and 2.5 metres in depth. Those pits were about ten metres from the prison. At that time, those pits were empty. But after the Khmer Rouge regime collapsed, those pits were completely filled and there were many flies."].

787 **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A14-15, EN 01034900-01 ["I went [to Tuol Beng Security Office] after the Khmer Rouge regime collapsed. I saw them digging up many pits including a three-square-metre one where 50 bodies were found. There were two large pits in Tuol Beng Village. They dug up those corpses for gold and precious items. [...] As I remember, there were two large pits and around 20 smaller and larger pits than these."].

788 **D117/37** Leng Ra Written Record of Interview, 23 April 2014, A21, EN 01072509 ["Q: Could you tell us more about Tuol Beng? How much do you know about Tuol Beng? A: The incident took place after the arrival of the Southwest Zone's Ta Leoung in this sector. I was in the mobile unit, and one day I was assigned to clear grass in a rice field close to Tuol Beng. A foul smell reached me, and I turned to face the hill to find the source of the stench. Then I saw a well and two pits full of swollen corpses. I saw that many stones had been put on top of the swollen corpses."].

789 **D219/472** Sum Chanthol Written Record of Interview, 24 August 2015, A37, EN 01178453 ["After the Khmer Rouge regime, I went to Tuol Beng to buy sugar and saw many pits. Some pits contained decapitated bodies, whilst other pits contained severed heads."]; **D219/319** Written Record of Investigation Action, 21 May 2015, Sum ChanThol, EN 01098094 ["The Applicant went to Tuol Beng site after the fall. One pit contained only heads, while another contained only bodies"].

790 **D117/41** Thlang Pheng Written Record of Interview, 6 May 2014, A7-A8, EN 01032974 ["Q: What do you know about Tuol Beng location? A: When I came back in 1979, I got to know about the killing here. We found many small and large pits together with bones and skulls. There were hundreds or up to thousands of skulls in this village. I cannot tell you about the exact number because no one cared about counting them. Q: What happened to all those bones and skulls? A: They were left behind at bushes, corners and termite

mounds, so they were scattered. During the Khmer Rouge regime everyone was too scared to come here because this place was a killing site. After the collapse of the Khmer Rouge regime, they came here and began to dig up bones and filled the pits in order to build houses.”]. *See contra* **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng. At that time, Rom told me to delete all the people who had been killed or sent to higher echelon.”].

791 **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988626 [“In 1977, I witnessed 100 Cham families consisting of some 150 people being collected in Trapeang Russei Village. They were taken by ox-carts to be killed at Tuol Beng under the pretext that they were being taken to live in a new village.”].

792 **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032987-88 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A9, EN 01034076 [“To my knowledge, they arrested educated people, former soldiers, and so on. [...] I clearly knew that they were sent to be killed at Tuol Beng, but I did not see that killing.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11-12, EN 00966999 [“All the Cham Muslims in Kampong Siem District were also arrested and executed right in the district. No Cham Muslim was spared except for Phea, who was defended by Prak Yut. Q: Where was the execution site? A: The execution site was located in Tuol Beng Village, near the old security centre, west of the pagoda.”].

793 **D219/138** You Vann Written Record of Interview, 8 January 2015, A104, EN 01059298-99 [“Q: Some witnesses have said that ordinary people were killed at Tuol Beng Security Office, and important persons were sent to the Sector level. Did you know there were such procedures? A: Yes, I heard from Ni about this, but I did not know if those decisions were made by Ni or upper echelon.”].

794 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A8, EN 01034076 [“I saw the arrest of a couple whose wife was pregnant. That couple was arrested because the wife had been so hungry that she had stealthily picked up the unhusked rice [from the field] to eat. Phal who was Prak Yut’s messenger beat that pregnant lady, put her on a cart and covered her with a sack. He shouted, ‘How loudly this pregnant bitch is yelling!’ Later on that couple was taken to be killed at Tuol Beng.”].

795 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A10, EN 01034077 [Describes an incident where Prak Yut came to arrest a man who had stolen yams to eat. When her messengers went to capture him, the man slashed and hit a messenger with his axe, and they shot him. “Three days later they caught his wife and his stepchildren to be placed at Krala Commune Office. [...] At 6 p.m., they and the other people were taken to be killed at Tuol Beng.”].

796 **D219/138** You Vann Written Record of Interview, 8 January 2015, A105, EN 01059299 [“Q: Who were the killers at Tuol Beng? A: I did not know that either, but once I saw Sector soldiers come to the District Office. They were introduced as coming from the Sector, and then they went to meet Ni, Phon, and Phen. Then they travelled to Tuol Beng. Ni was responsible for Tuol Beng Security Office, but he was stationed at the District Military Office. A few days later, I heard Ni say that Sector soldiers had come to kill two or three people. This was after Prak Yut sent the list to the upper level. I did not know whether or not District Military joined in the killings. I only knew that people went missing continually.”].

797 **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A27, EN 01072519 [“Yes, my father disappeared in late 1978. At that time he was sick, and he Khmer Rouge sent him to Ankuonh Dei. He has been missing since then. I have never heard anything from him so far.”]; **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797009-10 [“I did not see any disappearances myself but I do know that if in those days, anybody refused to do what they were told to do, they disappeared or at the very least were taken to the security center to the village of Angkuonh Dei where the district committee office was. For example, in the mobile units, if you stole something, you were tortured and killed.”]; **D5/1478** Thy Sok Ny Civil Party Application, 12 March 2014, EN 01144374 [“When I stood by at night, some patients were taken away by A Chea’s partisans who told me that those patients were being taken to be treated at Angkuonh Dei. Some patients refused to go, but they were tied together in a queue. Those patients were taken away and have disappeared.”]; **D5/1588** Nguon Snguon Civil Party Application, 12 March 2014, EN

01168223-24 [“People in other fishing units who failed to complete their assigned work were taken to study and disappeared forever. It was said that they were sent to Angkuonh Dei. I was in charge of catching fish throughout the entire Khmer Rouge regime.”].

798 **D5/777** Leng Ra Civil Party Application, 17 March 2012, EN 01090089 [“In 1977, I witnessed with my own eyes events that three to five people per night being taken to be killed [at] Angkuonh Dei and Phnum Pros. Those people were killed by being burned alive in kilns. I heard them scream for help, and nobody dared help them for fear of getting killed as well.”].

799 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A26, EN 01063611 [“When the orders [to kill] were fully carried out, all the commune chiefs reported personally to me.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A1, EN 01059272 [“As Commune Committee Member, I had to write reports about deaths of people in the commune, production work, and new births. I reported to Prak Yut every single week. I produced the reports myself and took them to Prak Yut at the Kampong Siem District Office. Other communes in Kampong Siem District did the same thing I did. Every three weeks the entire Kampong Siem District Commune Committee came to meet with Prak Yut. During those meetings, she always told us to help re-educate people and urge them to increase production.”].

800 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A8, EN 01151270 [“After the killings of the Cham people were completed, I received a report from my or the militia chief about the number of Cham they had killed. Then I sent that report to Ta An, who was at the sector level.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“Si just reported to me that the orders [smash Cham people] had been carried out, and I reported to the Sector level accordingly.”], A26-27, EN 01063611 [“After the orders [to kill] were fully executed, did you report to Grandfather An at the Sector level? A: Yes, when the orders were fully carried out, all the commune chiefs reported personally to me. Then I discussed this with Grandfather Si and made a report to be sent to Grandfather An at the Sector level. [...] In the report I sent to Grandfather An, I listed names of people arrested and reasons for their arrest, for their detention, or their release, and for their execution.”].

801 **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A3-6, EN 00967004-05 [“Nan was the Chief of Kampong Siem District, the third-ranking person in Kampong Siem District. He laid out orders from the district level to me. [...] For example, he ordered me to make a detailed list of the population in Krala Commune such as males, females, young, old, ethnic groups, ‘new people’ or former Lon Nol’s soldiers. [...] I wrote all those names in a book and handed the book over to Nan. [...] A man, Say, helped me make a list of all the population.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A19, EN 00967000 [“I know that the commune chief asked the village chief to write down the names of all people in the village in two notebooks. The village chief was required to provide detailed information about them such as their race and biography. One notebook would be kept in the village [office] and the other in the commune [office].”].

802 **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“Those accused of being enemies were mostly 17 April people [...] they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them to be killed at Phnum Pros Phnum Srei.”]; **D219/329** Written Record of Investigation Action, 25 May 2015, EN 01099705 [“Muok Sengly (D5/778) (1.16 - 1.24 pm): This civil party stated that most of the victims at Tuol Beng were Cham or ‘new people’.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A2, EN 01152369 [“Q: Can you confirm that the information in [your Civil Party Application] is correct? A: Yes.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A4-8, EN 01152370-71 [“Between one and five people were taken away each time. In conclusion, I saw them taking people away at night five times. Sometimes they arrested an entire family and transported them in an ox cart. Armed cadres took them away. Sometimes, I did not see the event first-hand, but I heard the sound of the cart trundling along. Q: What levels were the soldiers who took them away? A: They were commune security guards. They were not ‘base’ people. They were from the Southwest Zone. They [...] spoke in a rough accent. [...] In fact, I saw it more than five times. Generally, when they arrested ‘17 April’ people, they arrested the entire family. As for cadres, when the husbands committed some crime, they would arrest the husbands first and then their families. I personally saw them arrest ‘17 April’ families. Q: Do you know where they took those families to? A: In my village, there were four families of ‘17 April’ people who were highly educated and had lived in Phnom Penh. Among them, there were the families of Khon and Khom, who were related. [...] That family was transported in an ox cart to an education site at Tuol Beng. I heard this from his relatives. [...] As for those arrested, we were told they had been moved to live

elsewhere, but we thought they must have taken those people to be killed because we never met those people again.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“During the regime, I was a child, and would see groups of five people being escorted with their hands tied behind their backs by two armed militia members in black uniform. They said that those people were being taken to the corrections office since they were considered to be enemies of the revolution. Those accused of being enemies were mostly 17 April people; others were former policemen, soldiers, teachers, and medical staff members of Lon Nol. Usually, they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them to be killed at Phnum Pros Phnum Srei.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526-27 [“I saw people being arrested in groups. Some were Cham and others were Khmer. I saw an arrest for the first time at night in March after the meeting with Yeay Yut. There were about ten families of 17 April people including children and their parents. They were walked from the east to the west toward Tuol Beng.”].

803 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“When they relocated the security office from Tuol Beng to Wat Angkuonh Dei Pagoda, they took remaining prisoners who were former Lon Nol soldiers along. The Cham were taken to be killed at the same time with the Lon Nol soldiers and officials.”]; A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng.”]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032987-88 [“Since the arrival of the Southwest cadres in 1977, they searched to arrest ex-civil servants in Lon Nol regime such as soldiers, teachers, and those whose parents used to be civil servants, and the former unit chiefs. Almost 200 villagers including eight Cham families in Trapcang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A9, EN 01034076 [“To my knowledge, they arrested educated people, former soldiers, and so on. [...] I clearly knew that they were sent to be killed at Tuol Beng, but I did not see that killing.”]; **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988625 [“Those accused of being enemies were mostly 17 April people; others were former policemen, soldiers, teachers, and medical staff members of Lon Nol. Usually, they took those prisoners to Tuol Beng Security Office in Krala Commune, and then sent them to be killed at Phnum Pros Phnum Srei.”].

804 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999 [“Another type of detainee [at Wat Angkuonh Dei] was people holding the rank from village deputy chief to commune chief and Lon Nol’s soldiers who were then sent to the Sector Security Centre.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“When they relocated the security office from Tuol Beng to Wat Angkuonh Dei Pagoda, they took remaining prisoners who were former Lon Nol soldiers along. The Cham were taken to be killed at the same time with the Lon Nol soldiers and officials.”]; A33, EN 01076949 [“During my term in Krala Commune, I would say that fewer than 50 people were taken to be killed, including two families. One was the family of a former teacher, and the other was the family of a former Lon Nol soldier. Those two families were taken to Wat Angkuonh Dei Pagoda and then taken to be killed at Tuol Beng.”].

805 **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arrested people associated with, or family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946 [“After arresting the Cham, they began to arrest the former village chairmen or unit chairmen, and they were taken to Wat Angkuonh Dei Pagoda prison before being sent to other places.”].

806 **D117/66** Orn Kim Eng Written Record of Interview, 27 August 2014, A14, EN 01040462 [“Prak Yut, who was the secretary of Kampong Siem District, conducted the purge in Kampong Siem District herself, and those prisoners were transported and taken to be killed at the security offices in Kampong Siem District such as Tuol Beng and Kouk Pring.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A12-13, EN 01152371-72 [“I saw a cadre named Men being arrested. Men was Ampil Chrum Village Chairman, close to my village. [...] I think they took him to Tuol Beng.”].

807 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A21, EN 01076946 [“Q: How do you know that the Cham were taken to be killed at Tuol Beng? A: All the people in the area know Tuol

Beng because it was one of the most notorious places. We saw bones in that place after 1979. During the Khmer Rouge regime, that place was a prohibited area.”], A19, EN 01076945 [“Tuol Beng had its own security office before Yeay Yuth arrived. That was where they killed all the Cham [in] Kampong Siem District. After those killings, they relocated the security office from Tuol Beng to Wat Angkuonh Dei Pagoda.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11-12, EN 00966999 [“All the Cham Muslims in Kampong Siem District were also arrested and executed right in the district. No Cham Muslim was spared except for Phea, who was defended by Prak Yut. Q: Where was the execution site? A: The execution site was located in Tuol Beng Village, near the old security centre, west of the pagoda.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“Si was the one who contacted the villages and communes to compile the names and count the number of all the Cham people and took them to be killed at Tuol Beng. After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”], A25, EN 01063610-11 [“Q: Since there were only two execution sites in your district: at Kork Pring and Tuol Beng, did you know if they took all the people to be killed at Tuol Beng? A: Frankly speaking, I did not know. I did not follow up the execution of the orders at the bases, but those killings probably occurred at Tuol Beng.”]

808 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078 [“Once when I was standing in front of the district tailoring unit house, I saw many ethnic Cham being arrested and walked in queues. Ethnic Cham were arrested first. Their whole families were arrested. At that time I saw old and young ethnic Cham being walked. Those Cham’s palms were punched from one side to another and strings were put and tied through the punched palms of the Cham who were walked towards Tuol Beng. I did not follow them up to Tuol Beng. At that time they did not allow anyone to go to Tuol Beng.”]; **D117/51** Yin Seng Written Record of Interview, 25 May 2014, A19-20, EN 01032997 [“Q: But when I interviewed Hocun who used to work with you, he told me that at that time they arrested and took the people to the commune office for about two or three hours and sent them to Tuol Beng. Did you ever see them? A: Yes. [...] Yes, most of them were Cham ethnics.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A16, EN 01072526 [“I saw people being arrested in groups. Some were Cham and others were Khmer.”], A21, EN 01072528 [“I saw them walk both Cham and Khmer people toward Tuol Beng, but I do not know where they took those people. I saw this the first time about one year before the Vietnamese came.”]; **D219/329** Written Record of Investigation Action, 25 May 2015, EN 01099705 [“Muok Sengly (D5/778) (1.16 - 1.24 pm): This civil party stated that most of the victims at Tuol Beng were Cham or ‘new people’.”]

809 **D5/778** Muok Sengly Civil Party Application, 17 March 2012, EN 00988626 [“In 1977, I witnessed 100 Cham families consisting of some 150 people being collected in Trapeang Russei Village. They were taken by ox-carts to be killed at Tuol Beng under the pretext that they were being taken to live in a new village.”]

810 **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A2, EN 01032988 [“Almost 200 villagers including eight Cham families in Trapeang Tras Village were taken to be killed at Tuol Beng or Phnom Pros.”]

811 **D117/43** Sbong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977. They were walked from Kampong Siem District Office towards Tuol Beng.”]

812 **D117/43** Sbong Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977. They were walked from Kampong Siem District Office towards Tuol Beng.”]

813 **D219/119.1.2** Phlong Han Written Record of Interview, 23 March 2012, EN 00797012 [“As regards to Cham families, I did not know their village. All I can tell you is that they were transferred from the village to be taken elsewhere and in fact they too were taken to the Angkuonh Dei site.”]

814 **D219/319** Written Record of Investigation Action, 21 May 2015, EN 01098093-94, Sum Chan Thol Interview [“In mid-1977, when the Applicant was in Kampong Tros, she saw a family of around ten Cham people and about twenty other Cham people being taken away. It was before the Applicant’s husband had been taken away, but Yeay Yuth had already taken over the area at that time. The Applicant knew the family very well, as one of them was the head of the Cham religious community and had adopted her as a god-daughter, when she brought her son to him for treatment. The Cham man asked the Applicant’s mother to keep a small jar of gold when he found out that he would be taken. He was killed in Phnom Pros. When he

was transferred from Trapeang Pros, he was sent to Angkuonh Dei School to stay there for some time before other people were taken there and then sent to be killed together.”].

815 **D303** Written Record of Further Appearance, EN 01213486 and EN 01213489.

816 *See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.*

817 **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787436 and EN 00787438 [“Location: Kdei Boeng village, Vihear Thom commune. Kampong Siem district. [...] Located all along the east edge of the Boeng Thom Lake the site is accessible crossing the property of the Kdei Boeng village pagoda.”]; **D1.3.11.34** Nhet Pet OCP Statement, 5 August 2008, EN 00210461 [“Kok Pring is by the lakeside, about 1km from [Kdei Boeng Village].”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210448 [“Kok Pring was an execution site located in his commune where many people were killed. It is located near Boeng Thom (a lake).”]; **D5/590/1** Kang Nary Civil Party Application Report, 13 November 2012, EN 00908031 [“She added that she knew a killing site named Kouk Pring, located in Kouk Kream Village, Vihear Thum Sub-district, Kampong Siem District, Kampong Cham Province. Most of people were sent to be killed there.”].

818 **D107/3** Kak Sroeu Written Record of Interview, 16 February 2012, EN 00787202 [“Killings began in 1970 at the time of the coup, but that toll only amounted to around 20 to 30 people who were CIA or KGB spies. Large-scale killings were from early 1977 through 1978, until the Vietnamese arrived.”]; **D107/2** Sann Son Written Record of Interview, 16 February 2012, A7, EN 00787232 [“[T]he killing started after the arrival of the Southwest Zone group at which time Ta Chea became the commune chairman. The Southwest Zone group arrived here since early 1977.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A9, EN 01076884 [“The arrests and killing began in 1977.”]; **D219/846** Sem Phoeun Written Record of Interview, 13 October 2016, A18, EN 01356212 [“Q: After Ta Chea arrived, do you know what happened in Kauk Pring? A: After he arrived, the executions began.”]; A20, EN 01356212 [“Q: Do you know where those people were taken to? A: Yes, I do. They were taken to Kauk Pring.”]; **D5/738/1** Nhy Hoern Civil Party Application Report, 28 February 2013, EN 00914758 [“In 1977 the applicant witnessed people (most of them were Cham people) being taken by Chheng, Kan, and 2 other men to be killed at Kouk Pring.”]; **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787437 [“In 1977, after the Southwest cadre arrived, an ‘intense purge’ of local cadre occurred”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475 [“The disappearances started intensively at the end of 1976 or early 1977 [...] when Ta Chea became commune chief. People said he came from the SW.”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210447 [“They began to be taken away in 1977, and this continued in 1978. The evacuees arrived before 1977. I don’t know why they were taken away.”].

819 **D107/2** Sann Son Written Record of Interview, 16 February 2012, A16, EN 00787233 [“Q: Based on your knowledge, how many persons do you think were brought to be killed in this place? A: I think there were less than 1,000 persons. There might have been 800 to 900 persons.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A14, EN 01076885 [“according to estimates at that time, there were nearly 1,000 victims.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210474 [“I was aware of killing that occurred at Kok Pring. Many people were killed there. I estimate that around 1,000 people were killed at Kok Pring, perhaps a little less than 1,000.”]; **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787437 [“It is estimated that around 1,000 people were killed at Kok Pring.”].

820 **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787438 [“The execution site is now a large two kilometers square [expanse] of rice fields. [...] The more than 70 pits posted after 1979 have been completely recovered and are no more visible.”].

821 **D107/3** Kak Sroeu Written Record of Interview, 16 February 2012, EN 00787202 [“Yes, I remember 50 grave pits in Kouk Pring and 20 others along the banks of the Boeng Thom Lake. The total was about 70 grave pits.”]; **D107/2** Sann Son Written Record of Interview, 16 February 2012, A12, EN 00787232 [“Q: Can you confirm that earlier you took us to see the graves in Kauk Pring where we saw about 22 grave pits? A: Yes, I did.”]; **D5/1465** Chey Longseng Civil Party Application, 12 March 2014, EN 01143786-87 [“While I was walking to Kauk Pring, I saw two rectangular-shaped 5 square meter mass graves, which were full of dead bodies. The hands and legs were not fully covered.”]; **D5/736** Bum Ser Civil Party Application, 4 March 2012, EN 00988611 [“In the same year, I sneaked out to see the Kouk Pring execution site and saw many pits”]; **D5/1592** Sem Phoeun Civil Party Application, 19 March 2014, EN 01368386 [“I used to be assigned to implant rice in the paddy near Kauk Pring. There, I saw a long and big pit, but there was not yet any

corpses inside it at that time.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210476 [“At Kouk Pring there were more than 20 pits.”]; **D5/1482** San Sun Civil Party Application, 12 March 2014, EN 01209969 [“In 1977, a lot of people were killed there. There were countless mass graves; each mass grave contained 8 or 9 dead bodies.”]; **D1.3.11.34** Nhet Pet OCP Statement, 5 August 2008, EN 00210461 [“At Kouk Pring there were 4 big pits.”]; **D5/1590** Suong Naisim Civil Party Application, 19 March 2014, EN 01192768 [“In 1979, I went to Kouk Pring, and I saw a lot of small and big mass graves fill of human skulls from rotting dead bodies which were still odorous.”].

822 **D107/2** Samn Son Written Record of Interview, 16 February 2012, A17, EN 00787233 [“Each grave was about 1.5 meters wide, 3 meters long, and 1 meter deep.”]; **D5/1478** Thy Sokny Civil Party Application, 12 March 2014, EN 01144374 [“In 1977, I went to Kouk Pring, I saw a ten – metre square pit whose topsoil seemed to had been newly filled.”]; **D5/1591** Koy Chea Civil Party Application, 19 March 2014, EN 01192778 [“From around 1976 to 1977, I was sent to transplant rice seedlings in the vicinity of Kouk Pring, I saw a pit which was about 20 metres wide”].

823 **D5/1482** San Sun Civil Party Application, 12 March 2014, EN 01209969 [“In 1977, a lot of people were killed there. There were countless mass graves; each mass grave contained 8 or 9 dead bodies.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475-76 [“In each pit there was approximately 15-20 bodies.”].

824 **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A7, EN 01056235 [“When Grandfather An ordered me to arrest people, he also ordered me to select and send important people to the sector level; he gave an order to kill the rest at the execution site in Kork Pring, Vihear Thom commune.”].

825 **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A66-67, EN 01056231 [“Q: Grave(s) with remains of hundreds of people were found at Kork Pring at a place called Beong Thom. What did you know about that place? A: I knew that Grandfather Chea killed people there. Q: Did Grandfather Chea kill people on his own or receive an order to do so? A: I received an order from Grandfather An, and I forwarded the order to Grandfather Chea.”], A44, EN 01056228 [“I was Kampong Siem District Secretary, Nan was District Office Chairman and was in charge of social work, Sy was in charge of district security.”]; **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A10, EN 01056239 [“Q: Can you provide more details about your presence in Vihear Thom? A: When I received orders from the upper echelon to arrest people like the Cham or former Lon Nol Soldiers, I would delegate this task to my deputy, Sy. To fulfil this task, Sy cooperated with the chief of Vihear Thom commune whose name was Ta Chea. They listed those who had to be sent to the Sector level and to Kouk Pring. Sometimes, I came to Vihear Thom commune to meet Sy and Ta Chea in order to instruct them to be careful with work because any wrongdoing could affect the district’s reputation and the lives of the general public. As a woman, I tried to have no direct involvement in this work, leaving the men to do it. I just waited to receive reports from my deputies, and I would report to the upper level. Therefore, I never saw any killings and gravesites in Kouk Pring.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A18, EN 01063609 [“I received orders from Grandfather An, and I forwarded the orders to Grandfather Chea.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 11.02.19-11.05.18, EN 01441046-47 [“Q: And is it correct, as you told the investigators, that you received an order from Ta An and you forwarded that order to Ta Chea; is that correct? A: Allow me to clarify on the process of order because not all what you stated is correct. Some orders were correct while others were incorrect. Q: What is it that you would like to clarify or correct, Madam Witness? Ta Chea was a commune chief. Did you convey to him orders -- the orders received from Ta An? A: Yes, I did.”]; **D107/3** Kak Sroen Written Record of Interview, 16 February 2012, EN 00787204 [“Yeay Yut served as a chairperson of Kampong Siem district, but she delegated the task of killing here to Ta Chea, her deputy.”]; **D117/68** Va Linhun Written Record of Interview, 15 September 2014, A14, EN 01046936-40 [“The killing order was from the District Committee: Yeay Yut gave the order to Chea, and Chea ordered down to the unit chairpersons. I know this because before the arrest of any people in any village to be killed the unit chiefs summoned a meeting with their colleagues to discuss how the arrests and killings would be conducted. [...] Chea told them that the order had come from Yeay Yut.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475 [“Ta Chea reported to a district chief named Sy, [...] Yut and Sy worked together.”], EN 00210476 [“I remember a time when Sy came to Ta Chea’s office and told him to only keep 30 families in each village.”]. **Evidence of Chea’s position as Vihear Thom Commune Secretary:** **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A65, EN 01056231 [“Q: Do you recall that Chea was Vihear Thom commune chief? A: Yes, I do.”]; **D107/2** Samn Son Written Record of Interview, 16 February 2012, A8, EN 00787232 [“Ta Chea was

the Commune chairman.”]; **D107/3** Kak Sroeuon Written Record of Interview, 16 February 2012, EN 00787202 [“At the commune level, Chea served as commune chairperson and district deputy.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A5, EN 01076883 [“I knew only Chea, who came from the Southwest Zone. Ta Chea came to be on the Commune Committee instead of Ta Koem.”]; **D5/1492** Chhun Heang Civil Party Application, 19 March 2014, EN 01144400 [“The chairperson of Vihear Thum cooperative was Chea”]; **D5/1592** Sem Phoeurn Civil Party Application, 19 March 2014, EN 01368387 [“In about 1976 ‘A’ Chea from the Southwest Zone became a senior leader in this place. He was the person who ordered the killing of the people.”]; **D5/1482** San Sun Civil Party Application, 12 March 2014, EN 01209969 [“Sometime early in 1977, Ta Chea, from the Southwest Zone (was appointed as) the new commune chief.”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210446 [“Ta Chea from the Southwest was the Chief of my commune (Vihear Thom) [...] Ta Chea came to this area along with Yeay Yut [...] I believe she was District Chief or Governor. She was above Ta Chea, who reported to her.”]; **D5/1478** Thy Sok Ny Civil Party Application, 12 March 2014, EN 01144373 [“A Chea was the chief of Vihear Thum Commune.”]; **D5/1465** Chey Longseng Civil Party Application, 12 March 2014, EN 01143787 [“Ta Chea was the person who supervised that area. Ta Chea’s chief was Yeay Yut, who was a district committee member.”]; **D5/609/1** Khuon Pev Civil Party Application Report, 11 January 2013, EN 00908274 [“At that time, Chea was both cooperative chief and district chief”]; **D5/623/1** Sut Kimsrin Civil Party Application Report, 11 January 2013, EN 00910190 [“She mentioned that the chief of Vihear Thum Sub-district named Chea who came from Takeo Province.”]; **D5/605/1** Phoeurng Pech Civil Party Application Report, 11 January 2013, EN 00908238-39 [“According to the applicant, Chea was chief of a sub-district; he was a cruel person.”].

⁸²⁶ **D107/3** Kak Sroeuon Written Record of Interview, 16 February 2012, EN 00787203 [“Company Chairperson Phan and Deputy Khen ordered the arrests. Phan and Khen gave the orders to the platoon chairpersons. The senior commander was Commune Chairperson and District Deputy Chea; he dispatched special militiamen to work with Phan and Khen in order to arrest peoples and take them away for execution.”]; **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A10, EN 01072515 [“Ta Chea assigned chairpersons to manage the people in the villages, but they were to be called village chairpersons.”]; **D5/1466** Vann Keath Civil Party Application, 12 March 2014, EN 01143795 [“Kan and Meas were the leaders of Kdei Boeng Cooperative and Vihear Thom Cooperative respectively.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210474 [“Kan was the chief of Kdei Boeng village.”]; **D5/609/1** Khuon Pev Civil Party Application Report, 11 January 2013, EN00908274 [“Ta Phan was unit chief.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475 [“The leader of Kan and other executioners was Ta Chea”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210446 [“Ta Chea from the Southwest was the Chief of my commune (Vihear Thom), and local people were selected by him to be heads of the units. The role of unit chiefs or heads was the same as being a village chief. They reported to the Chief of the commune.”]; **D5/724** Sun Chean Civil Party Application, 4 March 2012, EN 00997370 [“The local leaders included: mobile unit chairman Khai, unit chairman of Kdei Boeng Village Tuy Khan, District Committee Yeay Yut and bald-headed Ta Chea, and Khan, the key security person who received orders from Ta Chea.”].

⁸²⁷ **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A14-15, EN 01046939-40 [“The killing order was from the District Committee: Yeay Yut gave the order to Chea, and Chea ordered down to the unit chairpersons. I know this because before the arrest of any people in any village to be killed the unit chiefs summoned a meeting with their colleagues to discuss how the arrests and killings would be conducted. This meeting was organised right there at their work place in front of us in the mobile units. Comrade Chea also attended that meeting with the unit chiefs. Chea told them that the order had come from Yeay Yut. They did not say directly that they would arrest people from this or that village. However, they said they would take action in this or that village. [...] Based on what my older sister said, the arrests of people were conducted the same way as in Kouk Kream Village.”]; **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A9, EN 01047085 [“The order came from Chea, the chairperson of the commune. Before the arrests, Chea had a meeting with the unit chairpersons. Em told us he was going to attend a meeting. I did not attend that meeting, but every time the unit chairpersons had a meeting, there would always be arrests afterward.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A11, EN 01076884 [“As I know, Ta Chea ordered a unit chairperson or village chief to make arrests, and sometimes they exceeded their orders. For example, they were ordered to arrest five people, but they arrested ten people instead.”]. A11, EN 01076884 [“Ta Chea ordered a unit chairperson or village chief to make arrests”]; **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“Ta Chea ordered and oversaw the arrests

with the support from those in charge of security affairs in the base area.”]: **D5/1482** San Sun Civil Party Application, 12 March 2014, EN 01209969 [“Ta Chea was in overall charge of the whole commune and the execution site. He was the one who ordered the killings.”]; **D5/738/1** Nhy Hoeurn Civil Party Application, 28 February 2013, EN 00914758 [“Chea was a big boss who could decide to send people to be killed while Si was an [executioner].”]; **D5/611/1** Kem Heng Civil Party Application Report, 11 January 2013, EN 00908292 [“According to the applicant, Ta Chea, chief of a big unit, should be held responsible for the killing”]; **D5/606/1** Pheng Ran Civil Party Application Report, 11 January 2013, EN 00908247 [“According to the applicant, Ta Chea [...] was the one who ordered Khmer Rouge cadres to take people to be killed.”]; **D5/610/1** Khourn Yin Civil Party Application Report, 11 January 2013, EN 00908283 [“The applicant states that it was on the orders of Chea that people in the village were taken to be killed.”]; **D5/590/1** Kang Nary Civil Party Application Report, 13 November 2012, EN 00908031 [“The applicant stated that the person who was responsible for the crimes was the chief of cooperative named Chea [...], who ordered to chief of unit and chief of group to kill people.”].

828 **D107/3** Kak Sroeu Written Record of Interview, 16 February 2012, EN 00787203 [“Company Chairperson Phan and Deputy Khen ordered the arrests. Phan and Khen gave the orders to the platoon chairpersons. The senior commander was Commune Chairperson and District Deputy Chea; he dispatched special militiamen to work with Phan and Khen in order to arrest peoples and take them away for execution”].

829 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A9, EN 01046937 [“The unit chairpersons namely Chhoeun (female), Rin (female), Kan (male) and Ken (male) called us to line up in groups of 12 people each. Then they and two soldiers from the district started to tie us up. Those unit chairpersons were all from the Southwest. I heard from unit chief Rin that those soldiers were District Military. I heard that those soldiers were the children of ‘base people’ in this commune and district.”]; **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A8, EN 01047085 [“[Unit chief] Em and two or three young militiamen about 15 years old were the ones who arrested those people.”]; **D5/1498** Kak Hon Civil Party Application, 19 March 2014, EN 01090074-75 [“My younger brother named Samon, 27 years old, was in a mobile unit and he was ordered to saw wood. He was taken to be killed at Kauk Pring in 1978. He got his hands tied behind his back and walked away. He went missing afterwards. I concluded that he was taken to be killed at Kauk Pring because he was taken out at 10 p.m. [...] I always saw people being walked in queues to Kauk Pring mostly at 9 or 10 p.m.”].

830 **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787437 [“Every other night, 20 to 50 people would be ‘walked through Kdei Boeng village to the execution site at the lake.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210474 [“Every night or so, around 20 to 50 people were walked away.”], EN 00210478 [“I believe they killed almost every day. I heard them talking about killing every other day, maybe 3 or 4 times a week.”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210447 [“Each time this happened, about 20-30 people were taken.”]; **D5/736** Bum Ser Civil Party Application, 4 March 2012, EN 00988610 [“In 1976, I saw the Southwest group including District Chief Chea, and Sangkat people Kan, Phan and Ken take between 30 and 40 people at a time to be killed at Ampil Ta Khaek (Kouk Pring).”]; **D5/1592** Sem Phoeurn Civil Party Application, 19 March 2014, EN 01368387 [“In late 1976-1977, I saw the unit chairpersons marching people to be killed almost every night, especially, the New-people and the Cham people. They were all taken to Kauk Pring.”]; **D5/728/1** Sang Kun Civil Party Application Report, 31 January 2013, EN 00913946 [“From 1978 to 1979, she witnessed some 20-30 people being arrested every night by Kan, unit chief to be killed.”]; **D5/732/1** Me Seang Civil Party Application Report, 31 January 2013, EN 00914007 [“the applicant witnessed that the chief of unit named Chhouen and her colleagues arrested 5 people or 20 people per time to be killed at Kork Pring”]; **D5/605/1** Phoeurng Pech Civil Party Application Report, 11 January 2013, EN 00908239 [“The applicant witnessed between 10 and 20 people being taken every night to be killed”]. *See contra*, **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210447 [“My recollection is that people were taken away occasionally, perhaps every 10 or 15 days a group was taken away. They were taken away at night time. Each time this happened, about 20-30 people were taken.”].

831 **D107/3** Kak Srouen Written Record of Interview, 16 February 2012, EN 010787203 [“However, before they were taken away, they were told that they would be sent to live on the other side of the Boeng Thom Lake in Prey Chhor district.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210474 [“The people were told they had been ‘called’ to be taken to a new house, but then they would be walked through this village toward the lake. They were moved thru the village in the west direction, and then would turn toward the

south. The lake is to the west of the village.”]; **D5/1490** Choem Kimhor Civil Party Application, 19 March 2014, EN 01145622 [“I saw them [Khmer Rouge] tied around 30-50 men women of the 17 – April people in queues, telling us the excuse of sending those people to a new village which was full of food, or back to the old site. In that base, they killed all the 17 – April people, but not base people, except for those that committed any mistake.”]; **D5/1592** Sem Phoeurn Civil Party Application, 19 March 2014, EN 01368386 [“In 1976 one day at about 10pm at night, the unit leaders named Kan, Meas, and the senior leader Chea came to call my husband to attend a meeting. My husband was scared of them, so he followed them. They marched him in the direction to Kouk Pring.”]; **D5/1468** Van Hen Civil Party Application, 12 March 2014, EN 01073651 [“Two of my younger brothers [...] were killed at Kouk Pring. The explanation was they were being sent to a study meeting at Kouk Pring, and then they disappeared completely. I suppose they were killed at Kouk Pring because it was said Kouk Pring was a killing site.”]; **D5/1497** Nguon Ren Civil Party Application, 19 March 2014, EN 01090067 [“He was taken to be killed at Kouk Pring. At that time, he was told that he would be brought to a meeting at Kouk Pring. He has gone missing ever since.”]; **D5/1465** Chey Longseng Civil Party Application, 12 March 2014, EN 01143787 [“Many people who worked with me disappeared. When I asked others, they said that those people were taken to be educated.”]; **D5/1466** Vann Keath Civil Party Application, 12 March 2012, EN 01143795 [“Unfortunately, they were told by a militiaman that they would be taken to be re educated at Prey Char [...] Both were taken to Kouk Pring Security Office, and they have since disappeared.”]; **D5/1467** Chhai Chheng Civil Party Application, 12 March 2014, EN 01207583 [“my husband was taken away to be reeducated. [...] I saw my husband being taken to the west – heading to Kouk Pring. Two months later, I was secretly told that my husband had been killed.”]; **D5/1597** Pech Kim Srun Civil Party Application, 19 March 2014, EN 01195724 [“Around the end of 1976, her husband Mean, was called by the unit chiefs, Meas and Kan, to be educated. They told him to pack his bag to go to a meeting. However, actually, he was taken to be killed at Kouk Pring.”]; **D5/583/1** Theang Srin Civil Party Application Report, 13 November 2012, EN 00907977 [“The applicant’s father named Theang Heam was called to have a meeting but was sent to be killed in Kouk Pring execution site”]; **D5/623/1** Sut Kimsrin Civil Party Application Report, 11 January 2013, EN 00910189-90 [“One day, her aunt with children were called by 2 Khmer Rouge to have a meeting. They were sent to the West along to Kouk Pring execution site way and then disappeared.”]; **D5/611/1** Kem Heng Civil Party Application Report, 11 January 2013, EN 00908292 [“On another occasion, the applicant witnessed people being sent to be re-educated, however, she never saw them return.”].

⁸³² **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“Mostly, people were arrested at night.”]; **D5/1498** Kak Hon Civil Party Application, 19 March 2014, EN 01090074-75 [“My younger brother named Samon, 27 years old, was in a mobile unit and he was ordered to saw wood. He was taken to be killed at Kouk Pring in 1978. He got his hands tied behind his back and walked away. He went missing afterwards. I concluded that he was taken to be killed at Kouk Pring because he was taken out at 10 p.m. [...] I always saw people being walked in queues to Kouk Pring mostly at 9 or 10 p.m.”]; **D5/1466** Vann Keath Civil Party Application, 12 March 2014, EN 01143795 [“I saw queues of young and old men and women, including new evacuees and base people, being taken to Kouk Pring Village at 2200 or 2300. [...] Each queue contained approximately 100 arrested people.”]; **D5/724** Sun Chean Civil Party Application, 4 March 2012, EN 00997370 [“In 1978, I witnessed some 50 people including men and women along with their big and small children with their hands tied behind their backs and attached to each other by vines being escorted toward Kouk Pring in Vihear Thum at approximately 9.00 p.m. [...] I witnessed such events twice.”]; **D5/1492** Chhun Heang Civil Party Application, 19 March 2014, EN 01144400 [“At 11 p.m. or midnight, my younger sister, whose house was near mine, was called out by militiamen along with her husband and children. Their hands were tied up behind their back, and they were walked to Kouk Pring, after which they never returned.”]; **D5/611/1** Kem Heng Civil Party Application Report, 11 January 2013, EN 00908291 [“On one occasion, at approximately between 8.00 p.m. and 9.00 p.m., the applicant witnessed people being escorted to be killed at Kouk Pring”]; **D5/613/1** Im Sreang Civil Party Application Report, 11 January 2013, EN 00908309 [“One evening at approximately 8.00 p.m., the applicant witnessed an ox-cart load of children being taken to be killed there.”].

⁸³³ **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A8, EN 01056235 [“Yes that is correct. The same order was also executed in other communes in Kampong Siem district. Therefore, people in other communes were also taken to be killed at Kork Pring.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“At the time, they sent people from Kaoh Mitt, Kaoh Tontuem, Kaoh

Samraong and Han Chey to be killed at Kouk Pring.”]; **D107/3** Kak Srouen Written Record of Interview, 16 February 2012, EN 00787202 [“They were arrested not only from Vihear Thom commune, but also from throughout the rest of Kampong Siem district.”]; **D107/2** Sann Son Written Record of Interview, 16 February 2012, A16, EN 00787233 [“There were people arrested from other places, including Krala village, who were also brought to be killed in this place.”]; **D5/1475** Ork Or Civil Party Application, 12 March 2014, EN 01144365 [“In 1977, A Kan told me that, about 100 inhabitants of Kaoh Samraong were taken to be killed at Kouk Pring.”].

834 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A18-19, EN 01063609-10 [“Grandfather An gave an order to me to identify those who opposed the revolution, those who wanted to topple the revolution and those who were not satisfied with their living conditions, and to arrest those people to be smashed.”], A22, EN 01063610 [“I received the orders during monthly meetings of the Sector with participation of all the district committees.”]; **D5/587/1** Meak Un Civil Party Application Report, 13 November 2012, EN 00908005 [“His other older brother named Meak Chab complained to Ta Chea because he did not receive sticky rice with fixed amounts. He was accused of attempting to rebel. He was called at night and has disappeared.”]; **D5/608/1** Mak Yuon Civil Party Application Report, 11 January 2013, EN 00908266 [“The applicant’s husband Then was summoned to a meeting, and then disappeared for having complained to Ta Chea that [he] did not receive sticky rice.”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210447 [“Some local villagers, but not many, were also taken. They were taken if they stole something to eat.”]; **D5/1481** Min Sran Civil Party Application, 12 March 2014, EN 01209960 [“The three of them had eaten wood apple fruit with sugar because of their hunger. The village chief saw them eating the fruit, so, at night, they were arrested and taken to Kouk Prinh to be executed.”]; **D5/606/1** Pheng Ran Civil Party Application Report, 11 January 2013, EN 00908247 [“The applicant’s older brother Pheng Phan was sent to be killed in Kouk Pring execution site for allegedly having stolen ducks and chickens.”].

835 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A9, EN 01076884 [“First they arrested base leadership cadres to Angkuonh Dei. After that, they arrested low-level cadres and their family members and sent them to Kouk Pring.”]; **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A18, EN 01072517 [“After these senior cadres had been arrested and taken to be detained at Angkuonh Dei Security Office, the Khmer Rouge started arresting people associated with, to family members of, those senior cadres. After their arrests, these people were sent to the Kouk Pring execution site.”].

836 **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A10, EN 01047085 [“The arrestees were taken to a place called Kouk Pring. I say that because it was in that direction that Em and the rest always took the arrestees. I went there once with Em. I did not know why Em went there. He showed me the pits where corpses had been buried. I saw swollen corpses cracking the ground above them. I did not see their faces.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A13, EN 01076884 [“I saw [them] walking victims to that place, and no one could survive and return. Four or five days after, I went to Kouk Pring, and I saw pits full of dead bodies. I could see legs and hands emerging from the pits as well.”]; **D117/53** Sun Chean Written Record of Interview, 28 May 2014, A16, EN 01072517 [“As I knew it, the victims sent to Kouk Pring were killed immediately when they reached the place. They did not detain those victims.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A15, EN 01046940 [“Before the arrests, they always held a meeting. After they arrested people, they walked the arrestees to the killing site. Everyone could see it.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475-76 [“The people who were walked away to the lake never returned”]; **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210448-49 [“People would be walked through the village, and children would be shouting and crying. [...] [P]eople who had been catching fish in the [Boeng Thom] lake [...] said that the people who were being walked were killed at Kok Pring. [...] The evacuees who were taken away did not return. ‘Taken away’ meant you were being executed. I believe that most of the people taken away were taken to Kok Pring and killed there.”]; **D5/677** Long Chantha Civil Party Application, 24 February 2012, EN 00981074 [“In mid 1977, I personally saw hundreds of people being taken away to be killed after meetings and the killing sites were in Kouk Pring village.”]; **D5/1466** Vann Keath Civil Party Application, 12 March 2014, EN 01143795 [“I saw queues of young and old men and women, including new evacuees and base people, being taken to Kouk Pring Village at 2200 or 2300. [...] Each queue contained approximately 100 arrested people.”]; **D5/1492** Chhun Heang Civil Party Application, 19 March 2014, EN 01144400 [“Their hands were tied up behind their back, and they were walked to Kouk Pring, after which they never returned.”]; **D5/611/1** Kem

Heng Civil Party Application Report, 11 January 2013, EN 00908291 ["On one occasion, at approximately between 8.00 p.m. and 9.00 p.m., the applicant witnessed people being escorted to be killed at Kouk Pring"].

837 **D107/3** Kak Sroeuon Written Record of Interview, 16 February 2012, EN 00787203 ["Old people who were feeble were killed along the way. In one case, a Cham Muslim woman, Yeay Peah, who was old and unable to walk, was killed by having her throat cut and was dumped into a stream."].

838 **D5/677** Long Chantha Civil Party Application, 24 February 2012, EN 00981074 ["Before killing those prisoners, Khmer Rouge cadres stripped [the clothes] off the prisoners.": **D5/732/1** Me Seang Civil Party Application Report, 31 March 2013, EN 00914008 ["Before killing, people were undressed and their clothes were offered to other people."].

839 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A10, EN 01046938-39 ["They led us to an around 10 metre deep and 20 square metre long pit. When we arrived, that pit was empty. Those who walked us there (Chhocun, Rin, Kan, Ken, and two district soldiers) carried hoes, steel cart axles, and sharp knives. They killed the men first. They used the hoes and cart drive shafts to strike the victims' heads from behind so the victims would fall to the ground. Then they pushed them down into the pit. [...] At the time, I saw a female cousin of mine had been struck but had not died, crawling out of the pit. When the killers saw her, they grabbed her, cut her throat, and dropped her back into the pit.": **D117/52** Bum Se Written Record of Interview, 27 May 2014, A10, EN 01076884 ["Sien was arrested and was killed by having his throat slit here at Kdein Boeng Village, which was part of Kouk Pring.": **D107/3** Kak Sroeuon Written Record of Interview, 16 February 2012, EN 00787203 ["[P]eople were first beaten with clubs, and then had their throats cut.": **D5/677** Long Chantha Civil Party Application, 24 February 2012, EN 00981074 ["Male prisoners were killed first. The victims were struck by iron bars and then decapitated before the bodies were dropped into pits which were about 4 to 5 metres deep.": **D5/721** Kou Soeun Civil Party Application, 4 March 2012, EN 00980055 ["I witnessed people being killed with clubs and hoes before throwing the dead into pits and ponds.": **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475-76 ["People were not killed by guns. They used iron bars and wooden sticks.": **D5/732/1** Me Seang Civil Party Application Report, 31 March 2013, EN 00914008 ["They were killed with wooden stick, cut their neck with sharpen knife."]. See also **D5/1470** Am Peng Civil Party Application, 12 March 2014, EN 01144346 ["While fishing at night, I heard children crying at Kouk Pring and militiamen, the executioners, saying, 'Pull them and lay them flat, so we can bury them all.' [...] Next morning I and three other teammates visited the place, and I saw blood and a grave not fully filled leaving clothes coming out of the pit. Later on, I saw six executioners coming to clean blood stained cart drive shafts and knives at the water's edge in front of the fishing hall."].

840 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A10, EN 01046938 ["They threw the children into the pit alive."].

841 **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A13, EN 01047086 ["I heard one unit chairperson tell everyone that after they had killed everyone else, one woman remained. Her name was Lim. He said he mistreated her because she was very beautiful. Even though he did not say it clearly, when he said he mistreated that woman, he meant that he had raped her.": **D107/3** Kak Sroeuon Written Record of Interview, 16 February 2012, EN 00787203 ["The victims were tortured before being killed, and there were women who were raped. I knew this because [Ken, the special force of Ta Chea] told me.": **D5/1480** Chhuen Yean Civil Party Application, 12 March 2014, EN 01145588 ["I heard from male comrades that one female comrade was raped and killed in a creek.": **D5/1591** Koy Chea Civil Party Application, 19 March 2014, EN 01192778 ["In 1977, my younger sibling, Lim Srei, aged about 20, a mobile unit worker, was called to cook for them, and she has disappeared ever since. I heard from the villagers that my sibling was raped and executed at Kouk Pring.": **D5/1597** Pech Kim Srun Civil Party Application, 19 March 2014, EN 01195724 ["Another female cousin of mine, Lim Srei, aged 20, was assigned to cook for the [Khmer Rouge] comrades, but she disappeared from then on. Later I was told that she was raped and taken to be killed in Kouk Pring."].

842 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A12, EN 01076884 ["Q: Did you ever see the killing first-hand at Kouk Pring? A: No, I did not. They did not allow anyone to go near that place.": **D1.3.11.13** Chuong Srim OCP Statement, 4 August 2008, EN 00210449 ["Killing was not done in public during the Khmer Rouge years. The villagers prayed to have daylight because they were afraid of the night.": **D5/721** Kou Soeun Civil Party Application, 4 March 2012, EN 00980055 ["In 1977, I witnessed people being taken to be killed at Anlong Pouti alias Kouk Pring. At that time, I was threatened not to talk about it or I would be killed.": **D5/677** Long Chantha Civil Party Application, 24 February 2012, EN

00981074 ["As I was growing vegetables there, the soldiers guarding that site warned me not to tell anyone about this or they would kill me."].

843 **D107/2 Sann Son** Written Record of Interview, 16 February 2012, A1, EN 00787231, *confirmed by D1.3.11.45 San Son OCP Statement*, 5 August 2008, EN 00210476 ["I would hear the cadre talking amongst themselves about how many people they had killed. The people I heard included the three brothers I mentioned earlier. This took place at the location of Ta Chea's office, though he was not present at the time."].

844 **D219/17 Pin Dan** Written Record of Interview, 16 September 2014, A10, EN 01047085 ["The arrestees were taken to a place called Kouk Pring. I say that because it was in that direction that Em and the rest always took the arrestees. I went there once with Em. I did not know why Em went there. He showed me the pits where corpses had been buried. I saw swollen corpses cracking the ground above them. I did not see their faces."].

845 **D107/3 Kak Sroeu**n Written Record of Interview, 16 February 2012, EN 00787203 ["Q: Did you know in what ways the people were killed? A: To my knowledge, people were first beaten with clubs, and then had their throats cut. Their dead bodies were lined up in graves like stacked firewood. The victims were tortured before being killed, and there were women who were raped. I knew this because a perpetrator told me. Q: Who told that to you; what was his name? A: It was Ken, the special force of Ta Chea. Ken used to be in the same mobile unit with me."].

846 **D107/3 Kak Sroeu**n Written Record of Interview, 16 February 2012, EN 00781203 ["Q: Who told that to you [about the killings and bodies]; what was his name? A: It was Ken, the special force of Ta Chea. Ken used to be in the same mobile unit with me. Upon Vietnam's arrival, Ken fled for the Thai border and has disappeared even since then."].

847 **D117/26 Put Kol** Written Record of Interview, 5 September 2013, A27, EN 00977336 ["I remember that when I was going to transplant rice seedlings in Ampil Village near Phnum Srei Mountain and at Boeng Thum Lake at Kouk Pring, I saw that corpses had been buried at those two places."]; **D107/2 Sann Son** Written Record of Interview, 16 February 2012, A1, EN 00787231, *confirmed by D1.3.11.45 San Son OCP Statement*, 5 August 2008, EN 00210475-76 ["The people who tended cattle in the area discovered the pits. I saw them also. There were flies over the pits and a bad smell. I saw the pits during the Khmer Rouge period when the killings were taking place. There were bodies near the top of the pit. In each pit there was approximately 15- 20 bodies. At Kouk Pring there were more than 20 pits. At the other place behind the Wat, there were more than 10 pits. 3 of those pits were the ones used to kill the last people at the end of the regime. [...] I also visited the pits many times after the end of the Khmer Rouge regime. The first time was in 1979. The bones and clothes were scattered inside/around the pits. The pits I saw in 1979 included the same pits I had seen during the Khmer Rouge period."]; **D107/2 Sann Son** Written Record of Interview, 16 February 2012, A12-14, EN 00787232 ["Q: Can you confirm that earlier you took us to see the graves in Kouk Pring where we saw about 22 grave pits? A: Yes, I did. Q: Do you think that you have shown us all the graves, or are there still more graves which you have not yet shown us? A: There are other graves at a place called Tuol Vihear where we can access through Korm Moha village. Q: Did you see those graves before 1979? A: I saw those graves before 1979, and I saw them again later on when the people were digging them up in searching for jewelry."]; **D107/3 Kak Sroeu**n Written Record of Interview, 16 February 2012, EN 00787202 ["I remember 50 grave pits in Kouk Pring and 20 others along the banks of the Boeng Thom Lake. The total was about 70 grave pits. [...] Killings began in 1970 at the time of the coup, but that toll only amounted to around 20 to 30 people who were CIA or KGB spies. Large-scale killings were from early 1977 through 1978, until the Vietnamese arrived."]; **D219/17 Pin Dan** Written Record of Interview, 16 September 2014, A10, EN 01047085 ["The arrestees were taken to a place called Kouk Pring. I say that because it was in that direction that Em and the rest always took the arrestees. I went there once with Em. I did not know why Em went there. He showed me the pits where corpses had been buried. I saw swollen corpses cracking the ground above them. I did not see their faces."]; **D117/52 Bum Se** Written Record of Interview, 27 May 2014, A13-14, EN 01076884-85 ["I saw [them] walking victims to [Kouk Pring], and no one could survive and return. Four or five days after, I went to Kouk Pring, and I saw pits full of dead bodies. I could see legs and hands emerging from the pits as well. Q: After the end of Khmer Rouge regime, could you estimate the number of victims killed at Kouk Pring? A: Yes, people came to dig for gold there and dug pits to take out skulls and bones, and according to estimates at that time, there were nearly 1,000 victims."]; **D5/1465 Chey Longseng** Civil Party Application, 12 March 2014, EN 01143786-87 ["While I was walking to Kouk Pring, I saw two rectangular-

shaped 5 square meter mass graves, which were full of dead bodies. The hands and legs were not fully covered.”].

848 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A13-14, EN 01076884-85 [“I saw [them] walking victims to [Kok Pring], and no one could survive and return. Four or five days after, I went to Kouk Pring, and I saw pits full of dead bodies. I could see legs and hands emerging from the pits as well. Q: After the end of Khmer Rouge regime, could you estimate the number of victims killed at Kuok Pring? A: Yes, people came to dig for gold there and dug pits to take out skulls and bones, and according to estimates at that time, there were nearly 1,000 victims.”]. See also **D5/1465** Chey Longseng Civil Party Application, 12 March 2014, EN 01143786-87 [“While I was walking to Kauk Pring, I saw two rectangular-shaped 5 square meter mass graves, which were full of dead bodies. The hands and legs were not fully covered.”].

849 **D107/3** Kak Sroecun Written Record of Interview, 16 February 2012, EN 00787202 [“Large-scale killings [at Kouk Pring and Boeng Thom Lake] were from early 1977 through 1978, until the Vietnamese arrived.”]; **D5/728/1** Sang Kun Civil Party Application Report, 31 January 2013, EN 00913946 [“From 1978 to 1979, she witnessed some 20-30 people being arrested every night by Kan, unit chief to be killed.”].

850 **D107/2** Sann Son Written Record of Interview, 16 February 2012, A14, EN 00787232 [“Q: Did you see those graves before 1979? A: I saw those graves before 1979, and I saw them again later on when the people were digging them up in searching for jewelry.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A14, EN 01076884-85 [“Q: After the end of Khmer Rouge regime, could you estimate the number of victims killed at Kuok Pring? A: Yes, people came to dig for gold there and dug pits to take out skulls and bones, and according to estimates at that time, there were nearly 1,000 victims.”].

851 **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A5, EN 01056234-35 [“Q: Based on the information we received from witnesses, approximately one thousand people were killed at Kork Pring after the arrival of the Southwest people. Grandfather Chea, Vihear Thum commune Chief, was the one who executed the order. Grandfather Chea reported to you who were District Secretary. Then you reported it to Grandfather An who was Sector Secretary. Is it correct to say so? A: I cannot confirm the number, but I can confirm it is true that Grandfather Chea reported to me, and I reported to Grandfather An who was Sector 41 Secretary.”]. See also **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A26, EN 01063611 [“when the orders were fully carried out, all the commune chiefs reported personally to me. Then I discussed this with Grandfather Si and made a report to be sent to Grandfather An at the Sector Level.”], A27, EN 01063611 [“In the report I sent to Grandfather An, I listed names of people arrested and reasons for their arrest, for their detention or their release and for their execution.”]; **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A10, EN 01056239 [“As a woman, I tried to have no direct involvement in this work, leaving the men to do it. I just waited to receive reports from my deputies, and I would report to the upper level.”].

852 **D107/2** Sann Son Written Record of Interview, 16 February 2012, A16, EN 00787233 [“Q: Based on your knowledge, how many persons do you think were brought to be killed in this place? A: I think there were less than 1,000 persons. There might have been 800 to 900 persons.”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210474 [“I was aware of killing that occurred at Kok Pring. Many people were killed there. I estimate that around 1,000 people were killed at Kok Pring, perhaps a little less than 1,000.”]. See also **D107/16** Kok Pring Site Identification Report, 28 February 2012, EN 00787437 [“It is estimated that around 1,000 people were killed at Kok Pring.”].

853 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A14, EN 01076885 [“according to estimates at that time, there were nearly 1,000 victims.”].

854 **D117/68** Va Linhum Written Record of Interview, 15 September 2014, A10, EN 01046937-38 [“Q: Who was arrested that night? A: Those who were regarded as ‘1975’ people. [...] Before that night, the unit chairpersons had called the ‘1975 people’ the enemy because those people were on the Lon Nol side during the war. The ‘1975 people’, including elderly people, children and families were gathered up and taken out of the village.”]; **D107/3** Kak Sroecun Written Record of Interview, 16 February 2012, EN 00787203 [“Most victims were ‘17 April’ people, regardless of whether they were Chinese, Cham or Phnom Penh natives.”]; **D107/2** Sann Son Written Record of Interview, 16 February 2012, A16, EN 00787233 [“The 17 April People in this village were arrested.”]; **D5/1490** Choem Kimhor Civil Party Application, 19 March 2014, EN 01145622 [“In that base, they killed all the 17 – April people, but not base people, except for those that committed any mistake.”]; **D5/1475** Ork Or Civil Party Application, 12 March 2014, EN 01144365 [“From 1976 to 1977, many new people were taken to be killed at Kouk Pring by the group of A Chea and Yeay

Chhoeun.”]; **D5/1483** Seng Roeun Civil Party Application, 19 March 2014, EN 01209979 [“I had [...] one younger brother, Seng Try, 27 years old, a university student. He (was classified) as 17 April People and was taken to be executed at Kork Pring in 1977.”]; **D5/1590** Suong Naisim Civil Party Application, 19 March 2014, EN 01192768 [“three unit chairpersons who were subordinates of Ta Chea arrested and walked them and other families who were all ‘New People’ to be killed at Kouk Pring.”]; **D5/1487** Thai Buntan Civil Party Application, 19 March 2014, EN 01145598 [“They were tied up and walked to Kouk Pring at 7 p.m. They often targeted the 1975 people, the new people.”]; **D5/1476** Chhin Un Civil Party Application, 12 March 2014, EN 01098666-67 [“At night, I heard the sound of 20 people being walked away each time to be beaten to death. Those people were called the 1975 people”]; **D1.3.11.45** San Son OCP Statement, 5 August 2008, EN 00210475 [“The people taken away were mostly 1975 people, but some were 1973 people. When people were walked in the direction of the lake, they were dressed in normal clothes, meaning the clothes that they brought with them in 1975. Those were different than the clothes worn by local people.”]; **D5/614/1** Heav Theng Civil Party Application Report, 11 January 2013, EN 00908320 [“In 1977, he was taken to be killed for a being a ‘new person’ at Kouk Pring Village, Vihear Thum Sub-district, Kampong Siem District, Kampong Cham Province.”]; **D5/591/1** Haut Mich Civil Party Application Report, 13 November 2012, EN 00908041 [“The applicant saw 350 family being taken to be killed on the accusation of 17-April people. [...] After the liberation day, he went to the execution site. He saw human skulls and bones around there.”]; **D1.3.11.34** Nhet Pet OCP Statement, 5 August 2008, EN 00210461 [“At Kok Pring, there were more than 100 bodies. [...] There were clothes with the bodies. The clothes were the type worn by the 1975 people. [...] There were also a few local people killed there who had committed thefts.”]; **D5/723/1** Van Hen Civil Party Application Report, 31 January 2013, EN 00913869 [“In 1976 her uncle named Nou Yen [...] was taken to be killed on the accusation of 17-April person at Kok Pring.”].

⁸⁵⁵ **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A6-7, EN 01056235 [“[Grandfather An] just told me to target Cham people and former Lon Nol soldiers and arrested them. [...] When Grandfather An ordered me to arrest people, he also ordered me to select and send important people to the sector level; he gave an order to kill the rest at the execution site in Kork Pring, Vihear Thum commune.”]; **D5/1491** Dan Mom Civil Party Application, 19 March 2014, EN 01145642 [“My uncle named Sim, 50 years old, was taken to be killed together with his wife and five other children at Kouk Pring in 1977 because he was a colonel of Lon Nol.”]; **D5/587/1** Meak Un Civil Party Application Report, 13 November 2012, EN 00908005 [“The applicant added that his older brother named Meak Yen, a former Lon Nol’s soldier was called to have a meeting at night and since then has disappeared.”].

⁸⁵⁶ **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A21, EN 01063610 [“Q: Were those orders related to the arrests of Cham people to be killed? A: Yes, it was the order to make arrests and smash at the same time, but we carried out execution of all Cham people after we have already arrested people of other elements.”], A23, EN 01063610 [“Q: Did Grandfather An give any reason for the arrest of the Cham people? A: No, he did not give any explanation at all, and all the district committees present in the meeting did not ask him for the reason.”]; **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A6-7, EN 01056235 [“[Grandfather An] just told me to target Cham people and former Lon Nol soldiers and arrested them. [...] When Grandfather An ordered me to arrest people, he also ordered me to select and send important people to the sector level; he gave an order to kill the rest at the execution site in Kork Pring, Vihear Thum commune.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A26, EN 01076887 [“Ta Chea arrested at least 20 Cham families from other villages around here to be killed at Kouk Pring.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A7, EN 01046936 [“All the Cham who were working in the Kouk Kream Village mobile unit were arrested and taken to be killed at Kouk Pring. Those killings took place in 1977, I heard this story from my mother and my older sister, who were both living in Kouk Kream.”]; **D219/846** Sem Phoeun Written Record of Interview, 13 October 2016, A48, EN 01356214 [“Q: You said earlier that your neighbours who were Cham, disappeared. Were some or all Cham arrested? A: They were arrested a few families at a time. Two or three families disappeared at night. The following night, three or four more families disappeared. The next morning, I saw no one left and their houses were empty.”], A57, EN 01356215 [“Q: Where were Cham People taken to? A: In the morning, I heard that they were taken to Kouk Pring.”]; **D5/1592** Sem Phoeun Civil Party Application, 19 March 2014, EN 01368387 [“In late 1976-1977, I saw the units chairpersons marching people to be killed almost every night, especially, the New-people and the Cham people. They were all taken to Kouk Pring.”].

⁸⁵⁷ **D303** Written Record of Further Appearance, EN 01213487 and EN 01213489.

858 **See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code:**
XI. Charges.

859 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221792 [“The mission objective was to investigate a purported DK-era security office situated at Wat Batheay in Batheay Village, Batheay Commune, Batheay District, Kampong Cham Province [...]. During the DK regime, this area was in Sector 41 of the Center Zone (Old North Zone).”].

860 **D3/25** Wat Batheay Site Identification Report, 8 February 2011, EN 00644186 [“Wat Batheay is located approximately 60km. north of Phnom Penh in close proximity to National Highway #6 near the point where the highway curves broadly to the east towards Kampong Cham. The Wat Batheay Pagoda complex is on the south side of the highway.”].

861 **D3/25** Wat Batheay Site Identification Report, 8 February 2011, EN 00644187 [“According to the witnesses, the Wat Batheay Security Centre (S.C.) was not situated in the Pagoda compound at all. The S.C. was located directly beside the Pagoda complex on the east side.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A8, EN 00622268-69 [“I saw three buildings at the site. If you travel along National Road 6 from Phnom Penh towards Kampong Cham, Batheay pagoda is on the right side of the road. The security centre was located next to the pagoda, and it was also located on the right side of national road, next to the fence of the pagoda.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623583 [“There were six buildings including the office. They were located east of the pagoda and south of the national road. The security centre was right next to Batheay Pagoda.”].

862 **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A5, EN 00622268 [“Actually, Batheay pagoda was not used as a security centre. The security centre was located next to Batheay pagoda.”]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208346 [“At 9:10 a.m., we went to visit Wat Batheay in Batheay village, Batheay sub-district, Batheay district. The security office, prison, and killing site are about 50 meters in front of Wat Batheay. We can recognize them by mango trees, kapok trees, cashew trees and bamboo trees near Wat Batheay.”].

863 **D3/25** Wat Batheay Site Identification Report, 8 February 2011, EN 00644187 [“The Wat Batheay Pagoda still exists and is surrounded by Stupas, outbuildings and perimeter walls. Located immediately south of Hwy #6, it is backed by Batheay Mountain that rises up from the flatland behind the south perimeter wall.”].

864 **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208387 [“The prison operated from 1975, and, in 1977, more and more people began to be killed.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A3, EN 00622268 [“I do not know for sure when [the Batheay pagoda security centre] was created, but I became aware that the security centre was created in late 1976 or early 1977. I saw that security centre when the Khmer Rouge had me cut bamboos near that place. The cadre closed it at the fall of the regime around 5-7 January 1979 before the arrival of the Vietnamese.”]; **D99** Chuob Cheun Written Record of Interview, 17 September 2011, EN 00746997 [“The security centre was established in 1977.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221801, Granny Chea Phi Interview [“She stated that just prior to the Vietnamese arriving, the Khmer Rouge left, leaving the survivors to guard the centre.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746830 [“They did the killings until the liberation day.”].

865 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623583 [“The security centre was right next to Batheay pagoda. The security office [...] was closest to the pagoda. It had walls and a thatched roof and was about 4 meters by 5 metres.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A8, EN 00622268-69 [“The building identified as number 1 in my diagram; I assumed it was for the committee of the security centre. It was smaller than the others and had walls.”].

866 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623583 [“East of the office were two long buildings for holding detainees that were built in an east/west direction beside each other [...]. Each one was 30 metres long and 8 metres wide. The walls were about 2 metres high, reaching up to the thatched roof.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A27, EN 01373701 [“When I was there prisoners were kept in a place located to the east of Batheay pagoda.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A15, EN 01067783 [“The security office had an area of approximately three hectares, and the Khmer Rouge used the east, north, and south sides as places for detaining prisoners, and they were fenced in.”].

- 867 **D3/7 Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623584** ["The interrogation hall [...] was also approximately 4 metres by 5 metres. It was located south east of the cooking shack."].
- 868 **D3/7 Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623584** ["A cooking shack [...] approximately 4 metres by 5 metres was located south of the two large detention buildings"]; **D3/6 Cheu Senghuot Written Record of Interview, 21 September 2010, A8, EN 00622269** ["The building marked number 3 was the kitchen. It was about 5 metres by 6 metres and was partially walled."].
- 869 **D3/6 Cheu Senghuot Written Record of Interview, 21 September 2010, A9, EN 00622269** ["When I was collecting bamboo, I was walking around the area secretly, and I saw the pits filled with soil, but the soil was cracked because of decomposed bodies. I was curious, and this was my area. The Khmer Rouge was meticulous about security at the buildings but did not pay too much attention to the killing site. Hundreds of pits of 2 metres by 3 metres, 3 metres by 4 metres and 4 metres by 6 metres densely packed in an area about 200 metres by 300 metres were on the left side of the stupa marked number 6 on my diagram. On the right side was an area about 100 metres by 200 metres with pits spread through that area marked as number 7 on my diagram. There were more trees in the area compared to now as some of the land has been cleared to plant yams and other crops."]; **D3/6.1 Cheu Senghuot Diagram of Wat Batheay** [diagram that depicts the buildings and location of graves, as referenced in Cheu Senghuot's Written Record of Interview]; **D3/7 Um Ruos Written Record of Interview, 24 September 2010, A12, EN 00623584** ["There were many pits, uncountable approximately 20-30 meters east of the detention buildings. You could not see the pits from the detention building because of mango trees and other trees."]; **D3/25 Wat Batheay Site Identification Report, 8 February 2011, EN 00644187** ["Phlong San says the S.C. was located in the same location as per Oum Ros testimony, but she recalls four buildings housing detainees. She buried bodies throughout a large area located immediately south of the S.C. and stretching all the way southward to the foot of the Batheay Mountain, [...] None of the buildings exist today. [...] During the K.R. regime, Cheu Senghuo was allowed to travel the area surrounding the S.C. to do his tasks. He described hundreds of pits containing decomposing human remains that lay between the S.C. and the mountain to the south, as well as in the entire area between the south perimeter wall of the Pagoda and the foot of the hills parallel to the south."].
- 870 **D1.3.10.12 DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347** [according to Chay Loeng: "The total pits [at Wat Batheay] are 400-500 and the number of victims is 8,000 to 10,000."]; **D97 Seng Run Written Record of Interview, 17 September 2011, EN 00746829** ["There were approximately seven or eight pits; and each pit was approximately 20 metres wide. The dead bodies were thrown into those pits; and hundreds of bodies could fit in each pit."]; **D1.3.10.22 Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221805, Oum Ros Interview** ["every day he was required to dig graves 20 to 30 metres from the detention centre. These holes were 1 metre by 2 metres and 2 metres deep."]; **D3/6 Cheu Senghuot Written Record of Interview, 21 September 2010, A9, EN 00622269** ["When I was collecting bamboo, I was walking around the area secretly, and I saw the pits filled with soil, but the soil was cracked because of decomposed bodies. I was curious, and this was my area. The Khmer Rouge was meticulous about security at the buildings but did not pay too much attention to the killing site. Hundreds of pits of 2 metres by 3 metres, 3 metres by 4 metres and 4 metres by 6 metres densely packed in an area about 200 metres by 300 metres were on the left side of the stupa marked number 6 on my diagram. On the right side was an area about 100 metres by 200 metres with pits spread through that area marked as number 7 on my diagram. There were more trees in the area compared to now as some of the land has been cleared to plant yams and other crops."]; **D3/6.1 Cheu Senghuot Diagram of Wat Batheay** [diagram that depicts the buildings and location of graves, as referenced in Cheu Senghuot's Written Record of Interview]; **D219/80 Thou Leang Written Record of Interview, 18 November 2014, A39, EN 01067789** ["There were around 100 large pits, and there were more than 1,000 small pits holding one or two bodies. Almost of all the western area of the pagoda were used to bury bodies."].
- 871 **D1.3.10.22 Report from the OCP Mission to Bathcay District, Kampong Cham Province, 30 July 2007, EN 00221796-97** ["Investigators were shown to site that allegedly had been site of mass grave. Area was overgrown and there were no signs of human remains on surface, however due to undergrowth, there may have been some present but were not visible. Soil composition appeared to be alluvial sand. Still images were taken of this area however due to the undergrowth, there was little visible of the site. [...] Second site was shown to investigators that also had allegedly been the site of a mass grave. Again, there were no signs of human remains on the surface. The centre of this area was devoid of cover, with large bare patches. Still images were taken of this area, with a sequence showing the approach to the alleged grave site. The soil again

appeared to be alluvial sand with some clay/loam present although this may have originated at another location and have been transported there at another time.”]

872 **D3/25** Wat Batheay Site Identification Report, 8 February 2011, EN 00644187 [“All witnesses said the S.C. and the killing pits were concealed from the National Highway by a grove of trees. Although villagers were given labour tasks in the general vicinity, people were forbidden from approaching the S.C. Consequently, witnesses such as Cheu Senghuo had to view the area from a concealed position.”]

873 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221805, Oum Ros Interview [“He stated that the entire area belonged to the Security Centre and that if any person wandered in, they would be killed as they wanted to keep the place a secret.”]

874 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A13, EN 01057781 [“After the Southwest group arrived, all the former cadres were arrested. I was a district messenger for a while, and then they sent me to control Wat Batheay Security Office. District office Chairperson Nang assigned me to work there. Has controlled the Security Office before me was, but later he was arrested.”], A42, EN 01057786 [“Ta Has controlled the Security Office before me, but I do not know where he was from.”]; **D99** Chuob Cheun Written Record of Interview, 17 September 2011, EN 00746996-97 [“The prison chief was called Has, but he was killed afterwards. [...] He was killed in 1977, but I do not recall the month.”]

875 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A13, EN 01057781 [“After the Southwest group arrived, all the former cadres were arrested. I was a district messenger for a while, and then they sent me to control Wat Batheay Security Office. District office Chairperson Nang assigned me to work there. Has controlled the Security Office before me was, but later he was arrested.”], A42, EN 01057786 [“Ta Has controlled the Security Office before me, but I do not know where he was from.”], A1-A3, EN 01057779-80 [“My current name is Pin Pov. [...] Previously, when I lived in Trayang Pong, people knew me as Khun Khim.”]; **D99** Chuob Cheun Written Record of Interview, 17 September 2011, EN 00746996-97 [“The prison chief was called Has, but he was killed afterwards. [...] He was killed in 1977, but I do not recall the month.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“First, [Batheay prison] was run by Peou and then by Khun Khim who was living in Trayang Pong, but I do not know where he is currently living. He has probably escaped.”]

876 **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746813 [“Q: Did you know Comrade Lim? A: Yes, I did. [...] Q: What position did Comrade Lim hold? A: I just knew that he worked with Khim. He might have been Khim’s deputy.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A7, EN 00632077 [“There were two people, Lim and Khim who took people for executions.”]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“Here are the perpetrators’ names as follows: 1. Comrade Khim, Chief of the prison. 2. Comrade Lim, Deputy Chief of the prison.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A33, EN 01057785 [“Q: Who killed those prisoners? A: The executioners were the interrogators themselves. Lim was the leader. Rin only led the minor crime prisoners to dig the pits and climb palm trees.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“The people who beat the prisoners were Khim, Rim, Hoeun, Lim and Roenun, and they also carried out the executions.”]

877 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“The people who beat the prisoners were Khim, Rim, Hoeun, Lim and Roenun, and they also carried out the executions.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A15, EN 01057781 [“Q: How many personnel work at the Security Office? A: Seven guards worked there.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221802, Granny Chea Phi Interview [“She stated that she knew the names of two (2) of the persons responsible for the killings. She named one of the two alleged executioners as Choeun, and noted that he is still living nearby at Psar Paav (Paav Market).”]

878 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A20, EN 01067785 [“Q: Do you recall if they sent Southwest cadres to work at Batheay Pagoda Security Office? A: I do not recall the names of the Southwest cadres working in that security office. I just recall Phim, the District Secretary (from the Southwest Zone).”]

879 **D219/825.1.2** OCIJ S-21 Prisoner List, EN 01222416, Entry 2032 [identifies Hin Hao (or Hin Hor) alias Sao, Chief of Batheay District, North Zone, as entering S-21 on 26 or 27 February 1977]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A81, EN 01224111 [“The Batheay District committee was Ta

Phim.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A25, EN 01057783 [“Q: What happened to the interrogation reports? A: After receiving the interrogation reports, I sent them to District Committee Phim.”]; A38, EN 01057785 [“Q: Before Phim became Batheay District Secretary, Ta Sao was District Secretary. Is that correct? A: Yes, that is correct. As I remember, Phim arrested Ta Sao after accusing him of having connections with traitor networks.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746812 [“Q: Who controlled the district? A: It was Phim [...] I learned that Phim served as the top leader.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“The district chief [was] named Phim.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A4, EN 01067781-82 [“After the Khmer Rouge arrived, the Khmer Rouge changed the district name from Cheung Prey district to Batheay district. At first, the District Secretary was Sao. Later on, the new District Secretary was Phim.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A10, EN 01373699 [“When the Southwest Zone people arrived they said that former chiefs of the district were all traitors. So, the new district chief from the Southwest Zone arrested the ex-cadres, one after another.”].

880 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A13, EN 01057781 [“Q: How about your assignment to work at Wat Batheay Security Office? A: After the Southwest group arrived, all the former cadres were arrested. I was a district messenger for a while, and then they sent me to control Wat Batheay Security Office. District Office Chairperson Nang assigned me to work there.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746987 [“The prison chief had to report to the office chiefs. They were not the people in the district. Most of them were from the southwest region. The office chief [was] named Nang. The office was situated in the west of the mountain near the current district office.”].

881 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A23, EN 01057783 [“Q: Who did they arrest to be taken to the Security Office? Who ordered the arrests of those prisoners? A: I knew that many prisoners were arrested in different villages and communes throughout the district. Some were brought by militiamen, and others were brought to the Security Office by district soldiers. Most of them were ex-cadres and ordinary people, including women and children.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A11, EN 00623584 [“I heard people in the office next to the detention centre saying [that the district chief gave the order to bring East Zone cadres, soldiers and people to the security centre] and four or five days later the East Zone people, soldiers and cadres arrived at the security centre”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“initially, only local prisoners were brought into the detention centre, but later on, East Zone personnel were brought in. This was witnessed by the victim, and was ordered by the District Chief.”].

882 **D117/26** Put Kol Written Record of Interview, 25 September 2013, A28, EN 00977336 [“The Batheay District Secretary was Phim [...]. He told me that thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979. He told me that thousands of people had been arrested and killed in Kampong Siem District and that the orders had been given from the upper level to the zone level then to sector and district levels.”].

883 **D117/26** Put Kol Written Record of Interview, 25 September 2013, A28, EN 00977336 [“The Batheay District Secretary was Phim [...]. He told me that thousands of people had been arrested in the Central Zone, in particular between 1977 and 1979. He told me that thousands of people had been arrested and killed in Kampong Siem District and that the orders had been given from the upper level to the zone level then to sector and district levels.”].

884 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A5, EN 00623583 [“I was personally arrested by En, the chief of the district military.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221803 [“It was at that time, in March 1977, he was arrested. He stated that he was arrested by a military cadre from Batheay named In.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A68, EN 01224109 [“In issued orders to kill. The killing site was located near the present District Office.”].

885 **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A22-A24, EN 01373700-01 [“I only heard of In. He was Phim’s messenger. [...] In was Phim’s messenger in charge of military in the whole district. [...] In arrested people. He mainly went to arrest people directly.”]. A61, EN 01373704 [“In was the personal messenger of Phim. At the same time, he also supervised the military in the

whole district. I only saw him going to and from the sector. [...] He processed the paperwork while working with Phim.”], A73, EN 01373705 [“As I told you, the person who delivered letters from the district to the sector was In. There were four or five other messengers, but Phim always sent him for the job. In was Phim’s confidant. [...] Regarding the arrest plans, they did not let us know. They did not let the local people know. The arrests were conducted by In.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A257, EN 01374666 [“Q: You said that In was a killer. To whom did In report? A: He reported to Ta Phim who was the district secretary. The district secretary reported to the sector.”].

886 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A262, EN 01374666 [“To my knowledge, security personnel did not arrest people first-hand. Mostly the commune military or commune militiamen, who were called commune militants, did it first-hand and sent the arrestees to the security people. They were young, and definitely did it whenever they were ordered to do so.”].

887 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A25, EN 01057783 [“Q: What happened to the interrogation reports? A: After receiving the interrogation reports, I sent them to District Committee Phim. Then I waited for the decisions from district level. Then I received lists of the prisoners who had to be taken to be killed and those who had to be released.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A40, EN 01373703 [“To my knowledge, the interrogation reports of prisoners were made and given to the district secretary Phim. He took them and came up with the plans whether to smash or not to smash those people depending on the offenses they were accused of committing.”].

888 **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A41, EN 01373703 [“To my best recollection, after I submitted the reports to him he took them to the upper level first. If the upper level told him to kill [any prisoners] then he would go ahead with the killings.”].

889 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A25-A26, EN 01057783 [“Q: What happened to the interrogation reports? A: After receiving the interrogation reports, I sent them to District Committee Phim. Then I waited for the decisions from district level. Then I received lists of the prisoners who had to be taken to be killed and those who had to be released. Q: How did they send the decisions of the district level to you? A: They sent them to me by district messenger.”].

890 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A27, EN 01057783-84 [“Q: Did you ever attend meetings at district level or Sector level with chairmen of other security offices? A: I only attended the meetings at district level. I never took part in meetings at Sector level. I had to make the presentations for the Security Office. This means I had to provide the number of prisoners in the Security Office, the number of prisoners who had been killed, the number of prisoners who had been released, and so on. Those meetings were held at the District Office located east of the national road.”].

891 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A58-59, EN 01374648 [“Q: Did you know if Ta An or Ta Aun received a report from all those security offices about the process of the killings at those offices? A: I went to collect those reports. [...] I brought the documents to [Ao An]. [...] A: I only knew that it was about security. I did not know what information it was. However, it was nothing but the report of the killings. I was with [Ao An], next to him whilst he was eating rice. He said, ‘Several people have already been taken to attend the study sessions. Soon our plan would be achieved.’”], A74, EN 01374649 [“Q: Did Ta An receive reports back in order to prove that his order had been carried out? A: Yes, he did. He constantly received reports. They were delivered to him on a monthly basis.”], A190, EN 01374659 [“Q: Yesterday you said Ta An received monthly reports from Aun. So, did you know where Aun got the information to write in the reports? A: The information was from villages, communes and cooperatives. It was submitted to the districts, and the districts referred it to the sector.”], A244, EN 01374665 [“Q: In your previous interview, D219/731, at Answer 53, you said that Ta An learned about killing of people at Wat Batheay Pagoda. How did Ta An learn about the killings at Batheay? A: The district reported it to him because all the security office cadres over there reported to him.”].

892 **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A117-118, EN 01331728 [“Q: When those persons were detained in the motor pool without walls, who did they have keep an eye on those detainees? A: We took turns doing so with Ta An’s defence unit. Q: Do you know who the chief of the defence unit was? And do you remember some of those in the defence unit? A: The chief of the defence unit was none other than Sok.”].

893 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A68-69, EN 01224109-10 [“Q: When you went to Wat Batheay, did you go with Ta An? A: No, I went with Uncle Sok. He was a newly appointed

military commander. In issued orders to kill. The killing site was located near the present District Office. They were shackled and screaming for help. When the gate was opened, the prisoners walked in line. At In's place there were cadres at commune level in the sector, and the others may have been sent to other places. Q: Did you go to Wat Batheay with Ta An? A: I went once more to Wat Batheay with Ta An to a meeting on construction. At the time I came with Uncle Sok there was killing"].

894 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A32, EN 01224106 ["Q: Do you remember any places Ta An went to have meetings? A: Yes, I remember Ta An went to have meetings in Batheay at the security site."]; A69, EN 01224110 ["Q: Did you go to Wat Batheay with Ta An? A: I went once more to Wat Batheay with Ta An to a meeting on construction. At the time I came with Uncle Sok there was killing"]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A283, EN 01374668 ["He was a person with duties, so he went to every site."]; **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A53, EN 01224089 ["Q: When you went with Ta An, there was no killing. Does that mean Ta An did not know there were killings at Batheay? A: He knew there were killings, but he went to hold an ordinary meeting."].

895 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A16, EN 01067784 [the witness was detained at Wat Batheay from 1975 until the fall of the DK regime: "Yes, it was a district-level security office, but prisoners detained there were brought in from faraway places."]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804-05, Oum Ros (a former prisoner at Wat Batheay) Interview ["with the arrival of cadre from the South-West in early 1977 [...] the killings increased. The security centre belonged to the District. He stated that initially, only local prisoners were brought into the detention centre, but later on, East Zone personnel were brought in. This was witnessed by the victim, and was ordered by the District Chief. [...] There were also Khmer rouge cadre who were suspect or had been denounced."]; **D219/871** Pin [Pcou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A28, EN 01373701 ["To my best recollection, both before and after the arrival of the Southwest Zone cadres, prisoners, who were ordinary people, were mostly kept at Batheay Pagoda Security Center. Prisoners, who were cadres who were associated with the traitorous networks and from the East Zone, were taken in trucks to the upper part [...] But, they were usually brought to Batheay Pagoda first."]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A87-90, EN 01224111-12 ["Q: Did you know why district committee meetings were organized? A: The meetings were to deliver orders from upper level, construction meetings and genocide. All the District Committees were from the Southwest. [...] Q: Did you know who was in charge [of] the killings of cadres? A: It seemed there were orders from above. Ke Pork called the sectors, and Ta An ordered the security office to dig up the grass roots and all."]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A27, EN 01365577 ["They selected only wife of soldiers, former soldiers, policemen, court people, military police because those people were disloyal to them but I did not know what the issues were."]; A54, EN 01365582 ["It was like a line of traitors were killed and then they established a new village, new commune with new people to continue the work."]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A40-41, EN 01374646 ["The killings started to rise dramatically in late 1976. He [Ao An] followed their plans. [...] Such things did not happen during the old sector administration. When the Southwest Zone cadres arrived they started to arrest the Central Zone cadres."].

896 **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [according to Chay Loeng: "The total pits [at Wat Batheay] are 400-500 and the number of victims is 8,000 to 10,000."]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A21, EN 01067785 ["Q: How many prisoners were detained and killed at Batheay Pagoda Security Office? A: In my estimation, approximately 10,000."]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A3, EN 01365573 ["At that time there were many killings, a great number of killings."].

897 **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 ["In 1977 or 1978, the people from the East Zone were executed. From two to three truckloads of people were transported here for execution each day, yet I did not know the exact number of pits. [...] There were about 20 people in each truck, but for children, the number could be more than this. When they executed the children, they had us dig two-meter-square pits."]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 ["The Khmer Rouge brought in truckloads of victims, male and female, from villages and sub-districts in Batheay district, who were considered immoral, having a tendency, civil servants, base and new people gathered from the Eastern Zone."]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014,

A23, EN 01057783 [“Q: Who did they arrest to be taken to the Security Office? Who ordered the arrests of those prisoners? A: I knew that many prisoners were arrested in different villages and communes throughout the district. Some were brought by militiamen, and others were brought to the Security Office by district soldiers. Most of them were ex-cadres and ordinary people, including women and children.”]; D97 Seng Run Written Record of Interview, 17 September 2011, EN 00746829-31 [“Each day, approximately two trucks or sometimes four truckloads [of people] were brought in from the East [Zone]. There were approximately 20 people in a small truck and approximately 40 people in a big truck. [...] Some were well-dressed while some dressed in black. Once they were brought in, they were forced to remove their clothes.”].

898 D219/116 Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A23, EN 01057783 [“Some were brought by militiamen, and others were brought to the Security Office by district soldiers.”]; D219/871 Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A21, EN 01373700 [“Q: When Phim ordered the district military to arrest people where were the arrested people taken to? A: They were taken to the security center where Has controlled. That’s was the Batheay Pagoda Security Center.”]; D3/7 Um Ruos Written Record of Interview, 24 September 2010, A11, EN 00623584 [“I heard people in the office next to the detention centre saying [that the district chief gave the order to bring East Zone cadres, soldiers and people to the security centre] and four or five days later the East Zone people, soldiers and cadres arrived at the security centre”]; D1.3.10.22 Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“initially, only local prisoners were brought into the detention centre, but later on, East Zone personnel were brought in. This was witnessed by the victim, and was ordered by the District Chief.”].

899 D1.3.10.12 DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“The Khmer Rouge brought in truckloads of victims, male and female, from villages and sub-districts in Batheay district [...] One or two trucks were brought in a day until 1978.”]; D1.3.10.22 Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“By mid-1978 large number of East Zone personnel were brought to the Wat. They arrived by truck and were taken to the interrogation centre, and then killed.”]; D3/16 Phlong San Written Record of Interview, 10 November 2010, A10, EN 00632078 [“Sometimes trucks came every day, or one or two days apart. Sometimes they were full of people and sometimes not. There were not more than three trucks each day. I cannot say exactly how many people were killed there.”]; D3/7 Um Ruos Written Record of Interview, 24 September 2010, A12, EN 00623585 [“The process is that tied up and shackled prisoners were brought by trucks to the detention centres.”]; D3/6 Cheu Senghuot Written Record of Interview, 21 September 2010, A11, EN 00622269 [“I saw a few trucks taking people towards the area of the security centre. I never saw people transferred out of the centre.”]; D219/875 Thon Leang Written Record of Interview, 30 November 2016, A19-A21, EN 01365576 [“Q: Therefore, two trucks of people were transported every day. Is that correct? A: Yes [...] A 4x4 American made truck could fit 30 people tightly while the carriage could fit around 10 people more. Therefore, probably there were around 60 to 70 people [...] They were very full as if people were packed in a rice-bundle.”]; D97 Seng Run Written Record of Interview, 17 September 2011, EN 00746829-30 [“People were brought in by trucks. Each day, approximately two trucks or sometimes four truckloads [of people] were brought in from the East [Zone]. There were approximately 20 people in a small truck and approximately 40 people in a big truck.”]; D91 Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“In 1977 or 1978, the people from the East Zone were executed. From two to three truckloads of people were transported here for execution each day [...] There were about 20 people in each truck, but for children, the number could be more than this.”].

900 D3/16 Phlong San Written Record of Interview, 10 November 2010, A3, EN 00632076-77 [“Q: How were you transferred to the Batheay pagoda security centre? A: There were three to four militiamen on bicycles; they tied my arms behind my back, and I followed them to the security centre on foot.”]; D219/116 Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A49, EN 01057787 [“In most cases, they brought the prisoners by escorting them on foot with their hands tied behind their backs. And in some other cases, they transported prisoners by cart.”].

901 D89 Chea Phy Written Record of Interview, 15 September 2011, EN 00746813 [“The prisoners were brought here by car.”].

902 D219/871 Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A28, EN 01373701 [“Prisoners, who were cadres who were associated with the traitorous networks and from the East Zone, were taken in trucks to the upper part. I did not know where they were taken to. But, they were usually

brought to Batheay Pagoda first. After all their belongings were unloaded they were taken to the rubber plantations.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A38, EN 01374646 [“The zone cadres would be taken to Phnom Pros Mountain, and the ordinary people would be sent to Batheay District Security.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A50, EN 01057787-88 [“Yes, I still remember that some East Zone prisoners were trucked to the Security Office, but most of them were transported straight to a rubber plantation. [...] I only knew that the rubber plantation was in Kampong Cham Province.”].

903 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“By mid-1978 large number of East Zone personnel were brought to the Wat. They arrived by truck and were taken to the interrogation centre, and then killed.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“I do not know their names, but I saw [prisoners beaten with bamboo sticks] on many occasions. The newcomers were not beaten; the prisoners were beaten after their interrogation. They were beaten to find the network. It was like in Chinese movies ‘when pulling out grass, one must extirpate all its roots!’ The people who beat the prisoners were Khim, Rim, Hoeun, Lim and Roen, and they also carried out the executions.”].

904 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A23, EN 01067786 [“Those prisoners were interrogated and killed after interrogation. Some prisoners were kept for a period of time before being killed. Most of the prisoners were killed.”]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A53, EN 01365582 [“they continued to arrest people every day. They were detained for three days. Those who still have strength to fight back, were killed while those who were unable to fight back just like myself were sent to work with yam bed and clear bush. If we were unable to do any more work, they would kill us.”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A183, EN 01374659 [“In short, he [Ao An] did not let the 17 April people who were educated survive, because those people were not good at hard labour. So they had to get rid of them.”].

905 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A12, EN 00623585 [“The process is that tied up and shackled prisoners were brought by trucks to the detention centres. They stayed for different lengths of time.”], A8, EN 00623583-84 [“East of the office were two long buildings for holding detainees that were built in an east/west direction beside each other (2,3). [...] Detainees were shackled in two rows, one on each side of the building with feet pointing towards each.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A8, EN 00632077 [“At night I was shackled in the detention centre, and sometimes they tied my hands too.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A18, EN 01057782 [“The serious crime prisoners were shackled in the prison inside that long hall and were not allowed to walk around.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A68, EN 012241109 [“They were shackled and screaming for help.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746985 [“I was detained and shackled with leg-irons in the prison; they starved me by giving little gruel. First, I was not allowed to go anywhere, but then they had me work outside the prison; I was still shackled with leg-irons. Later, my leg was unshackled.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“when he arrived at Wat Batheay, there were about 100 other prisoners in one long room. They were all shackled by both ankles, with the ones at the end of the rows being manacled as well.”], EN 00221804, Oum Ros Interview [“prisoners were also put to work [...] shackled by the legs, while some were shackled and handcuffed.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A8, EN 00622268-69 [“Morm, who transported prisoners to the security centre told me that they had to be shackled to prevent escape, and the detainees outnumbered the guards.”].

906 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“when he arrived at Wat Batheay, there were about 100 other prisoners in one long room. They were all shackled by both ankles, with the ones at the end of the rows being manacled as well.”], EN 00221804, Oum Ros Interview [“prisoners were also put to work [...] shackled by the legs, while some were shackled and handcuffed.”].

907 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221804, Oum Ros Interview [“when he arrived at Wat Batheay, there were about 100 other prisoners in one long room. They were all shackled by both ankles, with the ones at the end of the rows being manacled as well.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A8, EN 00623583-84 [“East of the office were two long buildings for holding detainees that were built in an east/west direction beside each

other (2.3). Each one was 30 metres long and 8 metres wide. The walls were about 2 metres high, reaching up to the thatched roof. There was a door at the west end. Detainees were shackled in two rows, one on each side of the building with feet pointing towards each.”].

908 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“He stated that there was only one meal per day, and that consisted of a spoon full of rice. Some of the prisoners died while at the detention facility due to disease, starvation or torture. He stated that he did not know why he survived. He did not know how he survived given the [hard] work, lack of food and disease.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746811 [“For food, it was really hard. I was just so worried about the date of my death.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“prisoners were only allowed to drink once per day. [...] there was only one meal per day, and that consisted of a spoon full of rice. Some of the prisoners died while at the detention facility due to disease, starvation or torture.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A28, EN 01067787 [“Shackled prisoners did not receive any food because the Khmer Rouge intended to kill them. Only those released to perform labour received a ladle of gruel. We had to pick leaves of wild plants to eat.”].

909 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“there was only one meal per day, and that consisted of a spoon full of rice.”].

910 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“prisoners were only allowed to drink once per day.”].

911 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“Some of the prisoners died while at the detention facility due to disease, starvation or torture.”]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A72, EN 01365586 [“They assigned around 36 people [prisoners at Wat Batheay] who were all high level people from the previous regime to cultivate dry season rice in O Mal, near the river. [...] They did not use any torture against these people; they just did not give food to them. [...] The 36 people I’ve just mentioned were killed by starvation without any need to use the back of the hoe, axel bar or anything else. They just forced them to perform hard labour without giving them any food.”].

912 **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010 A4, EN 00622268 [“Before they were executed, they were starved, so that they could not fight back.”].

913 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“Some of the prisoners died while at the detention facility due to disease, starvation or torture. He stated that he did not know why he survived. He did not know how he survived given the [hard] work, lack of food and disease.”].

914 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A8, EN 00632077 [“I never received any medical treatment. If a person was too sick to work, they would be taken for execution.”].

915 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province. 30 July 2007. EN 00221804, Oum Ros Interview [“Some of the prisoners died while at the detention facility due to disease, starvation or torture.”].

916 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A19 [which is misnumbered as A18], EN 01057782 [“The minor crime prisoners were those who had made minor mistakes: they could walk around the compound, and some were assigned to help with work in the prison.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A67, EN 01373704-05 [“Q: Could any prisoners choose not to work? Or were they required to work? A: They were required to [work] to tend cattle. Men climbed the palm trees while women carried palm juice on their shoulders and made palm sugar. Women cooked rice soup for prisoners with serious offences. The security center staff guarded the prisoners while they were doing their work.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746829 [“Those who were detained here were forced to carry water.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A10, EN 00623584 [“[Prisoners] were forced to perform all kinds of tasks, such as digging earth and clearing the land.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A8, EN 00632077 [“In the morning, I carried water to water the vegetables and in the afternoon I planted yams. In the evening I carried firewood from Batheay mountain to the ground.”]. A10, EN 00632078 [“Q: Were other individuals or groups treated the same or differently from others? A: If I performed my work well, I was not beaten. If I did something wrong, they beat me. The other

people who were brought there were killed, except for the small group of people who did the work for them. They kept me alive because they wanted me to do the work.”]

917 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A8, EN 00632077 [“Q: Can you describe the working and living conditions at the security centre? A: In the morning, I carried water to water the vegetables, and in the afternoon I planted yams. In the evening I carried firewood from Batheay mountain to the ground.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746829 [“Those who were detained here were forced to carry water.”]

918 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A10, EN 00623584 [“[Prisoners] were forced to perform all kinds of tasks, such as digging earth and clearing the land.”]

919 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A8, EN 00632077 [“In the morning, I carried water to water the vegetables, and in the afternoon I planted yams. In the evening I carried firewood from Batheay mountain to the ground.”]

920 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221797 [“Bin Bu, Chief Monk of Wat Batheay [...] had been part of a child labour brigade at the Wat during the 1975-1979 period. His duties there had been to collect water and to make fertilizer.”]

921 **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347, Chay Leong Interview [“While he was imprisoned, he dug pits along with other prisoners committing minor offences. Serious crime prisoners were not allowed to come out. Each pit is from 3 to 4 meters each side and 1.5 meters deep.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010, A8, EN 00622268-69 [“The prisoners were not in the building during the daytime as they had to dig pits that are now ponds. I think they were made to dig them, so they would be weak, it is easier to kill them.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221805, Oum Ros Interview [“every day he was required to dig graves 20 to 30 metres from the detention centre. These holes were 1 metre by 2 metres and 2 metre deep. He stated that they would put 20 to 30 bodies in each grave.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746985 [“I did whatever they assigned me to do. They had me dig pits to bury the corps[es].”]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A49, EN 01365581 [“At that place, when they used people to work, they did not give them food. When people were out of energy and unable to do any more work, they would instruct people to dig a pit.”]

922 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A10, EN 00632078 [“Q: Were other individuals or groups treated the same or differently from others? A: If I performed my work well, I was not beaten. If I did something wrong, they beat me. The other people who were brought there were killed, except for the small group of people who did the work for them. They kept me alive because they wanted me to do the work.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746829 [“They would beat us if we did not work correctly.”]

923 **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A46, EN 01365580 [“In one shackles, there were four people. If one of them was very cold and unable to work anymore, Khmer Rouge told the other three people to dig a pit and then instructed that person to sit at the brim of the pit when they hit him with the back of hoe and push him into the pit to be buried there. Then they brought a new person to replace his spot. [...] They did this all the time.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A24, EN 01067786 [“They had strong healthy prisoners perform labour in the security office compound. They were shackled. When they became weak, they were shackled in huts before being killed.”]

924 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221801, Granny Chea Phi Interview [“She was forced to do hard labour, and she used all of the might to obey the detention facility officials. She believed that because she worked hard, she was not killed.”]

925 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A21, EN 01057782 [“Q: Were the prisoners tortured? A: Yes, the prisoners were interrogated and were sometimes beaten with clubs or suffocated with plastic bags.”]

926 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“I do not know their names, but I saw [prisoners beaten with bamboo sticks] on many occasions. The newcomers were not beaten, the prisoners were beaten after their interrogation. They were beaten to find the network. It was like in Chinese movies ‘when pulling out grass, one must extirpate all its roots!’ The people who beat the prisoners were Khim, Rim, Hoeun, Lim and Roeun, and they also carried out the executions.”], A8, EN 00623584 [“From my detention hall, I could see the interrogation building and the prisoners being taken there and

tortured.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746811 [“I had my limbs tied and was made to lie on my back. I was beaten with long sticks and asked what my husband did. I replied that I knew nothing.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A9, EN 00632078 [“I was beaten at first when they [wrongfully] told me I was Tao’s wife. [...] They beat me with a bamboo stick. I was beaten by Lim. I was beaten two to three times each day, and if I did not do things quickly because I was weak, they beat me with a bamboo stick as big as my calf.”].

927 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A9, EN 00632078 [“I was beaten at first when they [wrongfully] told me I was Tao’s wife. [...] They beat me with a bamboo stick. I was beaten by Lim. I was beaten two to three times each day, and if I did not do things quickly because I was weak, they beat me with a bamboo stick as big as my calf.”]. A10, EN 00632078 [“Q: Were other individuals or groups treated the same or differently from others? A: If I performed my work well, I was not beaten. If I did something wrong, they beat me.”].

928 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“I do not know their names, but I saw [prisoners beaten with bamboo sticks] on many occasions. The newcomers were not beaten; the prisoners were beaten after their interrogation. They were beaten to find the network. It was like in Chinese movies ‘when pulling out grass, one must extirpate all its roots!’ The people who beat the prisoners were Khim, Rim, Hoem, Lim and Roem, and they also carried out the executions.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746811 [“I was accused of belonging to a bandit group, and in other words, I was the wife of a soldier, for which reason I was arrested [and detained at Wat Batheay]. I had my limbs tied up and was made to lie on my back. I was beaten with long sticks and asked what my husband did. I replied that I knew nothing.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221801, Chea Phi Interview [“She stated that she had been tortured during her interrogations, being beaten with sticks. An attempt was made for her to ‘tell the truth’ about her husband. She continued to deny that her husband was in the Lon Nol military.”], EN 00221803-04 [“[H]e was interrogated with his responses being typed [...] he was interrogated over his biography, his background, family etc. [...] prisoners were interrogated one at a time, and this went on all day, everyday.”].

929 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A7, EN 00623583 [“I do not know their names, but I saw [prisoners beaten with bamboo sticks] on many occasions.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221803-04, Oum Ros Interview [“He stated that he was not beaten as there was no proof he was a bandit. He did state that he saw other prisoners being beaten with bamboo poles.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A9, EN 00632078 [“They beat me with a bamboo stick. I was beaten by Lim. I was beaten two to three times each day, and if I did not do things quickly because I was weak, they beat me with a bamboo stick as big as my calf.”]. A10, EN 00632078 [“Q: Were other individuals or groups treated the same or differently from others? A: If I performed my work well, I was not beaten. If I did something wrong, they beat me.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746811 [“I was accused of belonging to a bandit group, and in other words, I was the wife of a soldier, for which I was arrested. I had my limbs tied and was made to lie on my back. I was beaten with long sticks and asked what my husband did. I replied that I knew nothing.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A21, EN 01057782 [“Q: Were the prisoners tortured? A: Yes, the prisoners were interrogated and were sometimes beaten with clubs”].

930 **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“Mr. Loeng was interrogated, and hit. Other prisoners were hit so badly that they screamed like dogs or cows.”]; **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A68, EN 012241109 [“They were shackled and screaming for help.”].

931 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221799, Venerable Bin Bu Interview [“He stated that both of his arms were bound firmly behind his back and he was then made to stand on one leg in the heat of the day.”]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A50, EN 01365581 [“For me, they tied my hands and tortured me for two years before they decided to release me after they found out that I was from that village. They did not care that mosquitos bite us or anything.”].

932 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A21, EN 01057782 [“Q: Were the prisoners tortured? A: Yes, the prisoners were interrogated and were sometimes beaten with clubs or suffocated with plastic bags.”].

- 933 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007. EN 00221799, Venerable Bin Bu Interview [“He stated that both of his arms were bound firmly behind his back and he was then made to stand on one leg in the heat of the day. Apart from the heat, [...] he was constantly bitten by ants which were prevalent in the area. He questioned what sort of people would deal this sort of treatment to children around 10 years old.”].
- 934 **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998. EN 00208347 [according to Chay Loeng: “The total pits [at Wat Batheay] are 400-500 and the number of victims is 8,000 to 10,000.”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A30, EN 01057784 [“I knew that thousands of prisoners were taken there to be killed, but most of them were killed before I became chairman there.”]; **D3/6** Cheu Senghuot Written Record of Interview, 21 September 2010 A6, EN 00622268 [“We did not do an individual count, but it is estimated that the number of the skulls collected was in thousands.”]; **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A21, EN 01067785 [“Q: How many prisoners were detained and killed at Batheay Pagoda Security Office? A: In my estimation, approximately 10,000.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221798, Venerable Bin Bu Interview [“during and after the exhumations, he personally counted 8,500 sets of human remains. This did not reflect the true number of persons buried at the site as the exhumations had not been done correctly and the final figure may have been 10 times that amount.”].
- 935 **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A53-A54, EN 01057788 [“Q: Do you remember if most of the prisoners were killed or released in those decisions? A: Most of prisoners were not released, but killed. At that time, there were not many cases of release, [...] You told me that more than ten thousand people were killed there. That could be correct because besides the people who were arrested from this district, prisoners from the East Zone were sent there to be killed too.”].
- 936 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A10, EN 00632078 [“The other people who were brought there were killed, except for the small group of people who did the work for them. They kept me alive because they wanted me to do the work.”].
- 937 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007. EN 00221804, Oum Ros Interview [“at the beginning of his detention it was OK as not many people were killed and security was not tight, but that changed with the arrival of cadre from the South-West in early 1977 when the killings increased.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“Q: When was the execution escalating? A: It was escalating when the prisoners were transported from the East Zone.”].
- 938 **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“One or two trucks were brought in a day until 1978.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007. EN 00221805, Oum Ros Interview [“every day he was required to dig graves 20 to 30 metres from the detention centre. These holes were 1 metre by 2 metres and 2 metres deep.”].
- 939 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A33, EN 01067787 [“It is true that the number of people arrested and killed increased from year to year until there was a radio broadcast to stop the killing, so they stopped. The broadcast was in late 1978.”]; **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007, EN 00221801, Granny Chea Phi Interview [“after the time of the general amnesty around September 1978, the killings at the Wat ended. By that time, there were only 6 or 7 prisoners left at the Wat.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746830 [“They did the killings until the liberation day.”]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“One or two trucks were brought in a day until 1978.”].
- 940 **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A12, EN 00623584 [“I personally saw them kill thousands of prisoners.”].
- 941 **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746986 [“In 1977 or 1978, the people from the East Zone were executed. From two to three truckloads of people were transported here for execution each day, yet I did not know the exact number of pits. [...] There were about 20 people in each truck, but for children, the number could be more than this. When they executed the children, they had us dig two-meter-square pits.”]; **D3/16** Phlong San Written Record of Interview, 10 November 2010, A10, EN 00632078 [“Sometimes trucks came every day, or one or two days apart. Sometimes they were full of people and sometimes not. There were not more than three trucks each day.”].
- 942 **D3/16** Phlong San Written Record of Interview, 10 November 2010, A11, EN 00632078-79 [“The numbers of detainees taken away for execution each time varied depending on the number of people on the trucks. [...]

There were different sizes of graves depending on how many people were killed. I cannot say how many people there were in each grave. I do not know how deep the pits were because they were full of bodies. I just covered them with dirt.”]

943 **D91 Chhay Loeng** Written Record of Interview, 15 September 2011, EN 00746985 [“I did whatever they assigned me to do. They had me dig pits to bury the corps[es]. Each of them was 1x2 meters in size with about 1.8 meters in depth. Only four prisoners were assigned to dig the pits in which the corps[es] were buried. Forty corps[es] were put opposite and buried in each pit.”]. EN 00746986 [“Q: How many pits did they have you dig? A: I did not know the exact number. It depended on the number of people executed each day. I did not clearly remember the exact number of pits.”]. EN 00746986 [“In 1977 or 1978, the people from the East Zone were executed. From two to three truckloads of people were transported here for execution each day, yet I did not know the exact number of pits. [...] There were about 20 people in each truck, but for children, the number could be more than this. When they executed the children, they had us dig two-meter-square pits.”]

944 **D1.3.10.12 DC-Cam Mapping Report**, Kampong Cham, 1998, EN 00208347 [according to Chay Loeng: “The total pits [at Wat Batheay] are 400-500 and the number of victims is 8,000 to 10,000.”].

945 **D3/7 Um Ruos** Written Record of Interview, 24 September 2010, A12, EN 00623584 [“The killings took place sometimes in the afternoon, sometimes at five p.m.”]; **D219/116 Pin Pov** alias Khun Khim Written Record of Interview, 4 December 2014, A30-A31, EN 01057784 [“The prisoners were taken to be killed outside the pagoda about 20 metres away from the Security Office in the forest near the foothills where ordinary people were prohibited from entering. [...] Most killings were carried out in the evening or at night, the victims already having been interrogated and their fates decided by district level.”].

946 **D3/7 Um Ruos** Written Record of Interview, 24 September 2010, A12, EN 00623584 [“The small children were killed with a bamboo stick. The adults were killed by stabbing their throats.”]; **D219/80 Thou Leang** Written Record of Interview, 18 November 2014, A34, EN 01067788 [“Yes, I witnessed the killings of many prisoners. [...] Before being killed, they had other prisoners dig pits, and they walked those prisoners to that execution site and had the prisoners lie down at the edge of the pit. Then they used a knife to stab the throat like they were slaughtering a pig. Then they were pushed into the grave and buried later.”].

947 **D219/875 Thou Leang** Written Record of Interview, 30 November 2016, A49, EN 01365581 [“I am unable to estimate it but I know that there were many people. Women’s bodies’ were cut open and their gallbladders taken out. Most of nice-looking women were mistreated [...] Men were not very much mistreated, they were taken away to be killed in different ways.”].

948 **D219/80 Thou Leang** Written Record of Interview, 18 November 2014, A34, EN 01067788 [“When female prisoners were killed, sometimes the executioners undressed the pretty women to see them naked before killing them.”].

949 **D91 Chhay Loeng** Written Record of Interview, 15 September 2011, EN 00746986 [“Q: Did you ever directly witness the execution? A: Yes, I did since I was the digger of the pits [...] First, they hit the prisoners with bamboo sticks; then they stabbed the prisoners from shoulder to chest with the bayonets.”].

950 **D219/875 Thou Leang** Written Record of Interview, 30 November 2016, A49, EN 01365581 [“There were many ways to kill people including hitting with axel bar, bamboo stick, back of hoe and many other ways such as starvation and torture.”]; **D219/80 Thou Leang** Written Record of Interview, 18 November 2016, A34, EN 01067788 [“As for small children, they were killed by grabbing their feet and bashing their heads against a tree trunk.”].

951 **D219/116 Pin Pov** alias Khun Khim Written Record of Interview, 4 December 2014, A57, EN 01057789 [“I think that there might have been such cases because the executioners could conjure up all manner of methods to carry out the killings.”].

952 **D89 Chea Phy** Written Record of Interview, 15 September 2011, EN 00746811 [“I saw people being clubbed with bamboo stems at the intersection over here. Knives were not used. Some prisoners were taken out to have been killed and buried. Some others were buried alive.”].

953 **D3/16 Phlong San** Written Record of Interview, 10 November 2010, A11, EN 00632078 [“Afterwards, our group was called to cover the pits. I saw the bodies in the pits. Some were beaten on the head and others on the shoulders; some had their throats hacked. [...] I remember sometimes seeing prisoners wearing jewellery or necklaces when they arrived. When I saw the bodies later, I do not remember seeing those things. I do not know who might have taken valuables from them.”].

- 954 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007. EN 00221798, Venerable Bin Bu Interview [“when the executions occurred, loud music was played to drown out the noise of the victims being killed.”].
- 955 **D219/875** Thou Leang Written Record of Interview, 30 November 2016. A5. EN 01365573 [“It was probably in 1978 when they killed the east people.”]. A49-50, EN 01365581 [“The east people, on the other hand, were not tortured in that way. They only kept them for one night and then kill them. [...] They did not commit any mistake. As soon as they arrived at the security center, their hands would be tied for torturing.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016. A29. EN 01373701 [“The East Zone people were brought to Batheay Pagoda when the Southwest Zone cadres arrived.”].
- 956 **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A29-31. EN 01373701 [“The East Zone people were brought to Batheay Pagoda when the Southwest Zone cadres arrived. [...] To my knowledge, the East Zone people were said to be traitors and submitted to Yuons. [...] What I know is that they said that the East Zone people were treacherous.”].
- 957 **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A16, EN 01365575 [“After Phim’s arrival, villages from Batheay District were arrested, tortured and killed but the number was not many. However, in terms of people from the east, there were not detained but brought to be killed directly after their statistic was recorded.”].
- 958 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A34, EN 01067788 [“Sometimes they killed many prisoners at the same time when prisoners were sent in from Mukh Kampul district, East Zone.”].
- 959 **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A18, EN 01365576 [“At the time the east people were transported, the killing took place every day”], A29, EN 01365577 [“Q: How long were they (the east people) detained at Wat Batheay before being taken to be killed? A: Only one night. They were brought there for statistic record and then sent out. After that they brought new people in. They did like this for one or almost two months.”].
- 960 **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A29, EN 01373701 [“The East Zone people were brought to Batheay Pagoda when the Southwest Zone cadres arrived. When they arrived they began bringing the East Zone people into the pagoda”].
- 961 **D1.3.10.22** Report from the OCP Mission to Batheay District, Kampong Cham Province, 30 July 2007. EN 00221803-04, Oum Ros Interview [“It was at that time, in March 1977, he [Oum Ros] was arrested [...] by a military cadre from Batheay named In. [...] he was arrested along with two (2) other persons from the [palm sugar] refinery. [...] he had been accused of being a bandit. [...] they were immediately sent to the security offices, east of the pagoda.”]. EN 00221804, Oum Ros Interview [“By mid-1978 large number of East Zone personnel were brought to the Wat. They arrived by truck and were taken to the interrogation centre, and then killed. A lot came in at regular intervals by truck. They were old people, new people or those who had tried to escape to Viet Nam. There were no specific categories of people brought to the centre. There were also Khmer Rouge cadre who were suspect or had been denounced.”]; **D97** Seng Run Written Record of Interview, 17 September 2011, EN 00746829-30 [“I was detained in the prison for over a year, [...] I was alleged to have cooperated with bandits headed by the contemptible Tao. [...] Q: Were you detained in the prison until the liberation day? A: Yes, I was.”]; **D89** Chea Phy Written Record of Interview, 15 September 2011, EN 00746810-11 [“I was accused of belonging to a bandit group, and in other words, I was the wife of a soldier, for which I was arrested. [...] Prisoners with minor moral misconduct were initially put behind bars, and those brought in by car would be killed. [...] Many people driven from the East and killed here were government officials. [...] I thought that they were government officials as I noticed their good physical appearance and complexion.”], EN 00746813 [“Q: Did prisoners held at Wat Batheay pagoda include those from the East? A: Yes, they did. They had very good physical appearance. One of them known to me is a cow dealer and resident of Roka Kaong--Koo Vorng. The prisoners were brought here by car.”]; **D1.3.10.12** DC-Cam Mapping Report, Kampong Cham, 1998, EN 00208347 [“The Khmer Rouge brought in truckloads of victims, male and female, from villages and sub-districts in Batheay district, who were considered immoral, having a tendency, civil servants, base and new people gathered from the Eastern Zone. One or two trucks were brought in a day until 1978.”]; **D91** Chhay Loeng Written Record of Interview, 15 September 2011, EN 00746985 [“They had me herd the cattle: when one of them was thrown at and broke its leg, I was arrested.”]; **D3/7** Um Ruos Written Record of Interview, 24 September 2010, A11, EN 00623584 [“I heard people in the office next to the detention centre saying [that the district chief gave the order to bring East Zone cadres,

soldiers and people to the security centre] and four or five days later the East Zone people, soldiers and cadres arrived at the security centre”]; **D219/116** Pin Pov alias Khun Khim Written Record of Interview, 4 December 2014, A23, EN 01057783 [“I knew that many prisoners were arrested in different villages and communes throughout the district. Some were brought by militiamen, and others were brought to the Security Office by district soldiers. Most of them were ex-cadres and ordinary people, including women and children.”], A50, EN 01057787-88 [“I still remember that some East Zone prisoners were trucked to the Security Office, but most of them were transported straight to a rubber plantation. I do not know clearly which rubber plantation. I only knew that the rubber plantation was in Kampong Cham Province.”]; **D219/871** Pin [Peou] Pov alias Khun Khim Written Record of Interview, 22 November 2016, A32, EN 01373702 [“To my best recollection, the ex-cadres were arrested approximately in 1977 when the Southwest Zone cadres arrived.”].

962 **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A27, EN 01365577 [“They selected only wife of soldiers, former soldiers, policemen, court people, military police because those people were disloyal to them but I did not know what the issues were.”], A54, EN 01365582 [“It was like a line of traitors were killed and then they established a new village, new commune with new people to continue the work.”].

963 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A38, EN 01067789 [“Q: To your knowledge, were Cham people taken there to be killed? A: Yes, there were also many Cham people. There were two or three large pits, and in each pit there were approximately 20 bodies.”].

964 **D219/80** Thou Leang Written Record of Interview, 18 November 2014, A38, EN 01067789 [“Q: To your knowledge, were Cham people taken there to be killed? A: Yes, there were also many Cham people. There were two or three large pits, and in each pit there were approximately 20 bodies.”]; **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A31-32, EN 01365578 [“Q: [...] Could you tell us more about the incidents related to Cham people? Could you tell us if those Cham people were those who came together with the east people or were they taken there at a different time? A: The Cham people in three pits I mentioned earlier were all Cham people who were transported there in two trucks. [...] They brought people in one evening, all were Cham people on two trucks; and as I said, they were in the [three] pits.”], A39-40, EN 01365579 [“Cham people in those two trucks included old people, children, women, and men. They were in there with their whole family including old people, children and parents, the same situation as Khmer people. [...] As I was inside there, I saw all the aspects.”], A25, EN 01365577 [“Q: What happened to those Cham people? A: For sure they were taken to be killed just like other Khmer people. I saw that they transported people there just to kill them.”].

965 **D219/875** Thou Leang Written Record of Interview, 30 November 2016, A31-A33, EN 01365578 [“when I said that there were 10 Cham out of 100 people, they were people transported together with the east people that were also comprised of Khmer people. [...] They brought people in one evening, all were Cham people on two trucks; and as I said they were in the [three] pits. A small number of Cham people were also brought in together with other people every day [...] It was in 1978.”].

966 **D303** Written Record of Further Appearance, EN 01213486 and EN 01213489.

967 *See VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.*

968 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 [“The Anlong Chrey Dam is located in Kampong Cham Province approximately 4km, south of National Road #7 between the towns of Skuon and Kampong Cham.”]; **D3/24.1** Map of Anlong Chrey Dam, EN 00650937; **D3/24.2** Map of Anlong Chrey Bridge, EN 00650938; **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025316 and EN 01025322 [“I was in charge of the construction of these dams named the 1 January Dam, the 6 January Dam, the 17 April Anniversary Dam, Peam Cheang Dam, and Phnom Phnov Dam. [...] Dany: Where was the 17 April Anniversary Dam? An: It was in Sector 41 close to National Road 7, east of Skun market.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A70 and A72, EN 01331722 [“Q: Do you remember where you went when you accompanied Ta An? A: I went to Kampong Siem District, the location of the Anlong Chrey Dam, Skun and Cheung Prey. [...] Skun was close to Anlong Chrey, Cheung Prey District.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A26, EN 01331756 [“Q: Where all were you assigned to deliver the letters to? A: I only went one place: to the dam where the earth was being piled up. It was called a sector dam, and it was near Skun.”].

969 **D6.1.769** *Revolutionary Youth*, March-April 1978, EN 00529444 [“In the Central Zone: The youth in the mobile units in the lower Kampong Cham area are on an offensive to build a square reservoir 4 kilometers on

each side at Anlong Chrey on the border between Prey Chhor and Cheung Prey and Kang Meas Districts.”]; **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A2, EN 01047083-84 [“I was sent to help build a big dam in Prey Chhor District. That dam stretched from Prey Chhor District to Cheung Prey District.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A3, EN 01112048 [“I was ordered to work at the sector worksite in Anlong Chrey Village which was on the border between Prey Chhor and Cheung Prey Districts.”]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A70 and A72, EN 01331722 [“Q: Do you remember where you went when you accompanied Ta An? A: I went to Kampong Siem District, the location of the Anlong Chrey Dam, Skun and Cheung Prey. [...] He went down to look at Anlong Chrey Worksite. Skun was close to Anglong Chrey, Cheung Prey District.”]; **D3/2** Kim UI Written Record of Interview, 28 July 2010, A28, EN 00607251 [“There are three gates in the south dam. There is a stream that runs between the middle gate and National Road #7. The east side of the stream is in Prey Chhor District and the area west of the stream is in Chocung Prey District.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A29, EN 01148840 [“Q: Did you ever attend any meetings chaired by Ta An? A: I did, when Ta An came to open the sector dam worksite in Anglong Chrov, Samraong Commune, on the border of Prey Chhor District and Cheung Prey District.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A6, EN 01148859 [“they had me go build Anlong Chrey Dam in Prey Chhor District or Cheung Prey district. I am not sure.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A5, EN 01044583 [“they sent my mobile unit to go to build Anlong Chrey Dam in Prey Chhor District for about four to five months.”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 [“The Khmer Rouge then assigned me to work in a mobile unit and sent me to build dams at Anlong Chrey Dam worksite in Prey Chhor District, Kampong Cham Province.”]; **D5/1701/1** Lik Leng Civil Party Application Report, 2 March 2015, EN 01093286 [“In 1977, her oldest son named Hem Visot was separated to mobile unit to build Anlong Chrey dam in Prey Chhor District, Kampong Cham Province.”].

970 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A2, EN 01076882 [“In 1977, I built dams at Along Chrey, which was the Sector Dam.”]; **D3/2** Kim UI Written Record of Interview, 28 July 2010, A24, EN 00607250 [“Q: What was the name of this dam? A: It is named the Sector Dam.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A16, EN 01044585 [“when all of the mobile units had arrived, they held a large meeting and announced that Anlong Chrey Dam was a Sector worksite.”]; **D3/3** Boeu Tauch Written Record of Interview, 29 July 2010, A5, EN 00607230 [“By what name did you know this dam project? A: It was called the ‘Sector Dam’ construction.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A29, EN 01148840 [“Q: Did you ever attend any meetings chaired by Ta An? A: I did, when Ta An came to open the sector dam worksite in Anglong Chrov, Samraong Commune, on the border of Prey Chhor District and Cheung Prey District.”]; **D219/802** Hong Heng Written Record of Interview, 21 July 2016, A26, EN 01331756 [“Q: Where all were you assigned to deliver the letters to? A: I only went one place: to the dam where the earth was being piled up. It was called a sector dam, and it was near Skun.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210442 [“When I was working on a sector dam in 1978, Ta An was known as the Chairman of Sector 41. The sector dam was at Anlong Chrey.”]. *See contra*: **D119/70/3** To Sem DC-Cam Statement, 18 August 2013, EN 01113671 [“Dany: Was Teuk Chha Dam a sector or zone dam? Sem: It was the sector dam.”].

971 **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A3, EN 01113701 [“I worked at Tuol kok Khou dam, which was a sector dam.”]; **D219/435** Touch Chamroeun Written Record of Interview, 13 July 2015, A29 and A177-178, EN 01142987-88 and EN 01143006 [“I went to carry earth to put up a dam in Tuol Kok Khou. However, I do not remember the name of the dam at Tuol Kok Khou. [...] They sent me to Tuol Kok Khou, Cheung Prey District. [...] It was called Tuol Kok Khou Dam.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A7, EN 00607225 [“I stayed at a small hill known as Tuol Kok Khou. If you travel from Phnom Penh to Kampong Cham on national road number 7, the hill is on the right side of Anlong Chrey bridge. I had to walk along the bypass from my place to the worksite.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210427 [“It was called Tuol Kok Khou dam and was in Prey Chhor district. [...] It was known as the Sector dam, and was also referred to as the Anglong Chrey dam.”]. *Note that witness Toy Meach refers to the sector dam as Pa Khou Dam which is now called the Prey Char dam. See D219/582* Toy Meach Written Record of Interview, 2 September 2015, A152-154, EN 01179842). Both are other names for the Anglong Chrey Dam.

- 972 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025316 and EN 01025322 ["I was in charge of the construction of these dams named the 1 January Dam, the 6 January Dam, the 17 April Anniversary Dam, Peam Cheang Dam, and Phnom Phnov Dam. [...] Dany: Where was the 17 April Anniversary Dam? An: It was in Sector 41 close to National Road 7, east of Skun market."].
- 973 **D3/2** Kim UI Written Record of Interview, 28 July 2010, A3, EN 00607248 ["Q: Between April 17, 1975 and 7 January 1979 what did you do? A: At the beginning, I was picked by the Khmer Rouge along with another villager to work at the dam. Our job was to measure and lay down wooden poles that served as guide markers for the workers to build up the earth dam."]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A5, EN 01044583 ["Maybe in December 1976, after harvesting rice in Vihear Village, Vihear Thum Commune, they sent my mobile unit to go to build Anlong Chrey Dam in Prey Chhor District for about four to five months. Later on, when the rain was pouring, they sent us back to our base at Vihear Village."]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908333 ["In 1975, the applicant was forcibly transferred [...] to Khlouy Village, Mien Sub-district, Prey Chhor District, Kampong Cham Province, where he was forced to carry dirt and build a dam at Anlong Chrey"].
- 974 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A6, EN 00607235 ["I was sent to work there during the rice harvest season. It was probably in December 1977. The dam construction was completed in May 1978 when the rainy season started."]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A2, EN 01076882 ["In 1977, I built dams at Anlong Chrey, which was the Sector Dam."]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A8, EN 01046937 ["I went to work at Anlong Chrey in 1977."]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6 and A18, EN 00607225-27 ["Q: When you arrived at the dam worksite in January 1978, what was the progress of the construction? A: Upon my arrival, the construction was at an initial stage. [...] I left the dam before its completion and the sluice gate has yet to be constructed."]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A6 and A11, EN 01148859-61 ["I worked and stayed there for approximately five months. [...] Q: In what month and year did they send you to work at Anlong Chrey Worksite? A: I am sorry, I do not know when they sent me, but I remember that it was around one year before liberation."]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A3, EN 01057758-59 ["During the dry season, they had me work at Anlong Chrey Dam worksite, but I do not remember when. I worked there until the rainy season"]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210427 ["In 1978, I was moved to Anglong Chrey to work on the inner part of the dam. [...] I worked there from January to June 1978"].
- 975 **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A5, EN 01116057 ["In early 1978 during the opening ceremony for the dam construction, Ta An announced that about 20,000 people were sent from [Batheay, Prey Chhor, Chheung Prey, Kang Meas and Kampong Siem] districts to build the dam. I still recall seeing Ta An speaking during the opening ceremony and the closing ceremony after the dam project was complete."]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A5, EN 01113702 ["Q: Did you participate in the meeting on the opening of the construction of this dam? Could you tell us about that meeting? A: Yes, I did. Tens of thousands of people from all the mobile units attended this meeting. The chiefs of the mobile units were present. They include Ta An who presided over the meeting. But I did not see him clearly because I sat so far from the meeting itself. Ta An arrived after everyone was already seated. [...] When Ta An arrived everyone stood up and applauded. Then, there was an introduction to the chairs of the meeting from the low-ranking to the high-ranking persons. Ta An was also announced as the chair of the meeting. I knew from my mobile unit chief that Ta An was the sector secretary and he was the top-ranking cadre at the meeting."]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A16-17, EN 01044585-86 ["when all of the mobile units had arrived, they held a large meeting and announced that Anlong Chrey Dam was a Sector worksite. [...] At that time, I only knew that the Sector Chairman was the meeting leader, but I did not see his face because there were quite a lot of people. I never saw him directly; I just heard by rumour that he was Sector Committee An."].
- 976 **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A5, EN 01116057 ["In early 1978 during the opening ceremony for the dam construction, Ta An announced that about 20,000 people were sent from [Batheay, Prey Chhor, Chheung Prey, Kang Meas and Kampong Siem] districts to build the dam. [...] 30 Men and women who were part of the Workforce 1 were recruited from my village to work at the dam construction worksite. I was an ordinary worker."]; **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A6, EN 00607235 ["I was sent to work there during the rice harvest season. It was probably in December 1977."]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A2, EN 01076882 ["In

1977, I built dams at Anlong Chrey, which was the Sector Dam.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A8, EN 01046937 [“I went to work at Anlong Chrey in 1977.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6, EN 00607225 [“Q: When you arrived at the dam worksite in January 1978, what was the progress of the construction? A: Upon my arrival, the construction was at an initial stage.”].

977 **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A5, EN 01116057 [“In early 1978 during the opening ceremony for the dam construction, Ta An announced that about 20,000 people were sent [...] to build the dam.”].

978 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A17, EN 01044585 [“The meeting was from 7 a.m. to 12 p.m.[.], and they talked about building dams, good work, and increasing production.”]; **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A5, A13 and A18, EN 01116057-59 [“In early 1978 during the opening ceremony for the dam construction, Ta An announced that about 20,000 people were sent from [Bathay, Prey Chhor, Chheung Prey, Kang Meas and Kampong Siem] districts to build the dam. [...] The work project was slated to start from January to April [...] I remember [Ao An] saying that we had to work hard to finish the work we were assigned. Otherwise we would be considered the enemies. He also told us about the number of people joining in the construction of the dam in this sector. He said there were 20,000 people working on the dam construction.”]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A4-6, EN 01113702 [“the dam was planned to complete in six months. [...] there was an introduction to the chairs of the meeting from the low-ranking to the high-ranking persons. Ta An was also announced as the chair of the meeting. [...] The purpose of the meeting was to strengthen their position on building the dam and to encourage the workers to make more effort in order to finish the construction of the dam before its deadline.”].

979 **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A5, EN 01116057 [“I still recall seeing Ta An speaking during the opening ceremony and the closing ceremony after the dam project was complete.”].

980 **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A29-30, EN 00607251 [“There was never water filling the reservoir because the gates were left open and no one was there to shut it down. Q: Why didn’t they shut those gates? A: They were unable to build the door of the gate so they could not close it.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A18, EN 00607227 [“I left the dam before its completion and the sluice gate has yet to be constructed.”].

981 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A24, EN 01044588 [“rain was also pouring, the shelters of all of the mobile units were immersed in water, so they decided to send all of the mobile units back to their bases.”]; **D3/3** Boeu Tauch Written Record of Interview, 29 July 2010, A4, EN 00607230 [“I worked for one dry season during the regime. It was not possible to work there during the rainy season as the site was inundated.”].

982 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025322 [“After the 1 January Dam had been completed, the 6 January Dam was carried on, and then the 17 Anniversary Dam. After that, the water gates and the doors were built; however, they were not properly built as fighting suddenly occurred, and we fled the area.”].

983 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644141 [“Besides the concrete gates the remainder of the dam is of earthen construction.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“[The Anlong Chrey Dam] was very high and long. It was a very difficult site.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A75, EN 01373690 [“It’s a big dam. At that time, it was called the ‘sector dam’.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210442 [“It was a huge dam construction site”].

984 **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A9 and A33, EN 00607249-51 [“The height of the dam to be built up varied depending on the land surface. On some hills the dam was built up 5 to 6 meters and the deepest build up being 12 meters at the point where the water passed through the sluice gates. [...] At its completion, the perimeter road was at the same height where it met the end of the dam and at the other end at National Road #7.”]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A4, EN 01113702 [“it was 15 metres high.”]; **D219/870** Ry [Ri] Nha Written Record of Interview, 10 November 2016, A77, EN 01373690 [“The height of the dam was about the height of a palm tree.”]. Although witness Bao Troab’s OCP Statement indicates that Anlong Chrey Dam was 50 metres high, the witness corrected this information during a later interview with investigators. *See* **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210427 [“The dam was 50 metres high and very long.”]; **D3/5** Bao Troab Written Record of Interview, 18

August 2010, A3, EN 00607225 ["I wish to correct the information saying that the dam is 50 metres in height in paragraph 7 on page 3 [of OCP Statement D1.3.11.4] to read 'the dam is 15 meters in height'."]. A6, EN 00607225 ["I was working at the deepest point right at the stream. It is 15 metres in depth and at the middle of the dam."].

985 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 ["The dam is divided into four segments by three concrete sluice gate chutes."]; **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A28, EN 00607251 ["There are three gates in the south dam."]; **D3/24.6** Photo #4 of Anlong Chrey Dam, P 00543951 [photo depicting the most eastern concrete sluice gate of the Anlong Chrey Dam as described in **D3/24** Anlong Chrey Site Identification Report at EN 00644142].

986 **D6.1.769** *Revolutionary Youth*, March-April 1978, EN 00529444 ["In the Central Zone: The youth in the mobile units in the lower Kampong Cham area are on an offensive to build a square reservoir 4 kilometers on each side at Anlong Chrey on the border between Prey Chhor and Cheung Prey and Kang Meas Districts."]; **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 ["The enclosed reservoir is approximately 4 square kilometres in size."].

987 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 ["The south perimeter dam runs in an east-west direction roughly"]; **D3/24.2** Map of Anglong Chrey Bridge, EN 00650938.

988 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 ["National Road #7 forms the north perimeter."]; **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A28, EN 00607251 ["National Road #7 marks the north border of the reservoir."]; **D3/24.2** Map of Anglong Chrey Bridge, EN 00650938; **D3/24.3** Photo #1 National Road #7, P 00543948.

989 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644140 ["The two roads that run south from [intersections with National Road 7] to the extremities of the dam form the east and west perimeters of the reservoir."]; **D3/24.2** Map of Anglong Chrey Bridge, EN 00650938.

990 **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A29-30, EN 00607251 ["There was never water filling the reservoir because the gates were left open and no one was there to shut it down. Q: Why didn't they shut those gates? A: They were unable to build the door of the gate so they could not close it."]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A18, EN 00607227 ["I left the dam before its completion and the sluice gate has yet to be constructed."].

991 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644141 ["The dam is in a seriously degraded state."]; **D3/2** Kim Ul Written Record of Interview, 28 July 2010, A34, EN 00607251 ["Certain parts of the [perimeter] roads are lower [than] before. Some parts are degraded. NGOs have rebuilt the perimeter road on the west side as access road for villagers so it is about the same height as during completion of construction. The perimeter road along the east side has not been restored and is degraded."].

992 **D3/24** Anlong Chrey Site Identification Report, 2 February 2011, EN 00644141 ["If the earth embankment reached to the tops of the sluice gates when Anglong Chrey dam was completed, at present day the embankment has been reduced to about 2/3 its original height."].

993 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A16, EN 01044585 ["when all of the mobile units had arrived, they held a large meeting and announced that Anlong Chrey Dam was a Sector worksite."]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A6, EN 01112049 ["I was ordered to work at [...] the sector worksite at Anlong Chrey in 1978."].

994 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A116, EN 01167907 ["the dam was built under Ta An's control."]; **D219/285** Ho Hoenun Written Record of Interview, 21 April 2015, A5, EN 01116057 ["Ta An [...] was the one who led the workforce at the dam construction site."]; **D6.1.721** Prak Yut Written Record of Interview, 18 November 2009, A11, EN 00407797 ["If the dam project was that of the district, the district managed it. But if it was the Sector dam project, the Sector managed it. The district dam was built by the district mobile unit whose members had been recruited from the communes. But for the Sector dam, the mobile units from all the districts joined together to build it."].

995 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A35-36, EN 01059867-68 [Ao An's driver: "He always went to that dam. They called it the Sector Dam. Q: Did you go to that place with Ta An many times? A: Yes, yes. All along."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A69-70 and A72, EN 01331722 ["Q: Do you remember how many times did you accompany Ta An? Was it often? A: It was not often. It was once in a while. Q: Do you remember where you went when you accompanied Ta An? A: I went to Kampong Siem District, the location of the Anlong Chrey Dam, Skun and Cheung Prey. [...] He went down to look at Anlong Chrey Worksite."]; **D219/331** Phan Sophal Written Record of Interview, 27

May 2015, A47, EN 01112052 [“Q: You said previously [see A41] that Ta An came [to Anlong Chrey Dam] with his messengers. How did you know that they were Ta An’s messengers? A: I knew it because there were two or three people accompanying Ta An. They carried guns to protect him. I did not know the names of those messengers. During that regime, the high-ranking cadres had their own messengers.”]; D219/17 Pin Dan Written Record of Interview, 16 September 2014, A4, EN 01047084 [“Ta An came to the dam almost every day in his jeep.”]; D78 Chin Sinal Written Record of Interview, 26 August 2011, A1, EN 00740734 [“He [Ao An] went there to conduct a monthly meeting and he introduced himself as the Chief of this Sector.”]; D3/4.1 Chin Sinal OCP Statement, 4 August 2008, EN 00210442 [“Ta An came to visit the dam site regularly. He would come twice a month, when there were big meetings. [...] At the meetings at the sector dam, he was dressed in black with a kroma around his neck. He came with his bodyguards, his deputy and people responsible for logistics. Before the meeting started, they would introduce the people who were chairing the meeting. An had many bodyguards. 1 jeep and 1 car of bodyguards followed his convoy. There were many cars and trucks, some carried logistics people. The bodyguards were armed with AK rifles.”]; D1.3.11.4 Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“People from the sector office would visit the Anglong Chrey dam. Every 10 days, they came and walked around and called a meeting. The sector chairman was present on those occasions. There was a podium. I could see the sector leaders, though I was about 50 metres away. They would announce who the people were. I heard the name Ta An, but did not see his face.”].

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D219/285 Ho Hoenun Written Record of Interview, 21 April 2015, A18, EN 01116059 [“I remember [Ao An] saying that we had to work hard to finish the work we were assigned. Otherwise we would be considered the enemies. He also told us about the number of people joining in the construction of the dam in this sector. He said there were 20,000 people working on the dam construction.”]; D219/870 Ry [Ri] Nha Written Record of Interview, 10 November 2016, A34, EN 01373687 [“Q: How did you know that Ta An was the zone deputy secretary? A: I knew it because he used to conduct the meetings at dam worksite of the sector.”]; D78 Chin Sinal Written Record of Interview, 26 August 2011, A1-A2, EN 00740734 [“I saw [Ao An] when I went to Anlong Chrey dam. He went there to conduct a monthly meeting and he introduced himself as the Chief of this Sector. [...] I attended that meeting as I was at a mobile work brigade.”]; D219/286 Men At Written Record of Interview, 22 April 2015, A25 and A28, EN 01100837 [“I was called to attend the meetings on two occasion and I saw [Ao An] speaking at the dam worksite. [...] Q: Do you remember who attended the meetings when Ta An attended? A: There were cadres from Kampong Siem District and from other locations.”]; D117/52 Bum Se Written Record of Interview, 27 May 2014, A16-17, EN 01076885 [the Civil Party applicant worked at Anlong Chrey dam in 1977: “Q: Did you meet Ta An in this Sector during that regime? A: Yes, I met him in a meeting. At that time, they told people to get up at 3.00 a.m. to attend the meeting, and when Ta An arrived, he chaired [the] meeting and used a microphone to talk in the meeting. [...] In that meeting Ta An announced to everyone to try and work hard to achieve the plans of Angkar.”]; D219/582 Toy Meach Written Record of Interview, 2 September 2015, A157, EN 01179842 [“Q: You said earlier that Ao An went to the dam [to] raise their morale. How did he motivate the workers? A: He only told them to work hard for national progress and development. He used a slogan which I do not remember.”]; D219/324 Chin Tip Written Record of Interview, 19 May 2015, A5-6, EN 01113702 [“Then, there was an introduction to the chairs of the meeting from the low-ranking to the high-ranking persons. Ta An was also announced as the chair of the meeting.”]; D3/4.1 Chin Sinal OCP Statement, 4 August 2008, EN 00210442 [“Ta An came to visit the dam site regularly. He would come twice a month, when there were big meetings. He would attend because he was chief of the sector. At these meetings, An talked about the great leap forward and achieving 3 tons of rice per hectare [...] At the meetings at the sector dam, he was dressed in black with a kroma around his neck. He came with his bodyguards, his deputy and people responsible for logistics. Before the meeting started, they would introduce the people who were chairing the meeting.”]; D1.3.11.4 Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“People from the sector office would visit the Anglong Chrey dam. Every 10 days, they came and walked around and called a meeting. The sector chairman was present on those occasions. There was a podium. I could see the sector leaders, though I was about 50 metres away. They would announce who the people were. I heard the name Ta An, but did not see his face. It was the Sector leaders who assigned us to work so hard. We were required to finish our assignments. At those meetings, the sector leaders encouraged us to work hard and told us not to have ‘negative feelings.’ We were called to finish the plan for rice production.”].

- 997 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A18, EN 01076885 ["I often heard [Ao An] announce [...] the necessity of determining the identity of the enemy, such as former-government officers, capitalists, feudalists, and CIA and KGB agents as well."].
- 998 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A155, A157 and A160, EN 01179842-43 ["Q: Did you see Ao An, alias Ta An, at the dam? A: Yes. He was there to raise the morale of the workers there. While I was carrying cement, I saw his vehicle going there. When he arrived, none of the workers dared to rest. They continued working. [...] Q: You said earlier that Ao An went to the dam [to] raise their morale. How did he motivate the workers? A: He only told them to work hard for national progress and development. He used a slogan which I do not remember. [...] Q: You said earlier that when An arrived, the workers did not dare rest. Why do you say that? A: During that era, he wielded dictatorial power. When anybody was found resting, they would be warned. After that, if they did not work hard, they were taken into the forest, meaning they were taken to be killed."].
- 999 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A37, EN 01059868 ["Sometimes, he held meetings with the chairpersons."].
- 1000 **D117/50** Im Pon Written Record of Interview, 23 May 2014, A37, EN 01059868 ["After the meetings, he walked and inspected the labour. I followed him. I also helped carry dirt, and so did he."]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A9, EN 00740735 ["I knew [Ao An] when he came to see my mobile work brigade."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A70 and A72, EN 01331722 ["Q: Do you remember where you went when you accompanied Ta An? A: I went to Kampong Siem District, the location of the Anlong Chrey Dam, Skun and Cheung Prey. [...] He went down to look at Anlong Chrey Worksite."].
- 1001 **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A10-11, A24 and A26-27, EN 01112049-50 ["Chhin reported to Ta Aun who was the head of the sector office. [...] He was probably the head of Sector Office 31 which was located in Prey Totcung. [...] Ta Aun was the sector office chairperson [...] I saw Aun coming for the meetings at the worksite very often. I saw him about 20 times. Q: Where did you see Aun? A: I saw Aun at Anlong Chrey Worksite."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A91-92, EN 01331725 ["I mostly accompanied *bang* Aun mostly to go to worksites, such as at Anlong Chrey [...] it was his task to be in charge of going around looking at mobile units."].
- 1002 **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A25-28 and A36, EN 01112050-51 ["Aun and An held a meeting at the sector mobile unit worksite where they announced their positions and roles to us. Aun came to hold a meeting once or twice a month, and An came to hold a meeting once a year. Q: How many times did you see Aun in the meeting? A: I saw Aun coming for the meetings at the worksite very often. I saw him about 20 times. Q: Where did you see Aun? A: I saw Aun at Anlong Chrey Worksite. Q: What did Aun say in that meeting? A: He told us to work hard in order to achieve Angkar's plan. [...] There was only Aun who talked in that meeting. After we finished working during the day, we were called to attend the meeting from 1900 to 2300."]; **D219/800** So [Sau] Saren Written Record of Interview, 19 July 2016, A91-92, EN 01331725 ["I mostly accompanied *bang* Aun mostly to go to worksites, such as at Anlong Chrey [...] it was his task to be in charge of going around looking at mobile units."].
- 1003 **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A8-10, EN 01112049 ["Sal controlled the mobile unit. [...] Sal reported to Chhin who was in charge of all the work at the worksites and district. [...] Chhin reported to Aun who was the head of the sector office."]. *See also* **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A16, EN 01116059 ["Here is what I understand: my unit chief, Ta Soeung, had a daily meeting with us. Later, he would go to a commune-level meeting, then to a district-level meeting. Next, he would report to the sector echelon about the results of his daily work. I learned about this from my unit chief during a meeting."].
- 1004 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A22, EN 01044587 ["The district level had a small office at the dam worksite; and every district must have had a small office at that dam worksite with a representative from the district level and one or two messengers there."]. *See also* **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A9 and A33, EN 01112049-51 ["Sal reported to Chhin who was in charge of all the work at the worksites and district. [...] Chhin's office was at Anlong Chrey. He was responsible for distributing food to the mobile units."].
- 1005 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A22, EN 01044587 ["As far as I knew, commune chiefs asked unit chiefs to obey the orders of the representative from the district level."]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4-6, EN 01046935-36 ["At the time, Chea

was Anlong Chrey Commune Committee; he was from the Southwest Zone. [...] Comrade Chea was the one who ordered us to work at Anlong Chrey. [...] He summoned all the mobile units to attend a meeting. [...] At the time, Chea announced that female Comrade Yut, who was in charge of Kampong Siem District, had ordered the mobile units to work at the Anlong Chrey Dam. [...] I received working orders from Comrade Rin, the unit chairwoman who was from the Southwest Zone. Rin received orders from Comrade Siem, who was Kampong Siem District Military Chairperson and also the chairperson of the district mobile unit. Siem was a 'base person', not a Southwest person."]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A9 and A33, EN 01112049-51 ["Sal reported to Chhin who was in charge of all the work at the worksites and district. [...] Chhin's office was at Anlong Chrey. He was responsible for distributing food to the mobile units."]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A12, EN 01057761 ["Q: At that dam, who ordered Thi to work as the chief of that mobile unit? A: I only knew that Yeah Yut, Comrade Rom and Comrade Vocun were the persons in charge in Kampong Siem District. I heard by word of mouth that Comrade Rom and Comrade Voeun were the ones who ordered Thi to lead the mobile unit to work at that dam. They summoned Thi to a meeting at that dam, but I did not know who went to attend the meeting with her."].

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D117/60 Sum Pet Written Record of Interview, 4 August 2014, A21-22, EN 01044587 ["in each mobile unit, especially my mobile unit, the unit chief called for a meeting every single day before we went to work. [...] Every time there was a change of workplan, the representative of the district who was on standby at the dam worksite always called the mobile unit chiefs for a meeting. [...] I knew about this work because sometimes I saw a messenger deliver a letter to my unit chief and then he went to join a meeting. When he came back, he always organised a meeting in the unit and raised those new plans."]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A6, EN 01046936 ["I received working orders from Comrade Rin, the unit chairwoman who was from the Southwest Zone. Rin received orders from Comrade Siem, who was Kampong Siem District Military Chairperson and also the chairperson of the district mobile unit. Siem was a 'base person', not a Southwest person. I never saw any cadres senior to Siem come to the Anlong Chrey Dam site."]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A12, EN 01057761 ["Q: At that dam, who ordered Thi to work as the chief of that mobile unit? A: I only knew that Yeah Yut, Comrade Rom and Comrade Voeun were the persons in charge in Kampong Siem District. I heard by word of mouth that Comrade Rom and Comrade Voeun were the ones who ordered Thi to lead the mobile unit to work at that dam. They summoned Thi to a meeting at that dam, but I did not know who went to attend the meeting with her."]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 ["According to the applicant, at Anlong Chrey worksite, meeting was held on a weekly basis under a tree in order to educate workers on the Angkar's policies."].

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D219/331 Phan Sophal Written Record of Interview, 27 May 2015, A8, EN 01112049 ["Sal controlled the mobile unit."]; **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A2, EN 01047083 ["I was in a youth mobile unit. The chairperson of my unit was Em."]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A6, EN 01046936 ["I received working orders from Comrade Rin, the unit chairwoman who was from the Southwest Zone. Rin received orders from Comrade Siem, who was Kampong Siem District Military Chairperson and also the chairperson of the district mobile unit. Siem was a 'base person', not a Southwest person. I never saw any cadres senior to Siem come to the Anlong Chrey Dam site."]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A15, EN 01148862 ["My chairpersons were Rat and Yan. They were our chairpersons at both Anlong Chrey and Angkor Ban."]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A11, EN 01057760-61 ["Q: When they assigned you to work at the dam in Anlong Chrey Village, was Thi still the chief of the mobile unit? A: Yes, she was. The entire mobile unit went there altogether."]; **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A8, EN 00607235 ["I recall that Nim, from the Southeast Zone, was general supervisor and his deputy supervisor Siem was from Kampong Siem district. My district mobile brigade comprised of around 100 members. It comprised of two companies of base people plus demobilized Khmer Rouge soldiers and another company of 17 April people or evacuees. At the district level, mobile brigades were divided into: 1) a brigade of base people; 2) a brigade of 17 April people; and they had the female brigade and the male brigade stay in separate places. However, such categorization did not exist at sub-district level."]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A5, EN 00607225 ["The battalion chief Sroean made an order that all members from Angkor Ban commune should go work at the Sector dam. My battalion was

named the same as the name of its chief. [...] I do not know the superior who made an order to my battalion chief to send people to Alung Chrey.”]

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D219/285 Ho Hoeun Written Record of Interview, 21 April 2015, A8, EN 01116058 [“We had to start work from 0400 and continued working until 1100. After lunch break we resumed our work at 1300. We worked until 1800.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8, EN 01148860 [“We worked from 7.00 a.m. to 5.00 p.m. They allowed us to rest from 12.00 p.m. to 1.00 p.m. and we worked seven days a week.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A58, EN 01112053 [“At 0400 the bell was ringing as a signal for us to get ready for work. We stood in queues. We were instructed on what to do. At 0500 or 0600 we started work. At 0900 the bell was ringing again as a signal that it’s time to break for about 10 to 20 minutes. Then, we started work again. At 1100, we went to eat the rice porridge. We started work again at 1300. We would work until 1600. Then we would have a rest to eat the rice porridge. At 1900, we had to attend a meeting.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18, EN 01044586 [“We started working at 7 a.m. through 11 a.m. or 12 noon [...] we did not work in the afternoon. [...] We started work again from 6 p.m. through 10 p.m.”]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A6, EN 00740735 [“We started working at around 7:00 AM and stopped at 11:00 AM for lunch. And we started again at 1:00 PM and finished at 5:00 PM.”]; **D117/68** Va Linhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“They even had us work at night if it was a moonlit night”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A156, EN 01179843 [“When the Southwest group arrived, they ate only porridge and had to work from 03.00 a.m. to 10.00 p.m.”]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A9, EN 01100841 [“We started work at 6.00 a.m. We would work until 11.00 a.m. and continued at 3.00 p.m. until 6.00 p.m. Sometimes, we were ordered to work at night.”]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 [“We worked from 6.00 a.m. to 6.00 p.m. We had lunch break at 12.00 p.m. or 1.00 p.m.”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 [“I would work from 6.00 a.m. to 11.00 a.m. After taking a rest for half an hour, I continued working from 11.30 a.m. to 6.00 p.m.”].

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D117/68 Va Linhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“they never allowed us to eat properly.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A155-156, EN 01179842-43 [“There was not enough food at that place. [...] When the North group was there, the workers had sufficient rice to eat. When the Southwest group arrived, they ate only porridge”]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 [“We would not get enough to eat.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6, EN 00607225 [“We did not have enough food for meals. [...] I did not have enough food to eat.”]; **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A10, EN 00607236 [“We did not have enough food”]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A7, EN 00740735 [“Q: Was the food enough? A: No, the food was not enough. Rice was provided with very little soup. We just ate it to survive.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210444 [“it was not enough food. My knees became bigger than my head. My knees were swollen from lack of food. We were not thinking about liberty and freedom at that time, just survival.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“We were forced to carry 2 cubic metres of soil a day with only one pack of rice to eat. [...] It was not enough food.”]; **D5/1701/1** Lik Leng Civil Party Application Report, 2 March 2015, EN 01093286 [“Her son was forced to smash rock to make dam one meter cubic per day but the food ration provided was inadequate.”]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 [“Workers would disappear when they were not able complete the assigned task(s), but he does not now where they were taken; as a result, they worked from dawn to dusk (at 9.00 p.m.) with inadequate food.”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 [“We never ate our fill.”]. *See contra* **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A8 and A12, EN 01116058 [“As we belonged to Workforce 1 we were allowed to eat our fill. [...] People received food regime based on the workforce they belonged. For those who were in the workforce 1 they would be given a small scoop of steamed rice or thick rice porridge. For those who were in the workforce 2 they would receive two scoops of steamed rice or thick rice porridge. The workers at the dam worksite were allowed to eat their fill.”].

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D219/285 Ho Hoeun Written Record of Interview, 21 April 2015, A8, EN 01116058 [“Even we might have finished our assigned work quota sooner we were not allowed to leave our worksite. We were asked to remain where we were at all times.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428

["you could not leave the site while working. We were made to work until the construction was finished. [...] If anyone had tried to leave before the dam was done, they would have been arrested by the unit chief and killed."].

- 1011 **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210443 ["I did not have a choice about whether to work on the dam – you had to respect Angk[a]r. When people asked for permission to leave to visit family members, permission was refused."].
- 1012 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A13, EN 00607236 ["A person would be accused of being an enemy if he or she damaged or broke any tool, for example, the hoe or the plough."].
- 1013 **D6.1.769** *Revolutionary Youth*, March–April 1978, EN 00529444 ["In the Central Zone: The youth in the mobile units in the lower Kampong Cham area are on an offensive to build a square reservoir 4 kilometers on each side at Anlong Chrey on the border between Prey Chhor and Cheung Prey and Kang Meas Districts."]; **D219/285** Ho Hocun Written Record of Interview, 21 April 2015, A5-6, EN 01116057 ["In early 1978 during the opening ceremony for the dam construction, Ta An announced that about 20,000 people were sent from [Batheay, Prey Chhor, Chheung Prey, Kang Meas and Kampong Siem] districts to build the dam. [...] 30 Men and women who were part of the Workforce 1 were recruited from my village to work at the dam construction worksite. I was an ordinary worker."]; **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A5, A7-8, EN 00607235 ["The Khmer Rouge simply sent me there to work as a member of the mobile brigade. The mobile brigade workers were sent from several districts and sub-districts. [...] I was an ordinary member of a group. [...] My district mobile brigade comprised of around 100 members. It comprised of two companies of base people plus demobilized Khmer Rouge soldiers and another company of 17 April people or evacuees. At the district level, mobile brigades were divided into: 1) a brigade of base people; 2) a brigade of 17 April people; and they had the female brigade and the male brigade stay in separate places. However, such categorization did not exist at sub-district level."]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A5, EN 00740735 ["Q: How many people worked at that dam? A: About 1,000 people."]; **D3/3** Boeu Tauch Written Record of Interview, 29 July 2010, A4 and A9, EN 00607230 ["I worked at the dam. I was an ordinary worker carrying the soil to build the dam. I worked in the middle of the dam with a team from the village. [...] During that period it seemed that every energetic villager had to work there. We could not refuse the assignment. We were told to do so by the village headmen, or chief of unit or group. Many people worked there. The Khmer Rouge collected thousands of people from the whole sector, including people from Kang Meas district."]; **D219/435** Touch Chamroeun Written Record of Interview, 13 July 2015, A176, EN 01143006 ["At that time, I went with the mobile unit. I did not go alone; I went with a great number of people. Tractors went too, to block the flowing water."]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A5 and A16, EN 01044583-85 ["they sent my mobile unit to go to build Anlong Chrey Dam in Prey Chhor District for about four to five months. [...] When we arrived there, I realized that not only the mobile unit from my commune was there, but also many other mobile units from Kang Meas District, Prey Chhor District, Ba Theay District, and so on."]; **D3/2** Kim Ui Written Record of Interview, 28 July 2010, A38, EN 00607252 ["Q: Do you know yourself where the other workers at the dam came from? A: Yes, I know they were from four districts: Choeung Prey, Prey Chhor, Kang Meas and Chamkar Leu Districts."]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A51, EN 01112052 ["There were many people. There were 1,500 people from the sector mobile units. The mobile units of Kang Meas, Prey Chhor and Batheay Districts were also sent to work at that dam worksite. As I remember, the mobile unit of Kampong Siem District was also sent to work at that dam worksite."]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 ["My mobile unit was dispatched to work at different sites within the commune. [...] I was sent to build Anlong Chrey Dam."]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A11, EN 01057760-61 ["Q: When they assigned you to work at the dam in Anlong Chrey Village, was Thi still the chief of the mobile unit? A: Yes, she was. The entire mobile unit went there altogether."]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A5, EN 00607225 ["The battalion chief Srocun made an order that all members from Angkor Ban commune should go to work at the Sector dam."]; **D219/232** Van Chhunseng Written Record of Interview, 19 March 2015, A46, EN 01090003 ["At that time [1977] I received an order to assign people to Prey Chhor District to build a dam or dig a canal, but I do not remember well."]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A8-9 and A13, EN 01100841-42 ["Women who were under the age of 40 years old who had families were recruited to build the sector dam. I was also sent to work at that dam. [...] At that worksite, there were thousands of the people who were tasked with carrying the earth. [...] Q: you said there were

thousands of workers at the dam worksite. Where were they from? A: They were from Kang Meas District, Chamkar Loeur District, Prey Chhor District and Thma Poun District.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210427 [“Many people worked on the Anglong Chrey dam. All districts worked together on the dam. [...] Prey Chhor, Cheung Prey, Kang Meas and Kampong Siem districts all contributed workers to the dam.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210443 [“Many districts were combined to work on the dam at Anlong Chrey – Batheay, Prey Chhor, Kampong Siem and Kang Meas districts. There were almost 10.000 people working on it.”]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 [“People from many different villages were assigned to build this dam”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 [“The Khmer Rouge then assigned me to work in a mobile unit and sent me to build dams at Anlong Chrey Dam worksite in Prey Chhor District, Kampong Cham Province.”]; **D5/307/1** Hah Seng Civil Party Application Report, 19 September 2011, EN 00789611 [“The applicant added that her daughter named Sok Khim was also transferred with her to Krang Klein Village, but ten days later her daughter was moved to a mobile unit in order to build a dam called Anlong Chrey Dam”]; **D219/351** Written Record of Investigation Action, 3 June 2015, EN 01103381 [“[Khieu Han] worked at the Sector dam in a mobile unit. [...] [Ou Limseng] worked at the Sector dam in a mobile unit.”]. See also **D6.1.721** Prak Yut Written Record of Interview, 18 November 2009, A11, EN 00407797 [“If the dam project was that of the district, the district managed it. But if it was the Sector dam project, the Sector managed it. The district dam was built by the district mobile unit whose members had been recruited from the communes. But for the Sector dam, the mobile units from all the districts joined together to build it.”].

1014 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A7, EN 00607235 [“we were designated to carry soil to construct the dam.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A155 and A184, EN 01179842 and EN 01179846 [“The dam was built with a slope and the workers had to carry earth up to the top. [...] Q: What was your wife’s position when she worked at the Sector Dam? A: She was a worker carrying earth.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A8, EN 00607225 [“They had me carry the soil to build the dam. I was an ordinary member of a group.”].

1015 **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A5 and A8, EN 01116057-58 [“To ensure that the work was completed each of us had to get up to work as early as 4 am. [...] We had to start work from 0400 and continued working until 1100. After lunch break we resumed our work at 1300. We worked until 1800.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A58, EN 01112053 [“At 0400 the bell was ringing as a signal for us to get ready for work. We stood in queues. We were instructed on what to do. At 0500 or 0600 we started work. At 0900 the bell was ringing again as a signal that it’s time to break for about 10 to 20 minutes. Then, we started work again. At 1100, we went to eat the rice porridge. We started work again at 1300. We would work until 1600. Then we would have a rest to eat the rice porridge. At 1900, we had to attend a meeting.”]; **D117/52** Bum Sc Written Record of Interview, 27 May 2014, A8, EN 01076883 [“they had us start work at 6.00 a.m.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8, EN 01148860 [“We worked from 7.00 a.m. to 5.00 p.m. They allowed us to rest from 12.00 p.m. to 1.00 p.m. and we worked seven days a week.”]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A9, EN 01100841 [“We started work at 6.00 a.m. We would work until 11.00 a.m. and continued at 3.00 p.m. until 6.00 p.m. Sometimes, we were ordered to work at night.”]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 [“We worked from 6.00 a.m. to 6.00 p.m. We had lunch break at 12.00 p.m. or 1.00 p.m.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A17, EN 00607227 [“I witnessed a group chief cursed the workers for not waking up at 3 a.m. for labour work.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18, EN 01044586 [“We started working at 7 a.m. through 11 a.m. or 12 noon [...] we did not work in the afternoon. [...] We started work again from 6 p.m. through 10 p.m.”]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A6, EN 00740735 [“We started working at around 7:00 AM and stopped at 11:00 AM for lunch. And we started again at 1:00 PM and finished at 5:00 PM.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“They even had us work at night if it was a moonlit night”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A156, EN 01179843 [“When the Southwest group arrived, they ate only porridge and had to work from 03.00 a.m. to 10.00 p.m.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“We woke up at 4 am, worked until 11, had lunch, then worked again until 5 pm.”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information

Form, 25 December 2014, EN 01093052 ["I would work from 6.00 a.m. to 11.00 a.m. After taking a rest for half an hour, I continued working from 11.30 a.m. to 6.00 p.m."].

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D219/285 Ho Hoeun Written Record of Interview, 21 April 2015, A5, EN 01116057 ["first each of us was assigned to dig and carry two square meters of earth a day. Later this work quota was increased to 2.5 square meters of earth a day. Finally we had to dig and carry 3 square meters of [earth] a day."]; **D219/324** Chin Tip Written Record of Interview, 19 May 2015, A4, EN 01113702 ["Every person had to finish the assigned task. Each was tasked with carrying between 3 to 5 cubic metres of earth depending on how far the place was from where the earth was taken."]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A8, EN 01076883 ["they set a quota to carry three to nine cubic meters of earth per day."]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18, EN 01044586 ["In both the morning and the evening, everyone had to complete digging 4 cubic meters earth in total (two cubic meters in the morning and another 2 cubic meters in the evening)."]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A7-8, EN 01148859-60 ["they had me dig and carry three cubic metres of earth to build the dam. [...] They set work quotas for us, assigning each of us to carry three cubic metres per day"]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 ["My unit, which had seven people, was tasked with digging ten cubic meters of earth a day."]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A9, EN 01100841 ["I did not remember how many cubic metres of earth I was ordered to carry per day. But I remember that it was a heavy workload."]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 ["We were forced to carry 2 cubic meters of soil a day [...] It was the Sector leaders who assigned us to work so hard. We were required to finish our assignments. [...] We were called to finish the plan for rice production."]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 ["The Khmer Rouge ordered us to construct two cubic metres of dam per day."]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 ["each person was assigned to dig one cubic metre per day."]; *See also* **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01128507 ["Dany: Was each worker provided with a specified quota of cubic metre to complete daily? An: It was measured in general terms. For example, at one dam construction, each commune was assigned to a specific quota of cubic metres, the dam's height, and persons to be involved. It could not be assigned directly to individuals. It was impossible."].

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D117/60 Sum Pet Written Record of Interview, 4 August 2014, A19, EN 01044586 ["Q: Did you ever see any maltreatment or torture of those who did not complete the work or people accused of being lazy? A: I saw it first-hand one time. A group chief beat a man with the back of an axe right on the ankle bone, accusing the man of daring to argue with them and being lazy at work. That man was in a lot of pain, but because of being terrified, he tried to continue his work. That man did not receive any treatment. To my knowledge, it happened in general: if someone dared to argue with group chiefs, they would get such treatment."]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A8, EN 01076883 ["When someone could not finish the work as planned, he or she was arrested and disappeared forever."]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8, EN 01148860 ["if someone could not complete his or her work quota, they would call that person to attend a meeting scold that person to work harder."]; **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A5, A8 and A18, EN 01116057-59 ["Anyone who failed to complete the task would be accused of being the enemy. [...] My Cooperative Chief would threaten us to work hard. He would scare us with his statements that people were arrested at various units of the dam construction worksite. However, I never saw people being arrested. [...] I remember [Ao An] saying that we had to work hard to finish the work we were assigned. Otherwise we would be considered the enemies."]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 ["You had to work, otherwise you would be arrested and killed."]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 ["Workers would disappear when they were not able complete the assigned task(s), but he does not now where they were taken; as a result, they worked from dawn to dusk (at 9.00 p.m.) with inadequate food."].

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D219/331 Phan Sophal Written Record of Interview, 27 May 2015, A65, EN 01112054 ["If we did not work according to their plan, we would be punished. Food deprivation was a form of punishment."]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 ["My unit, which had seven people, was tasked with digging ten cubic meters of earth a day. If we managed to complete it we would be allowed to eat our fill. If we could not finish it we would be provided with only a small bowl of cooked rice for each of us."].

- 1019 **D219/286** Men At Written Record of Interview, 22 April 2015, A20, EN 01100836 [“Q: Did you observe or know about any rape or moral misconduct committed at the dam worksite? A: Some people fell in love. If their group chief knew about this they punished them for committing a moral misconduct. The punishment would include carrying ten cubic meters of earth per day for each offender. [...] Moral misconduct refers to a case when a man and a woman have sexual intercourse without permission from their group and unit chiefs or because they had sex before they had been married.”]; **D219/435** Touch Chamroeun Written Record of Interview, 13 July 2015, A31 and A42, EN 01142988-89 [“the woman said that I had committed a moral offence, so I was sent to carry earth. [...] They punished me by assigning me to carry earth.”].
- 1020 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18 and A23, EN 01044586-88 [“As I noticed, even if there was not enough food, each person achieved their quota as planned because of fear of mistreatment. Some people who were acquainted with one another helped each other to achieve the quotas. [...] all of us knew ourselves that if we dared to argue or did not follow the rules of *Angkar*, we would definitely be mistreated. The group chiefs reminded us constantly about the result we would face if we did not complete the work well and argued with the rules of *Angkar*.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A65, EN 01112054 [“we were checked and monitored. If we did not work according to their plan, we would be punished.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A162-164, A166 and A171, EN 01179844-45 [“Q: You said earlier that for those who did not work were warned. What were they told? A: They were warned to work hard and not just pretend to be working. When they were found slacking, they were taken to be killed. [...] Each person was warned. Q: Who warned them? A: The mobile unit chairperson. [...] I learned this from my wife. She worked in the mobile unit there. We married after the fall of the Khmer Rouge regime. She told me about this. [...] Q: How did you know that people were taken to be killed in the forest? Did you see this first-hand, or were you told about it? A: My wife told me this. During that time, she worked at the dam and slept on the dam. Her relatives told her to work hard or she would be taken to be killed.”].
- 1021 **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A18, EN 01116059 [“I remember [Ao An] saying that we had to work hard to finish the work we were assigned. Otherwise we would be considered the enemies.”].
- 1022 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18, EN 01044586 [“As I noticed, even if there was not enough food, each person achieved their quota as planned because of fear of mistreatment. Some people who were acquainted with one another helped each other to achieve the quotas.”]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 [“Workers would disappear when they were not able complete the assigned task(s), but he does not now where they were taken; as a result, they worked from dawn to dusk (at 9.00 p.m.) with inadequate food.”].
- 1023 **D219/435** Touch Chamroeun Written Record of Interview, 13 July 2015, A234, EN 01143014 [“I offered to help a woman carry earth, but she did not let me do it. They said that there was no need to help her, or we would be in trouble. She had to carry earth up to a high hill.”].
- 1024 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A7, EN 00607235 [“On the first day of our arrival, they told us to collect reeds and timbers for construction of our stables.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6, EN 00607225 [“We had to stay at the worksite and we had to collect materials and things to build shelter by and for ourselves.”]; **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A8, EN 01116058 [“We were tasked with building a long hall for us to sleep in while working at the worksite. Villagers from other villages were asked to do the same.”].
- 1025 **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A13, EN 00607226 [“They had us stay in a long stable covered by palm leave roof. It was probably 10 metres long and 4 metres wide. We would sleep on our mats that were directly laid on the ground. We slept foot to foot in two rows. We slept over side by side.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8, EN 01148860 [“They had us sleep in a long shelter, and there were more than 100 young women in that mobile unit.”].
- 1026 **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A13, EN 00607226 [“They had us stay in a long stable covered by palm leave roof. It was probably 10 metres long and 4 metres wide. We would sleep on our mats that were directly laid on the ground. We slept foot to foot in two rows. We slept over side by side. While it was raining the wind broke the roof and the rain water was pouring inside the stable. We were not handcuffed nor shackled in the hall, but the Khmer Rouge ordered to have two workers assigned for a one-hour shift to guard against the enemy. They put one battalion of people in one stable. Some people slept in their hammocks. Other battalions from different districts had to stay in separate locations, for instance,

people from Kampong Siem were in one place and people from Kang Meas were in another.”]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 [“workers slept directly on the ground under a long hall, thus it was very difficult to sleep during the rainy seasons.”].

1027 **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A9, EN 01148860 [“There were no toilets, so we had to use hoes to dig holes in the ground when we wanted to defecate.”].

1028 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“they never allowed us to eat properly.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A155-156, EN 01179842-43 [“There was not enough food at that place. [...] When the North group was there, the workers had sufficient rice to eat. When the Southwest group arrived, they ate only porridge”]; **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A10, EN 00607236 [“We did not have enough food”]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A7, EN 00740735 [“Q: Was the food enough? A: No, the food was not enough. Rice was provided with very little soup. We just ate it to survive.”]; **D219/286** Men At Written Record of Interview, 22 April 2015, A12, EN 01100835 [“We would not get enough to eat.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6, EN 00607225 [“We did not have enough food for meals. [...] I did not have enough food to eat.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“We were forced to carry 2 cubic metres of soil a day with only one pack of rice to eat. [...] It was not enough food.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210444 [“it was not enough food. My knees became bigger than my head. My knees were swollen from lack of food. We were not thinking about liberty and freedom at that time, just survival.”]; **D5/1701/1** Lik Leng Civil Party Application Report, 2 March 2015, EN 01093286 [“Her son was forced to smash rock to make dam one meter cubic per day but the food ration provided was inadequate.”]; **D5/616/1** Dy San Civil Party Application Report, 11 January 2013, EN 00908334 [“Workers would disappear when they were not able complete the assigned task(s), but he does not now where they were taken; as a result, they worked from dawn to dusk (at 9.00 p.m.) with inadequate food.”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN 01093052 [“We never ate our fill.”]. *See contra:* **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A8 and A12, EN 01116058 [“As we belonged to Workforce 1 we were allowed to eat our fill. [...] People received food regime based on the workforce they belonged. For those who were in the workforce 1 they would be given a small scoop of steamed rice or thick rice porridge. For those who were in the workforce 2 they would receive two scoops of steamed rice or thick rice porridge. The workers at the dam worksite were allowed to eat their fill.”].

1029 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A18, EN 01044586 [“We started working at 7 a.m. through 11 a.m. or 12 noon and we got one canteen of watery gruel [...] They gave us one more canteen cover of watery gruel again at about 4 p.m. or 5 p.m.”]; **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A58, EN 01112053 [“At 1100, we went to eat the rice porridge. We started work again at 1300. We would work until 1600. Then we would have a rest to eat the rice porridge.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8 and A27, EN 01148860 and EN 01148863 [“They gave each of us two scoops of cooked rice to eat per meal, and there were two meals per day. [...] At Anlong Chrey they gave each of us two scoops of cooked rice per meal”]; **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A8, EN 01116058 [“We were given two meals a day. A meal was provided [...] at lunch and another one was given in late afternoon.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“Sometimes, we had to get into the water to pick vegetables to mix with the rice to eat. As for food rations, we got one ladle of rice and vegetable soup per meal.”]; **D78** Chin Sinal Written Record of Interview, 26 August 2011, A7, EN 00740735 [“Rice was provided with very little soup.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A6, EN 00607225 [“Everyday, we would have a soup of pumpkin and small dry fish.”]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A9, EN 01100841 [“We were allowed us to eat cooked rice two times a day. A meal of rice was served at noon and in the evening. A bowl of rice would have to be shared with four people. We did not have enough to eat. However we had to save some from the very meagre meal for the afternoon meal before continuing to work in the afternoon.”]; **D3/4.1** Chin Sinal OCP Statement, 4 August 2008, EN 00210444 [“I ate steamed rice while working on the dam, but it was not enough food.”]; **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 [“We were forced to carry 2 cubic meters of soil a day with only one pack of rice to eat. We were only allowed to eat twice a day. We woke up at 4 am, worked until 11, had lunch, then worked again until 5 pm. We received 1 bowl of rice before noon and another in the evening”]; **D5/481/3** Tuon Sophal Civil Party Application Supplementary Information Form, 25 December 2014, EN

01093052 ["During the entire time I was working there, they provided only gruel with convolvulus soup to us to eat."].

1030 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A6, EN 01076883 ["Some people became sick because of the shortage of food.": **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A9, EN 01148860 ["Many people got diarrhoea and became sick because their food was unhygienic.": **D1.3.11.4** Bao Troab OCP Statement, 5 August 2008, EN 00210428 ["People were skinny and got sick because they did not have enough nutritious food."].

1031 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A6, EN 01076883 ["When someone was sick and could not work, they were accused of feigning illness and laziness and were taken away and never returned.": **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A9, EN 00607226 ["During that regime, I know clearly that if anyone fell sick he or she would be accused of having ideological illness or being lazy. The first incident did not matter. But if it repeated as the second or third incident the person would be arrested for execution. One day, I saw the Khmer Rouge escorting a string of 10-20 women from the mobile brigade to a security office. But I did not witness the killing of those victims."]. *See contra*: **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A8, EN 01148860 ["people could ask for permission to rest when they got sick."].

1032 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A13, EN 00607236 ["Q: Did the Khmer Rouge leaders visit the dam worksite? If so, did they witness the bad living conditions of the mobile brigade workers? A: Yes, they saw that living condition. They were visiting the worksite and would see those difficult conditions but they paid no attention to them. They said that the sick were either the patients of ideology or lazy people. Their only focus was their 'policies of great leap forwards'. They ordered the group chiefs to monitor those patients who were perceived as enemies or spies.": **D78** Chin Sinal Written Record of Interview, 26 August 2011, A8, EN 00740735 ["Q: Did you know whether or not Ta An knew the difficult situation of the people? A: I did not know that, but Ta An was the head.": **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A10, EN 00607226 ["Q: You said the people from the Sector office visited the dam worksite once every ten days, did they witness the living conditions of the workers there? A: Yes, they did."]. *See also* **D6.1.721** Prak Yit Written Record of Interview, 18 November 2009, A25-28, EN 00407799 ["Q: Did the upper echelon know at that time that there were hardships and starvation at [Steung Treang dam in Chhouk district]? A: They knew. Q: How did they know? A: Because we reported to the upper echelon. The lower rank reported to the upper rank. We reported about the hardships, food shortage, and other matters that happened there. Q: When you reported to the upper echelon, did you report to the district level or the Sector level? A: To the district level and the district level reported to the Sector level. Q: Did you report the number of the sick and dead to the upper echelon? A: Yes, I reported to the upper echelon about the number of the sick people and food shortage, and also requested the assistances from the upper echelon. I also reported the number of dead to the upper echelon."].

1033 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025322 ["I carried earth on my shoulders like others"], EN 01025330 ["When I went to the dam worksite, she [Kan, Ao An's wife] also went with me to carry earth there.": **D117/50** Im Pon Written Record of Interview, 23 May 2014, A37, EN 01059868 ["I also helped carry dirt, and so did [Ao An]"].

1034 **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A15-16, EN 01057761-62 ["I saw a vehicle driving into the worksite and some people in my mobile unit were called to get onto that vehicle and then it was driven away. It was a type of small cargo lorry with a closed cabin that could carry around 20 people. I did not know the driver, and they did not say why they called those people to get on the lorry. [...] Around 20 people [got on the lorry], including Sokha. I heard that they were taken away because of their parents' backgrounds.": **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A11-12, EN 00607236 ["As far as I understand, a transfer of anyone for re-education means he or she is taken away for execution. [...] I heard that a number of people from Kampong Siem disappeared at the dam. During the regime, I saw trucks transporting cakes to the dam worksite and when they left the worksite [...] they would transport people out. I heard that they took them for re-education at the rear battlefield and they disappeared forever.": **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A42-43, A46 and A48, EN 01112051-52 ["After [Ta An came to inspect the worksite], the East Zone soldiers, both male and female, were sent to this worksite. Later on, those soldiers were transported away. [...] When they transported these people out, they called them to meet at Ta Chhin's office. Then they were transported out in vehicles. [...] Q: What kind of vehicle did they use to transport the East Zone people? A: It was the Chinese military truck

which looked just like the present military truck. At that time, it was called 'Zil Truck'. [...] When Ta An came to inspect the worksite, were those soldiers already sent to work at that worksite? A: At that time, the soldiers were already working in this [the Anglong Chrey] worksite. They were taken away by trucks later.”]; **D219/17** Pin Dan Written Record of Interview, 16 September 2014, A3, EN 01047084 [“I saw them arrest people almost every day. They arrested and tied people up then walked them away. The Sector Committee at the time was Ta An”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A12, EN 01044584 [“In my mobile unit, three people disappeared at one time. I did not know why they disappeared. However, later on, they announced in the unit that if someone was lazy or did not work hard, they might disappear like the previous people.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A8, EN 01076883 [“When someone could not finish the work as planned, he or she was arrested or disappeared forever.”]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A16-18, EN 01100842 [“I heard that some people [at the dam worksite] were taken away and killed quietly at night because they were accused of hiding some food such as salt, fish, and meat that their parents or relatives sent from the cooperatives for them to eat. [...] Most of the people who were taken away and killed were men. [...] Q: Did you ever personally witness them taking people away and killed? A: No, I didn't. The reason I didn't know about this [was] because people were taken out and killed at night.”].

1035 **D219/331** Phan Sophal Written Record of Interview, 27 May 2015, A60-64 and A83-84, EN 01112053 and EN 01112055 [“At the end of that regime, cadres such as the chairpersons of small and big units were called to attend the study sessions. They disappeared. Q: Why were those people taken away? A: I heard that they betrayed Angkar. [...] They were called to attend the study sessions at Wat Ta Meak Pagoda at Prey Toteung. They have disappeared ever since. Q: Do you know who called those cadre to attend the study sessions? A: Aun, who was chairperson of the sector office, did. [...] Q: Do you know where, people from the East Zone, at Anlong Chrey were sent? A: No, I don't. I just know that they were taken by vehicles at 1800. Q: Do you know to which direction people from the East Zone were sent? A: The vehicles transported the people from the East Zone toward the west direction.”]; **D219/435** Touch Chamroeun Written Record of Interview, 30 July 2015, A90-92, EN 01142995 [“[Sreng] was the former Sector Chairman before Ta An. He also disappeared. [...] Two senior persons disappeared from my unit. They took away only senior persons. Q: Who were they? A: Ta Hao and Ta Set. Set was Ta Hao's deputy.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A45-47, EN 01148843 [“There were Cham working at the sector dam. The Cham lived in Trapeang Leak Commune (present-day Trapeang Preah), Prey Chhor District. [...] They completely disappeared, and only Khmer remained. Q: Do you know where they took those Cham? A: I only know they were killed, but I do not know where they took them. They maintained secrecy at the time.”]; **D219/530** Written Record of Investigation Action, 13 August 2015, EN 01151022 [“[Ou Limseng] lived with his mother near the dam. He said his mother's house was used to house female members of the mobile unit. He stated that his mother told him that some women who were living at her house often disappeared and were not seen again, she did not know what happened to them. [...] When asked about killing of Cham Muslims he stated that some of the women at his mother's house who disappeared were Cham Muslims.”].

1036 **D219/286** Men At Written Record of Interview, 22 April 2015, A8, EN 01100835 [“In the event of a dispute people [who] were involved in the dispute would be taken away secretly.”]

1037 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A8, EN 01076883 [“When someone could not finish the work as planned, he or she was arrested and disappeared forever.”].

1038 **D3/4** Chin Sinal Written Record of Interview, 17 August 2010, A11, EN 00607236 [“we had medics who treated the patients with orange coloured fluid. I saw a few modern medicines from China with Chinese scripts on them. They also had their vitamin B12 known as rabbit pellet medicines. A number of patients were sent to Prey Chhor District Hospital for treatment. Some of them were recovered and returned to the dam worksite and some others disappeared. I know this from those who returned from that hospital. As far as I understood, a transfer of anyone for re-education means he or she is taken away for execution. Q: Did you ever witness any torture, abuse or the killing of any person? A: I had never witnessed such incidents. But I heard that a number of people from Kampong Siem disappeared at the dam. During the regime, I saw trucks transporting cakes to the dam worksite and when they left the worksite [...] they would transport people out. I heard that they took them for re-education at the rear battlefield and they disappeared forever.”]; **D117/52** Bum Se Written Record of Interview, 27 May 2014, A6, EN 01076883 [“[After the Southwest Zone group arrived], there were some changes such as food rations, which were reduced, and the living conditions were

more difficult. Some people became sick because of the shortage of food. When someone was sick and could not work, they were accused of feigning illness and laziness and were taken away and never returned.”].

1039 **D117/52** Bum Se Written Record of Interview, 27 May 2014, A18, 01076885 [“I often heard [Ao An] announce [...] the necessity of determining the identity of the enemy, such as former-government officers, capitalists, feudalists, and CIA and KGB agents as well.”].

1040 **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A5-9, EN 00607225-26 [“The battalion chief Sroeun made an order that all members from Angkor Ban commune should go to work at [Anlong Chrey] dam. [...] During that regime, I know clearly that if anyone fell sick he or she would be accused of having ideological illness or being lazy. The first incident did not matter. But if it repeated as the second or third incident the person would be arrested for execution.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A14, EN 01044585 [“They were more in favour of the old people than the new people, but anyone who made serious mistakes would be taken to be killed regardless of their being new or old people.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A160 and A170-171, EN 01179843-45 [“When anybody was found resting, they would be warned. After that, if they did not work hard, they were taken into the forest, meaning they were taken to be killed. [...] Q: You said that workers who did not work well were taken into the forest. Where was the forest? A: The forest was near Pa Khou Dam, about 100 metres from the dam. Q: How do you know that people were taken to be killed in the forest? Did you see this first-hand, or were you told about it? A: My wife told me this. During that time, she worked at the dam and slept on the dam. Her relatives told her to work hard or she would be taken to be killed”]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A16 and A18-19, EN 01100842 [“Q: At the dam worksite, did you see people being mistreated or killed? A: I heard that some people were taken away and killed quietly at night because they were accused of hiding some food such as salt, fish, and meat that their parents or relatives sent from the cooperatives for them to eat. [...] Most of the people who were taken away and killed were men. [...] I heard it from a person who worked in the unit with me that Cham people were taken away and killed. They were buried immediately. I never witnessed the killings personally.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A45-47 and A49, EN 01148843-44 [“There were Cham working at the sector dam. [...] Q: What happened to the Cham working at that dam? A: They completely disappeared, and only Khmer remained. Q: Do you know where they took those Cham? A: I only know they were killed, but I do not know where they took them. They maintained secrecy at the time. [...] Q: Did the unit chief say why the Cham were no longer there? A: The unit chief never mentioned that.”]; **D219/285** Ho Hoeun Written Record of Interview, 21 April 2015, A9, EN 01116058 [“I heard especially from my Unit Chief during the daily meeting that there were some Cham people who were sent in from Kang Meas district to work at the dam construction worksite. They were taken away and killed after they were accused of having failed to follow Angkar. I didn’t see them being taken away or killed”].

1041 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A4, EN 01046935 [“It was a very difficult site. They took people to be killed almost every single day.”].

1042 **D3/3** Boeu Tauch Written Record of Interview, 29 July 2010, A8 and A10-11, EN 00607230-31 [“An arrest and abuse was done in a secret way, I did not witness anything like that. I saw only the pits of the corpses. [...] I found the pits right after the fall of the regime. It was not at the time I was working at the dam. I found three pits in the area that I pointed out to you. The pits were about 10 metres apart from each other. They were each about 0.5 metres wide, 1.9 metres long and covered with earth that was eroded into a depression. The pits were beneath the Raing tree which is still standing there nowadays. About one year after I found the pits I was with a group of villagers who dug up the graves to look for gold. At that time, I saw pieces of clothing and human bones in the pits. There was at least one body in each pit. The piece of clothing I found was in multiple colours but they could not be identified. The villagers did not find any gold. I do not know who was buried there. The remains of the bodies were left in the pits and later was cleared for a rice paddy field. Q: You told us at the site of the pits that there were some other ones nearby, can you tell us about those please? A: I cannot identify the place because it is an open field now. There were two pits that were to the west of the ones that I showed you near the tree, they were about 700-800 metres away. Those two pits had similar characteristics to the tree pits I described above. They were not exhumed. I did not see any clothing or bones in those pits. At the time of the regime there were more bushes in that area and the land was used for dry season rice paddies.”].

1043 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A155-156, EN 01179842-43 [“Many people died and suffered there. [...] Many people died of sickness, such as fever and diarrhea. There was a

hall in which patients were laid on the ground. Some slept in the hall, some under the sun. I saw this first-hand. They did not have clean water like we do these days. They drank water from the pond near that place. The water was filthy.”]; **D3/5** Bao Troab Written Record of Interview, 18 August 2010, A8, EN 00607225 [“One day, the earth fell on one of the group members while she was carrying the soil. Her head was seriously injured. Later that day, I visited her at the Sector hospital and she died there in the evening on the same day.”]; **D5/1701/1** Lik Leng Civil Party Application Report, 2 March 2015, EN 01093286 [“Her son was forced to smash rock to make dam one meter cubic per day but the food ration provided was inadequate. He[r] son died of sickness in the absence of medicine.”].

1044 **D303** Written Record of Further Appearance, EN 01213487 and EN 01213489.

1045 See **VIII. National Crimes and Crimes Not Charged – Crimes under the 1956 Cambodian Penal Code: XI. Charges.**

1046 **D6.1.397** Wat Au Trakuon Site Identification Report, 30 June 2009, EN 00364805 [“Indication of the KR sector and zone: Central (old North) Zone Sector 41”]. EN 00364806 [“It is situated in the village of Sambaur Meas, Peam Chikang commune, Kang Meas district, Kampong Cham.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.42.05-10.44.58, EN 01431104 [“The [Au Trakuon] pagoda was located in Sambuor Meas Ka village, Peam Chi Kang commune, Kang Meas district.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.11.07-11.12.34, EN 01456491 [“it was about 2 kilometres away from the district office.”], 11.12.34-11.14.31, EN 01456492 [“The Au Trakuon pagoda] was located in Sambuor Meas Ka village.”]; **D219/847.1** Ao An DC-Cam Statement Transcript, 1 August 2011, EN 01373571 [“Q: What Zone was Kampong Cham called at that time? A: The North Zone.”], EN 01373572 [“Q: So when you arrived in Kampong Cham, what Sector did you take charge of? A: 41. [...] When they reorganized it later, they called it the Central Zone. They cut off that part from the North Zone.”], EN 01373587 [confirming that Sector 41 consisted of Prey Chhor district, Kang Meas district, Cheung Prey district, Bathcay district, and Kampong Siem district]; **D1.3.11.9** Chhean Heang OCP Statement, 1 August 2008, EN 00210418 [“O Trau Kuon [...] was a pagoda located in Sambo Meas village, Peam Chikan commune, Kang Meas district, part of Sector 41.”]; **D3/5.1** Bao Troab OCP Statement, 5 August 2008, EN 00210430 [“Kang Meas District Office was located in Peam Chi Kang village and commune. It was about 2 or 3 km from O Trau Kaun.”].

1047 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.36.33-09.38.40, EN 01406811 [“After my return [to Peam Chi Kang commune] in 1976, all monks were defrocked.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211165 [according to Chea Maly, the commune chief of Peam Chi Kang and former monk at Wat Au Trakuon: “The monks were disrobed in April 1976”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210432 [“I am currently chief of Peam Chi Kang commune, and have been since 1979. I left Wat O Trau Kuon in April 1976. At this time, I was moved to work in Prey Chhor district to work at the water station. [...] I was required to disrobe in April 1976 by the liberation army [...] It was through their authority that the monks were required to disrobe. [...] The head of the monks for the district and sector came to Wat O Trau Kuon and told us that we had been ordered to disrobe. I was part of the last group of 8 monks to be disrobed in April 1976. There had been more than 20 monks at the Wat, but they knew what would happen to them, so they disrobed themselves before being ordered to do so.”].

1048 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.36.33-09.38.40, EN 01406811-12 [“After my return [to Peam Chi Kang commune] in 1976, all monks were defrocked. [...] After monks had been defrocked, the pagoda was turned into a security centre to detain people.”]; **D6.1.192** Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242086 [“The subdistrict prison was closed after Nam was killed in 1976, and the District Security Office at Watt Au Trakuon began operations.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211165 [according to Chea Maly, the commune chief of Peam Chi Kang and native of that commune: “The monks were disrobed in April 1976 and it became a security center sometime later, perhaps in July or August 1976.”].

1049 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.22.25-09.24.45, EN 01406807 [“Horn was in charge of the security of Kang Meas district at the Au Trakuon pagoda called Moni Sarawan pagoda at Peam Chi Kang village in Kang Meas district.”], 11.04.55-11.08.08, EN 01406839 [“In fact the real name of the pagoda is Moni Sarawan; however, people living in the village have called this pagoda Au Trakuon pagoda.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A13, EN 01044617 [“Wat Ou Trakuon Pagoda was officially named Wat Monisaravoan Pagoda.”]; **D6.1.397** Wat Au Trakuon Site Identification Report, 30 June 2009, EN 00364806 [“Wat Au Trakuon, the official name being Mony

Saravoan, was used as a security/detention centre by the Khmer Rouge regime.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208395 [“Prison No. 2: Wat Otrokuon or Mony Salevoan was the security centre for Kong Meas district.”].

1050 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A57, EN 01035848 [“In Kang Meas District, there was only one security office; Wat Ou Trakuon security office.”].

1051 **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235517 [“They didn’t close [the subdistrict and district security offices] down until the fall of the Pol Pot regime, at which time they abandoned them.”].

1052 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.38.40-09.40.31, EN 01406812-13 [“During Khmer Rouge time, after Khmer Rouge created the security centre within the compound of the pagoda, the barbed wire fence was installed to cover the prison. But before that, there was no wall or any barbed wire fence. But, since the security centre was established, Au Trakuon pagoda had been enclosed with the barbed wire fence. [...] At the beginning when the security centre was created, people could walk close to the barbed wire fence. Later on in 1977, we were not allowed to walk past the road in front of the pagoda. Before that time, we could see prisoners inside the pagoda.”]; **D6.1.397** Wat Au Trakuon Site Identification Report, 30 June 2009, EN 00364806 [“The pagoda compound is approximately 170m x 200m bounded by a low concrete wall. The witness, Seng Srun stated that the wall was built since 1979 and that during the Khmer Rouge regime there was a high barbed wire fence in its place.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [describing what he saw when he was detained at Wat Au Trakuon in 1977: “The Wat was surrounded by barbwire.”].

1053 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A27, EN 01035845 [“as I remember, there was only one temple building [used to detain people], and the number of each prisoner intake was around fifty.”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“I could clearly see from my house while they were walking the prisoners through the pagoda gate. I saw with my eyes that they brought the prisoners into the temple which we can see now.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [the witness was detained at Wat Au Trakuon in 1977: “The temple was used as the prison.”]; **D6.1.397.8** Wat Au Trakuon Site Identification Report, Annex C: Plan of Wat Au Trakuon, 30 June 2009, EN 00364697 [see the ‘Main Temple Building’ across from the ‘Main Entrance’ on the southern side of the compound, as depicted in the diagram created by OCIJ investigators].

1054 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.55.17-13.57.19, EN 01456510 [“I saw them going to do the interrogation. But, I did not know what they were asking about. For instance, today, they took people out for questioning. So, I saw them going to the school. In my area, there was a school at that time. Now, the school is still functioning and students are studying there every day, and I am teaching my students in the very classroom which was used for interrogation during that period. But, I only saw prisoners being walked to that place.”]; **D219/702.1.85** Muy Vanny, T. 12 January 2016, 09.31.32-09.36.25, EN 01474907-08 [“It [the school building used for interrogations] was adjacent to the gate of the pagoda. [...] It is still located in the same place. There was a building within the compound of that school. [...] It bordered along the fence [of the pagoda], and it’s still in the same location, bordering the fence of the pagoda. [...] Yes, you are right [the school building was outside the pagoda].”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“The then elementary school, which was located in the east of the gate, was used as an interrogation facility.”]; **D6.1.397.8** Wat Au Trakuon Site Identification Report, Annex C: Plan of Wat Au Trakuon, 30 June 2009, EN 00364697 [see the ‘Former school building and Interrogation room’ east of the ‘Main Entrance’, as depicted in the diagram created by OCIJ investigators]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [“Prisoners were interrogated in one of the rooms of the school”].

1055 **D6.1.192** Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242087 [the witness, who lived in a house near Wat Au Trakuon during the DK regime, recalls: “Every day at dusk, from when the sky darkened until 10 or 11 at night, I heard them playing loudspeakers so they could kill people at a bamboo grove east of the pagoda.”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“The prisoners were taken to be killed at an approximately-three-hectare land situated in the east of the pagoda fence; [...] it was a place where the prisoners were killed and buried.”]; **D6.1.397** Wat Au Trakuon Site Identification Report, 30 June 2009, EN 00364806 [“The area immediately to the east of the pagoda compound is now a privately owned plantation of fruit trees and is thickly vegetated. Seng Srun stated that this area is approximately 3 hectares and was used by the Khmer Rouge as a killing and burial site for

prisoners from the security centre.”]. *But see* **D219.702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.19.55-11.23.30, EN 01406843-44 [“The plantation where pits were dug to bury the Cham people was located in front of, and to the north of the temple and there were two plantations that were used to bury the people who were executed. But, geographically, they were situated beside each other and they had fences, which were not of any significance, but were very simple. The fences were made of small trees and bamboo trees standing side by side. The Cham people were taken to be executed and buried in the pits in front of the temple in the northern plantation.”].

1056 **D325/2.1.9** List of photos [identifies what each of 14 photos relating to Wat Au Trakuon depicts]; **D325/2.1.10** Photo 1, P 00345936 [approach road to Wat Au Trakuon taken from the entrance facing south]; **D325/2.1.11** Photo 3, P 00345938 [south side of the main temple building]; **D325/2.1.12** Photo 4, P 00345939 [former primary school building used by KR as the interrogation building]; **D325/2.1.13** Photo 5, P 00345940 [Wat Au Trakuon compound from the south side of the main temple facing west]; **D325/2.1.14** Photo 6, P 00345941 [west side of the main temple building of Wat Au Trakuon]; **D325/2.1.15** Photo 8, P 00345943 [east side of the main temple building]; **D325/2.1.16** Photo 9, P 00345944 [east compound gate viewed from the east side of the main temple building]; **D325/2.1.17** Photo 10, P 00345945 [site of the former guards canteen]; **D325/2.1.18** Photo 11, P 00345946 [memorial stupa]; **D325/2.1.19** Photo #12, P 00345947 [monks’ current accommodation]; **D325/2.1.20** Photo 15, P 00345950 [east entrance to the pagoda with killing sites in the background]; **D325/2.1.21** Photo 18, P 00345953 [eastern side of the interrogation building: photo taken from the southeast corner of the compound]; **D325/2.1.22** Photo 19, P 00345954 [Wat Au Trakuon from the southwest corner of the compound facing east]; **D325/2.1.23** Photo 20, P 00345955 [Wat Au Trakuon from the southwest corner of the compound facing north].

1057 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.11.07-11.12.34, EN 01456491 [“Au Trakuon security centre was part of the district security.”]. 11.31.02-11.33.40, EN 01456500 [“At that time, the person was known as the district chief and his name was Kan.”]; **D219/702.1.85** Say Docun, T. 12 January 2016, 10.37.54-10.44.03, EN 02474927-29 [“Q: Who were the new cadres from the Southwest who took over as the Kang Meas district chief [...] ? A: It was Kan. [...] He was the district chief.”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.16.33-15.18.30, EN 01430907 [“To my knowledge, under the Khmer Rouge regime the [Kang Meas] district chief was Kan. He was sent from the Southwest to become a district chief in my area. [...] As to which year, I am not sure. I know that Kan came to chair meetings in Angkor Ban village, and he said that he was the district chief, and that he was assigned from the Southwest Zone. And he came to chair the meetings in 1977.”]. 15.46.28-15.48.01, EN 01142074 [“Regarding district chief, his name was Kan.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.51.35-09.54.40, EN 01406818 [“during the time that the previous cadres were all arrested, the Southwest cadres came to take control. [...] And within Kang Meas district, Kan had overall supervision of Kang Meas”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.16.20-10.19.44, EN 01431100 [“All people who lived in the cooperative were called to attend that meeting [at Damnak Svay] after the arrival of that Southwest group. [...] Q: Who chaired that meeting? A: It was Kan, the district secretary who was a Southwest person.”]; **D219/702.1.93** Him Man, T. 17 September 2015, 14.00.03-14.04.36, EN 01409261 [“Kan, the district chief agreed that I could be spared”]; **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.56.42-16.01.00, EN 01431692 [“Yes, I remember now [about the Kang Meas district secretary]. His name was Kan of Kang Meas district. [...] When I arrived, I saw he was already based at Kang Meas district.”] *confirming* **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A23, EN 01056217 [“Kan was Kang Meas District Secretary.”]; **D219/82** Riel Neang Written Record of Interview, 21 November 2014, A13, EN 01067800 [the witness, who lived in Angkor Ban 7 Village in Kang Meas District, recalls: “In late 1976, the Southwest cadres arrived there. Among them, Kan replaced Meas, who was the former District Committee, and Meas had replaced Sun”]; **D87** Chhean Heang Written Record of Interview, 26 August 2011, EN 00746826 [the witness, who worked in a mobile unit in Kang Meas District, recalls: “[The district chief] was Kan and [he] was from the southwest region.”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A2, EN 01044605 [the witness, who lived in Peam Chi Kang Commune during the DK regime, recalls: “the Southwest group arrived in my area in 1977. [...] I remember that Kan was Kang Meas District Secretary then.”]; **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251022 [the witness, who became a member of Peam Chi Kang Commune’s Long Sword Militia in 1977, recalls: “Kan, from the Southwest [was the District Com]. All the people knew him. They were very afraid of him.”]; **D6.1.190** Him Man Written Record of Interview, 11 August 2008, EN 00242090 [the witness, a farmer who lived in Peam Chi Kang

Commune during the DK regime, recalls: “The District Committee [Secretary] was Kan. I never spoke with him; I just saw him from a distance. Kan was responsible for the various decisions and orders.”; **D6.1.413** Hok Hoewn Written Record of Interview, 23 November 2008, EN 00251303 [the witness, who worked as a unit chief in Sambour Meas Ka Village, recalls: “Kan was the District Com until the regime ended.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A64, EN 01088544 [the Civil Party Applicant, who worked in a cooperative in Peam Chi Kang Village, recalls: “Ta Kan was the [Kang Meas] district committee chief.”]; **D219/402** Tuy Khuy Written Record of Interview, 4 July 2015, A8, EN 01147859 [“Kan, who was District Committee, assigned me to transport those seven people to Wat Ou Trakuon Pagoda.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210434 [the witness was a monk at Wat Au Trakuon until April 1976, then worked in Prey Chhor District, returning to Kang Meas District from 1978-1979: “Kan became chief of Kang Meas district at the end of 1976 or early 1977, and was chief until the end of the regime. Based on his accent, he came from Takco.”]; **D5/1611** Lim Morn Civil Party Application, 14 March 2014, EN 01192845 [the Applicant, who lived in Peam Chi Kang District until he was conscripted into the Khmer Rouge army in 1978, recalls: “The leaders during that regime included Kan, a local district committee”].

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Deputy Secretary of Kang Meas District: **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.51.35-09.54.40, EN 01406818 [“Kan had overall supervision of Kang Meas, and his wife’s name was Pheap, who was the deputy.”], 15.59.48-16.01.50, EN 01406910 [“Pheap, who was the deputy of the district and wife of Kan, was representing the commune. And Kan was the district secretary. Pheap was both the district deputy secretary and the Peam Chi Kang commune representative.”]. **Peam Chi Kang Commune Secretary:** **D219/702.1.85** Say Doeun, T. 12 January 2016, 10.37.54-10.44.03, EN 02474927-29 [“Q: And who was the cadre or who became the chief of Peam Chi Kang commune after the Southwest group arrived? A: Pheap, who was the wife of the district committee, became the new commune chief.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 15.59.48-16.01.50, EN 01406910 [“Pheap, who was the deputy of the district and wife of Kan, was representing the commune. And Kan was the district secretary. Pheap was both the district deputy secretary and the Peam Chi Kang commune representative.”]; **D6.1.700** Seng [Sen] Srun Written Record of Interview, 9 December 2009, A3, EN 00423722 [“Kan’s wife Pheap was the (Peam Chikang) Commune Chairperson”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A6, EN 01044616 [“My direct chairman was Doeun, and as far as I know, Doeun received orders from commune chairperson Khen, who later was replaced by Pheap, the wife of District Committee Kan.”], A10, EN 01044616 [“initially Khen was the commune chief and, later on, he was replaced by Neary Pheap.”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A15, EN 00506028 [“Kan’s wife named Pheap [...] was a sub-district committee. Kan and Pheap were from the southwest zone.”].

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D219/702.1.84 Muy Vanny, T. 11 January 2016, 10.18.05-10.20.43, EN 01456477 [“Horn was chief of security of Kang Meas district. [...] Yes, he was chief of security [at Wat Au Trakuon] and he was also chief of military at the district level.”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.16.33-15.18.30, EN 01430907 [“It was Horn who was in charge of the security in Au Trakuon pagoda, or Wat Au Trakuon.”], 15.20.25-15.22.06, EN 01430908 [“What I know was that Kan was the district chief, and Horn was in charge of the district security, and he was based right in the Wat Au Trakuon.”]; **D219/702.1.83** Seng Kuy, T. 10 September 2015, 09.38.26-09.41.03, EN 01431024 [“When Kan chaired the meeting, Horn was with him. And Horn was introduced by Kan that Horn was the chief of the district security centre. And Kan also said that Horn was also from the Southwest Zone.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.22.25-09.24.45, EN 01406807 [“Horn was in charge of the security of Kang Meas district at the Au Trakuon pagoda called Momi Sarawan pagoda at Peam Chi Kang village in Kang Meas district.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.53.46-10.54.52, EN 01431107 [“Since the beginning, when the Southwest group came to establish the [security centre at Au Trakuon pagoda], Horn was in charge up until 1979.”]; **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 15.02.30-15.04.14, EN 01409093 [“[Horn] worked in the compound of the pagoda, and he was the chief of that prison.”], 15.29.34-15.31.07, EN 01409103 [“one day, a representative from this Court came to ask me whether I was the security chief of Au Trakuon, and I said no, my name is Tay Koemhun. And based on what I heard people saying, the chief of the security there was Horn.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339935 [“Han was the security chairman of the Au Trakuon Pagoda.”]; **D117/58** Muy Vanny Written Record of Interview, 03 July 2014, A6, EN 01035842 [“Han was the chairman of security at Wat Ou Trakuon pagoda and was also the commander of district military.”], A37, EN 01035846 [“Yes, [Han] was from the Southwest,

but I did not know what province.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A17, EN 01044618 [“I remember that Han was the chairperson of Wat Ou Trakuon Security Office. He was from the Southwest. [...] To my knowledge, at the time Han was the chairman of Wat Ou Trakuon Security Office and he was also District Security Chairman.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251305 [“Han was the security chief [of the militia chief in the pagoda].”]; EN 00251307 [“I heard [Han, the security chief] was from the Southwest”]; **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251018 [“Han [was the chairman of the security unit].”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A30, EN 01111790 [“Han was the security office chairperson.”]; **D117/64** Thong Kim Khun Written Record of Interview, 04 August 2014, A2, EN 01044605 [“Han, who was from the Southwest.”]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210483 [“The district chief during those years was Kan, and the chief of security at O Trau Kuon was Han. Both of them came from Takeo.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210434 [“Comrade Han was District security chief. This was the same person who was the head of Wat O Trau Kuon prison.”].

1060 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A16, EN 01035843 [“Yes, [the Long Sword Group] was under the control of Han. This group was in charge of arresting the prisoners. I knew that the Long Sword Group was the group in charge of security not of the military.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251305 [“Q: Who was the militia chief in the pagoda? A: Han was the security chief. [...] They called it the Au Trakuon Pagoda Security Office.”]; **D76** Seng [Sen] Srun Written Record of Interview, 25 August 2011, A32, EN 00740716 [“It was Han [who supervised the Security Centre]. I think it was Han who ordered the killing. He was the Security Chief at the district level.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“The young executioners reported to Han, the prison chief.”].

1061 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A30, EN 01035845 [the witness, who worked at Wat Au Trakuon as bodyguard to the Chairman (Han), recalls: “Yes, sometimes [Han] went to meet the district committee member, Ta Kan.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251307 [“[Han] received orders from Comrade Kan.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210433-34 [“Han reported to the chief of the district. I was told by people that the security office was for this district [...] Kan was the district chief that Han reported to in 1978 that I referred to earlier.”].

1062 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.14.10-14.17.27, EN 01406875-76 [“And as for the security force members, there were about 10 of them, I knew Moeun and Bot and another one at Preaek Krabau village, but I cannot recall the name. Bot was deputy of Horn but later on he was arrested and killed by Horn. [...] Bot was killed and I asked Moeun about the killing of Bot and he said Horn had a love affair with a woman who was a daughter of a former minister. [...] Bot fell in love with that woman and Horn knew about it since Horn also fell in love with the same woman, so Horn killed Bot.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.28.50-14.32.30, EN 01456526-27 [“I only knew when Horn was away, the responsibility fell under Kuong and Bot. But as I said a while ago, Bot was later on killed and replaced by Kuong.”]; 15.46.16-15.49.58, EN 01456548-49 [“I learned about [the sexual offence committed by Bot] from the cook within the kitchen house. [...] The deputy chief Bot raped the female cook that I have just mentioned and another female confided in the female cook, who, later on, came to report on it to my boss, Horn. So, he assigned his people to arrest Bot, together with the female cook. Then, they both were taken away and executed.”]; **D219/702.1.85** Muy Vanny, T. 12 January 2016, 09.34.43-09.36.25, EN 01474908 [“Perhaps it was Bot or Kuong [who conducted the interrogations]. The two individuals were the deputies of Horn.”]; 09.36.25-09.37.48, EN 01474909 [“There were only two individuals, Bot and Kuong, who [conducted interrogations].”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A30, EN 01111790 [“Han was the security office chairperson. Bot was the interrogator.”].

1063 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.28.50-14.30.15, EN 01456526 [“I only knew when Horn was away, the responsibility fell under Kuong and Bot. But as I said a while ago, Bot was later on killed and replaced by Kuong.”]; **D219/702.1.85** Muy Vanny, T. 12 January 2016, 09.34.43-09.36.25, EN 01474908 [“Perhaps it was Bot or Kuong [who conducted the interrogations]. The two individuals were the deputies of Horn.”]; 09.36.25-09.37.48, EN 01474909 [“There were only two individuals, Bot and Kuong, who [conducted interrogations].”].

- 1064 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 10.14.17-10.16.38, EN 01456475 [“Yes, I worked for Horn, and you can say that I worked as a bodyguard for him.”], 11.15.58-11.18.28, EN 01456493 [“Yes [being a bodyguard also involved being a messenger].”], 15.26.45-15.28.56, EN 01456542 [“when I was asked to accompany him I will be told to get on the motorbike with him and to bring along the gun. And only at a later stage we were trained how to use the weapon, although I myself never fired a single shot. Q: Would it be fair for me to say that you weren’t really his bodyguard in the sense that you had to protect him, but that you were just a young boy who did jobs for him? A: Yes, that is correct.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A30, EN 01111790 [“There were three cooks (one female and two males).”].
- 1065 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A15, EN 01035843 [“Yes, that group [the Long Sword Unit] was the group of the security guards in the pagoda. There were five or six members in the group.”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A6, EN 01044606 [“The Long Sword group was the name of a militia unit of Peam Chi Kang Commune.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A5, EN 01044615 [“As I remember, the Long Sword group had its office in the commune office, which was about 1.5 kilometres away from the district office.”].
- 1066 **D219/702.1.85** Say Doeun, T. 12 January 2016, 11.28.11-11.30.55, EN 01474944 [“We [the 14 members of the Long Sword Unit] all were armed with swords.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.22.49-14.24.55, EN 01406879 [“Even though the members of the Long Sword Group didn’t carry any firearms, they had swords and knives.”]; **D219/702.1.89** Seng [Sen] Srun, T. 15 September 2015, 09.12.17-09.14.17, EN 01431076 [“the Long Sword Group members had long swords and they actually carried those swords behind their back”]; **D117/63** Say Doeun Written Record of Interview, 6 August 2014, A9, EN 01044598 [“They referred to us by this term [‘Long Sword’] because each of us used Japanese Samurai-like long swords issued to us by the commune.”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A6, EN 01044606 [“The Long Sword group was the name of a militia unit of Peam Chi Kang Commune. At the time, this group carried Long Samurai-like swords each time when [went] down to perform their work.”], A13, EN 01044610 [“They wore identical black uniforms, but the district military carried guns, and the commune militiamen held long swords.”].
- 1067 **D219/702.1.85** Say Doeun, T. 12 January 2016, 10.49.40-10.52.35, EN 01474932 [“Only after the arrival of the Southwest group was [the Long Sword Unit] established.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.12.58-14.14.10, EN 01406874 [“It was actually the Long Sword Group which was established in 1977”]; **D219/702.1.89** Seng [Sen] Srun, T. 15 September 2015, 09.21.35-09.23.52, EN 01431080 [“And I stated that the Long Sword Group was probably created in late 1976 or early 1977.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.14.12-10.16.20, EN 01431099 [“The Long Sword Group was established by the Southwest group after their arrival.”], 13.54.49-13.57.10, EN 01431131-32 [“[Prior to 1977] There were only militiamen who were discharging their functions within the commune; there were no Long Sword Group.”]. Chiefs of the Long Sword Group have been identified as Douen, Chay, Moeun and Thay while deputies have been identified as Tay Koemhun, An and Chap; **D219/702.1.85** Say Doeun, T. 12 January 2016, 13.53.14-13.54.52, EN 01474958 [“Yes, I was the chairman [of the Long Sword Unit]. [...] An was my deputy.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A3-4, EN 01044615 [“I think there were around 13 or 14 members in the group [...] I remember some, including Doeun who was group chairman. [...] His deputy An went to live in Kaoh Touch Village”], A6, EN 01044616 [“My direct chairman was Doeun, and as far as I know, Doeun received orders from commune chairperson Khen, who later was replaced by Pheap, the wife of District Committee Kan.”]; **D219/702.1.89** Seng [Sen] Srun, T. 15 September 2015, 09.20.46-09.21.35, EN 01431080 [“his name, let me repeat again, was Tay Koemhun. And he was deputy chief of the Long Sword Group.”]; **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235517 [“The chief [of the Long Sword militia] was named Chay, and [his] deputy was Tay Kim Horn.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A76, EN 01088545 [“There were two persons named Moeun. There was Moeun who was the Security Office Chairman and the other Moeun who was the chief of the security guards who went to arrest people.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339937 [“Thauy was a chairman of the Long Sword team; Chap was in charge after Thauy. To arrest somebody, Thauy ordered Chap to conduct the arrest. Thauy received orders from the Security Office and Thauy verbally ordered Chap to carry out orders on his behalf.”].

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D219.702.1.88 Seng [Sen] Srun, T. 14 September 2015, 10.32.50-10.36.38, EN 01406827 [“The Long Sword Group was established with a different role from that of the commune militia. When there was a plan for the arrest of people, in particular the New People or those mobile unit workers, the Long Sword Group would be deployed. And usually when the Long Sword Group was present, a large arrest would be made -- that is, for a group of people not just for one or two individuals. The arrest could be made of many people, from 10 to 20 and more. When the arrest was made of five people and more, the Long Sword Group would be sent out. And usually people would not even feel hungry when they saw the Long Sword Group coming because whenever they went, something happened and that’s the purpose of the establishment of the so-called Long Sword Group. [...] After they made the arrest, then they would accompany those arrestees to Au Trakuon pagoda.”], 14.12.58-14.14.10, EN 01406874-75 [“It was actually the Long Sword Group which was established in 1977, and who themselves were directly involved in going out to arrest people.”], 15.49.30-15.51.49, EN 01406906-07 [“Muy’s group or the Long Sword Group had different responsibilities. For the Long Sword Group, as I told the Chamber, was tasked to bring in the people who had been arrested. For example, New People called ‘75 People at the worksites were arrested. When five or six people were arrested at the worksites the members of Long Sword Group would be told to bring in those five or six people into the Au Trakuon pagoda. And the commune militia were responsible for the residents within villages in the commune. These are the responsibility for the two groups. The two groups actually did the same work. Only tasks were divided.”], 15.57.32-15.59.48, EN 01406909 [“This group [Long Sword Militia] went around and arrested the prisoners. The arrests would happen only when they had plans. And this group would go to worksites to conduct the arrests as well. And for the arrests within the commune, it would happen once in a while.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A16, EN 01035843 [“This group [Long Sword Militia] was in charge of arresting the prisoners.”]; **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251018 [“Q: What year did you join the militia? A: 1977. [...] Q: Were you in the long-sword team? A: Yes. I was in that team, but they divided the long-sword team into many teams which were responsible for various work. Q: Who arrested the people? A: The security unit.”]. *Note that Samrit Muy, Sak, and Moeun have all been identified as taking part in these tasks. See D6.1.192* Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242086 [“The militiamen who came to arrest us were commanded by Samrit Muy.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A48-50, EN 01088543 [“At that time, I noticed a commune militiaman named Sak always carrying a long sword. [...] Sak was tasked with transporting prisoners and delivering messages to the district level. [...] I know about this because when I had a break to have a meal, other people said Sak had just transported a horse cart of prisoners away.”], A76, EN 01088545 [“There were two persons named Moeun. There was Moeun who was the Security Office Chairman and the other Moeun who was the chief of the security guards who went to arrest people.”]; **D5/1610** Soy Kimheui Civil Party Application, 14 March 2014, EN 01192835-36 [“My older brother, Moeun, the chief of the transplanting unit during the Khmer Rouge regime, was taken to be killed at 11.00 [a.m.], after he finished transplanting the rice seedlings. His hands were tied up behind his back, and he was loaded onto a horse cart and taken by Sak to Ou Trakuon in 1978.”]; **D5/1611** Lim Mornng Civil Party Application, 14 March 2014, EN 01192845 [“Comrades Moeun and Sak were the ones who tied people up and took them away to Ou Trakuon.”];

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D219/702.1.85 Muy Vanny, T. 12 January 2016, 09.43.26-09.45.25, EN 01474913 [“They [the Long Sword Militia] were under the responsibility of Horn and his deputies.”]; **D219/702.1.85** Say Doeun, T. 12 January 2016, 15.24.09-15.25.23, EN 01474983-84 [“[Pheap] told us by herself that she went to have a meeting at the district level and she relayed the order to us.”], 11.00.28-11.03.02, EN 01474935 [“Yes, I am being truthful [when I testified that Kan gave arrest [orders] to me and other Long Sword Unit members]”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A16-17, EN 01035843-44 [“Yes, [the Long Sword Group] was under the control of Han. [...] As I knew, Han received the report from the commune about enemies to be arrested. So sometimes he himself went directly to cooperate with the security guards of the Long Sword Group and travelled to the commune to make arrests. But sometimes, they used the trick to tell all of the prisoners to come to the security office by themselves.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251305 [Han was the militia chief in the pagoda], EN 00251307 [“[Han] was the person who ordered the arrests. [...] He received orders from Comrade Kan.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A6, EN 01044616 [the witness was a member of the Long Sword group (see A1): “My direct chairman was Doeun, and as far as I know, Doeun received orders from commune chairperson Khen, who later was replaced by Pheap, the wife of District Committee Kan.”], A12,

- EN 01044617 [“Doeun, the Long Sword group chairman, received name lists of people to be arrested from the Commune Committee, who received them from the District Committee.”]; **D117/63** Say Doeun Written Record of Interview, 6 August 2014, A13, EN 01044598 [“When any problems arose [in the Long Sword Militia], I reported to Pheap.”]
- 1070 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A16-17, EN 01035843-44 [“Yes, [the Long Sword Group] was under the control of Han. [...] As I knew, Han received the report from the commune about enemies to be arrested. So sometimes he himself went directly to cooperate with the security guards of the Long Sword Group and travelled to the commune to make arrests.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251305 [Han was the militia chief in the pagoda], EN 00251307 [“[Han] was the person who ordered the arrests. [...] He received orders from Comrade Kan.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617 [the witness was a member of the Long Sword group (see A1): “Doeun, the Long Sword group chairman, received name lists of people to be arrested from the Commune Committee, who received them from the District Committee.”]
- 1071 **D219/702.1.85** Say Doeun, T. 12 January 2016, 11.04.48-11.07.02, EN 01474936 [“It was Pheap [who signed the arrest orders given to the Long Sword Unit].”], 14.09.24-14.12.13, EN 01474965 [“It was the wife of the district committee [who gave the verbal order to arrest Cham]. [...] Yes, I refer to [Pheap].”], 14.30.42-14.33.24, EN 01474972 [“Pheap instructed us to make arrest and although I was fearful, I simply followed the order to arrest.”], 15.21.37-15.24.09, EN 01474984 [“[Pheap] told us by herself that she went to have a meeting at the district level and she relayed the order to us.”], 14.30.42-14.33.24, EN 01474972 [“She [Pheap] had received the [arrest] order from her husband before she relayed it to us.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A6, EN 01044616 [“My direct chairman was Doeun, and as far as I know, Doeun received orders from commune chairperson Khen, who later was replaced by Pheap, the wife of District Committee Kan.”], A12, EN 01044617 [“Doeun, the Long Sword group chairman, received name lists of people to be arrested from the Commune Committee, who received them from the District Committee.”]
- 1072 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.14.10-14.17.27, EN 01406875 [“There were many members of the security forces involved in the [killing of the Cham]. Some members were young, namely 15 years old or 20 years old. [...] And when they were carrying guns, the gun nozzles actually touched the ground.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“The people who did the killing were young, maybe 16 or 17 years old. [...] The young executioners reported to Han, the prison chief. The security office recruited children of the local people and trained them how to kill. Han asked the unit chiefs to recruit them.”]
- 1073 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A30, EN 01111790 [“Two prisoners were sometimes ordered to help kill other prisoners. I remember only one prisoner named Da, who was the soldier who had quit the army. He died after the Khmer Rouge regime collapsed.”]
- 1074 **D76** Seng [Sen] Srun Written Record of Interview, 25 August 2011, A32, EN 00740716 [“Q: You mentioned about Wat O Trakuon Security Centre. Who supervised that Security Centre? Who ordered the arrest and the killing of people at that Security Centre? A: It was Han. I think it was Han who ordered the killing. He was the Security Chief at the district level.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“The young executioners reported to Han, the prison chief.”]
- 1075 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.04.38-10.15.34, EN 01406822-25 [“I recall An who was in charge of the sector actually convened a meeting at Wat Au Trakuon. Kan was there but he did not take a stand, and it was An who spoke during that meeting. [...] He spoke at length during the meeting. He spoke about cadres in the North Zone and accused them of being traitors. [...] The meeting that was held at Au Trakuon pagoda was actually held right inside the temple. It took place in west of the current main shrine building. At that time, there were many trees, including milk fruit trees giving shade inside the compound and the meeting took place on the west side of Au Trakuon pagoda’s main shrine building.”]; **D6.1.400** Samrit Muy Written Record of Interview, 20 October 2008, EN 00235508 [“in early 1977, they held a meeting at the Peam Stadium. All the villagers had to attend. The Sector Committee [Secretary] An and the District Committee [Secretary] Kan convened the meeting and told us to work hard for *Angkar*. Then they said that there were enemies among the people. After that meeting the arrests accelerated, both night and day.”]
- 1076 **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210487.

- 1077 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.07.19-10.10.47, EN 01406823 [“He also spoke about private plantation of vegetable at our house and that there was no prohibition for people to consume whatever vegetable that we had planted. [...] And he said he wanted people to eat food at our content and fill our stomach. But to us, we understood that it was a lie. [...] in fact, his real purpose was for us to report to him about those chiefs who banned us from eating vegetable that we planted. And actually, during the meeting, he also announced that if any chief or anyone in charge of the kitchen did not give us enough food to eat, then we should make a complaint to him. At the end of the meeting, three people actually came up to him to complain at Kan’s place in Peam Chi Kang. And they complained about unit chiefs in certain villages banning them from consuming the cassava or banana that they planted. [...] And upon their arrival at their respective houses, a horse cart actually came to their houses and arrested them, and sent them to Au Trakuon pagoda.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A19, EN 01088541 [“Ta An always went to villages and communes in order to speak with people. For example, in Wat Ni Krauth Pagoda in Peam Chi Kang Village, Ta An told the people to grow vegetables for their own consumption and store some of them in the warehouse. However, in fact, people could not eat even a bunch of bananas. If they saw people taking a bunch of bananas, they would take them to be killed. It meant that Ta An told people to eat crops so that those people would be taken to be killed.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211168 [“The bystander, who identifies himself as Seng Srun, says that Comrade An was Comrade Kan’s superior, but nobody knows where An went. Seng Srun says that An came to the Wat and held a meeting. An told them that if they weren’t getting enough food they should let him know which unit chiefs were responsible. However, the villagers who reported to An that they were not receiving enough food were arrested, not the unit chiefs that were denying them food. Seng Srun says that he would still recognize An.”].
- 1078 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.07.19-10.10.47, EN 01406823 [“At the end of the meeting, three people actually came up to him to complain at Kan’s place in Peam Chi Kang. And they complained about unit chiefs in certain villages banning them from consuming the cassava or banana that they planted. [...] And upon their arrival at their respective houses, a horse cart actually came to their houses and arrested them, and sent them to Au Trakuon pagoda.”]; **D6.1.700** Seng [Sen] Srun Written Record of Interview, 9 December 2009, A5, EN 00423722 [“At that time three people in the village, Din and Heng and leng reported to An that the village chairmen had not let them dig potatoes. After they reported to An, Din, Heng, and Teng were arrested and transported by horse cart to be killed in the (Au Trakuon) Pagoda. An implemented a cool policy in seeking out enemies. Anyone who complained was arrested.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211168 [“However, the villagers who reported to An that they were not receiving enough food were arrested, not the unit chiefs that were denying them food.”].
- 1079 **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A24, EN 01088541 [“Almost all the people who joined that meeting were killed because they believed in Ta An’s words [that they could grow their own vegetables without being punished]. Those people were arrested and taken to be killed. They did not die from disease.”], A26, EN 01088541 [“After listening to Ta An’s speech, they went to cut down and dig up the crops that they had grown to eat. Later, they all were taken to be killed at Au Trakuon”].
- 1080 *See IV. CPK Policies Relevant to the Case Against Ao An – Elimination of Enemies and Opposition to CPK Leadership.*
- 1081 *See the evidence cited in fn. 43.*
- 1082 **D219/702.1.87** You Vann, T. 14 January 2016, 14.28.05-14.30.23, EN 01438499 [“Q: Can you estimate how often these meetings would take place, specifically meetings attended by Prak Yut, Ta Mok, and Ta An? A: The meetings were held three to four times a month.”].
- 1083 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A25 and A29, EN 01056217 [“Grandfather An chaired a meeting at Sector 41 Office located in Prey Chhor district. [...] The meeting was held once a month every month in Prey Chhor district.”], A45, EN 01056219 [“Grandfather An gave the [arrest] orders during the monthly meetings.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286 [“At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting.”].
- 1084 **D219/702.1.87** You Vann, T. 14 January 2016, 15.22.45-15.25.57, EN 01438513-14 [“Q: So in other words, you are saying it wasn’t just people from Kampong Siem District [at Ao An’s monthly meetings]. It was people from the other districts in Sector 41: is that correct? A: Yes, that is correct. Q: Do you know whether

that included people from Kang Meas district? A: Yes, Kang Meas district was also within Sector 41 and, thus, it was within the authority of Ta An. [...] He only instructed us to make the lists and send the lists to the sector level. So I simply prepared the list as instructed and I did not know where the lists were taken to.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87 [“At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting. [Ao An] explained points to be recorded and emphasized the composition of the people, for example, Cham, Chinese, Yuon, former first and second lieutenants and so on ... I did not talk with others about the list I had developed previously. We just said to one another, ‘We will be busy with another list.’”].

1085 **D219/702.1.87** You Vann, T. 14 January 2016, 14.59.16-15.00.23, EN 01438505 [in Kampong Siem District: “They actually made a list of those people [to be purged], and I actually used a typewriter to sum up the names on the list. And that’s how it happened. [...] It was Prak Yut [who ordered me to make the list].”, 15.04.43-15.07.35, EN 01438507 [“The list was made based on the reports from village chiefs that sent to us so that reports indicated how many peoples [...] belonged to the three groups I mentioned earlier.”]; **D219/702.1.88** Seng [Sen] Srum, T. 14 September 2015, 10.41.47-10.43.55, EN 01406830-31 [in Cheung Prey District in mid-1977: “As for Nauy, the unit’s chief, he was from the same village that I was and I was rather close to him. He showed me a list of Cham people but he did not tell me what they [...] were going to do to those Cham people. There was a list showing the Cham people as one group and the Khmer people as another group. [...] Nauy received the instructions from the chief of sangkat or the chief of commune.”]; **D6.1.700** Seng [Sen] Srum Written Record of Interview, 9 December 2009, A8, EN 00423723 [“In 1976 unit chairman Nauy made a list of the Cham who worked in the Cheung Prey work site. About two or three months later, the Cham minority were arrested at once. Nauy said that [it] was upper echelon, but he did not say their names.”].

1086 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A44-45, EN 01056219 [“I received an order from Grandfather An to collect Cham people and Lon Nol soldiers. I did not know what happened to them eventually. [...] Grandfather An gave the orders during the monthly meetings. During the meetings, Grandfather An gave the same orders to other district secretaries.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A107, EN 01059299 [“Q: Who decided who was to be taken to the upper echelon? A: Ta An did, based on the list I generated. The list I prepared also mentioned backgrounds, ranks, and duties of those people. The first list he sent back to make arrests was of the most important people. The next list was of those whose rank was lower.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617 [“Doeun, the Long Sword group chairman, received name lists of people to be arrested from the Commune Committee, who received them from the District Committee. At first, only the new people who had made mistakes were arrested. Ethnic Cham people were also arrested.”].

1087 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A44-45, EN 01056219 [“I received an order from Grandfather An to collect Cham people and Lon Nol soldiers. I did not know what happened to them eventually. [...] Grandfather An gave the orders during the monthly meetings. During the meetings, Grandfather An gave the same orders to other district secretaries.”].

1088 *See VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Imprisonment – a) Unlawful Arrest and No Due Process* section below.

1089 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A32, EN 01111790 [“Kan, and two bodyguards paid visits to the security office many times in order to follow up the names of the prisoners who had been captured. Kan went to meet with Han in order to ask about the place where they arrested the prisoners to the security office.”]; **D6.1.413** Hok Hocun Written Record of Interview, 23 November 2008, EN 00251307 [“I heard he [Han] was from the Southwest. [...] He was the person who ordered the arrests. [...] He received orders from Comrade Kan.”]; **D6.1.399** Seng [Sen] Srum Written Record of Interview, 20 October 2008, EN 00235517 [“This arrest of the Cham people took place following the order from the district secretary, who was Kan, and he was the one who gave the order.”].

1090 **D6.1.413** Hok Hocun Written Record of Interview, 23 November 2008, EN 00251304-05 [“They welcomed [new people from Phnom Penh], and when they first arrived, they put them in the [Wat Au Trakuon] pagoda. [...] They told them to go study, meaning they arrested and killed them. [...] And they selected people in the village according to their biographies and took them along too. [...] Those people had been captains or majors in the military or had been commandos. [...] I don’t know why, but right away all the Cham were taken away. [...] They arrested them and brought them to the pagoda. [...] there were many Cham at Sach Saur Village, and they were all arrested. [...] They brought them all here [to the Au Trakuon Pagoda Security

Office.]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617 [“sometimes those to be arrested had been arrested by their unit chairperson who had tricked them by saying that they had to move to work at another place. But when they reached Wat Ou Trakuon Pagoda, they were immediately arrested by the cadres there.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 [“Before I was taken to be detained at that temple, around 20 prisoners who were the ethnic Cham were taken to be killed. They were told that they were [being] taken to other places.”]; **D219/862** Loep Srul Written Record of Interview, 8 November 2016, A57, EN 01373623 [“First, they [Cham Villagers in Angkor Ban Ti Muoy village] were asked to go together and they were told to go to live in a new place. [...] 100 families went there [to Wat Au Trakuon].”]; **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A29-30, EN 01374645 [“Yes, [Ke Pauk] did [give advice on how to arrest enemies in Sector 41]. [...] He did not use the term ‘arrest’; he used the term ‘to attend a study session’ which means arrest.”]; **D5/1840** Kong Phcarin Civil Party Application, 10 September 2015, EN 01235971 [“My father-in-law, Doeun Sunheng, was taken to be killed in a Wat Ou Trakuon Pagoda. They deceived him, saying that they were taking him to be educated.”].

1091 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.51.08-09.53.38, EN 01419031-32 [“The Khmer Rouge policies saying that when you dig out the grass, you had to dig all the roots, so when the parents were considered enemies, their children would have no chance of survival [...] the killing of children happened not only at Au Trakuon.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.31.01-14.35.17, EN 01406882 [“after a husband had been arrested, other family members would also be arrested. Women were too weak to resist.”], 14.33.14-14.35.17, EN 01406883 [“When there were arrests made, the whole family members were also arrested together with the spouse or the husband. The older people in the Cham families were also arrested.”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16, EN 00506029 [“I transported other 130 detainees whose hands were also tied up and connected to each other in line. [...] Most detainees were the 17 April people. One week later, I transported 80 children to Aur Trakuon. They were the children of the previous 130 detainees.”], A33, EN 00506032 [“In principle, if one person was killed, the whole family would also be killed.”]. See also **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219210-11, Ismail bin Abu Samas Interview [“In 1978 the Khmer Rouge announced that there were two thousand clandestine enemies within the subdistrict. [...] Several days later their cadres came and wrote down the names of every single Cham in the subdistrict. [...] Then they chose Cham men for killing first. Every night five or ten would be taken. [...] After the men had been rounded up they gathered up the women and children for killing.”].

1092 **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617 (*emphasis added*). See also **D219/702.1.85** Say Doeun, T. 12 January 2016, 14.05.48-14.07.50, EN 01474963 [“We were ordered to arrest those people and no reasons were given to us.”], 13.57.15-13.59.02, EN 01474959 [“I did not know the reason behind their plan. I simply followed the order to make arrest.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A172, EN01088552 [“When the Southwest cadres arrived, there were changes. For example, they accused and arrested people for no reason.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A17, EN 01111788 [“The only one reason that I can think of [for my arrest] was that they accused me of underestimating their cadre.”].

1093 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A10, EN 01111786-87 [“Two militiamen came to arrest me and tied my hands behind [my] back at around 0800. They carried me by a horse cart from the cooperative to Kang Meas District Office which was about three kilometres away from my cooperative. At the district office, the security guards who were Kan’s people questioned and tortured me by kicking me a few times. They accused me of underestimating their cadres. Those security guards were young, and they interrogated me for about three hours. Because they tied my hands behind my back, my blood could not circulate well. My arms swelled. Then they carried me by a bicycle from Kang Meas District Office to Wat Au Trakuon Security Office, which was about one kilometre away.”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16, EN 00506029 [“After tying [You and Seng] up, the soldiers kicked them to roll down toward the machine boat.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210470-71 [“In 1977, about a year before the fall of the regime, the Khmer Rouge accused me of stealing wood. [...] I was called up from my home and then walked to the place where the wood was stored. When I got there, the chhlop hit me. I was tied up near the riverside. A krama was used to tie my hands. I was hit in the back with bamboo sticks and kicked by the chhlop who had arrested me. I was then brought into the Wat.”]; **D5/1607** Gnim Khon Civil Party Application, 14 March 2014, EN 01195792 [“My third child, Chorn,

aged 12. climbed a palm tree to drink palm juice due to his hunger. He was arrested by the Khmer Rouge and was taken to au Trakuon at 9 a.m. Before he was arrested, he was seriously and mercilessly beaten. I was extremely upset by these incidents. During that regime, I saw and knew some of the perpetrators, like Phal, Sak, and Kan.”]

1094 **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235517 [“In 1977] While walking them [to the pagoda], I wanted those Chams to escape, but they seemed not aware of the death [awaiting them]; so they didn’t escape. This arrest of the Cham people took place following the order from the district secretary, who was Kan; and he was the one who gave the order.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“I lived in the house next to this one during the Khmer Rouge years. People who were taken to O Trau Kuon were walked through past the eating hall on the road that goes from the river to the Wat. Sometimes there were lines of 20 or 30 people tied up with strings being walked to the prison.”]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210482 [“We were not allowed to watch what happened after we arrived at the area next to the Wat. When I dropped off the Cham people I had driven, I saw Cham people walking through the gate to the Wat. That gate was about 700 metres from the Wat.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210488 [“This took place in August 1977. At that time, all the Cham in every village in my commune were gathered and arrested. [...] I was asked to lead 200 to 300 Cham and walk them to the O Trau Kuon temple. Female Cham people were just walked. The Cham men were handcuffed and beaten.”]; **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218503 [“In 1978 they told all the Cham ‘brothers and sisters’ to rest inside their homes since there was no need for them to work. [...] At 3 o’clock in the afternoon the Khmer Rouge began evacuating all the Cham throughout Kang Meas district. [...] Those who were regarded as being able-bodied enough to resist were tied up parrot-wing style. The women and children and the elderly were not bound. They walked in a long group, filling the roads, with security cadres on guard on both sides.”].

1095 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A10 and A42, EN 01111787 and EN 01111791.

1096 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 15.08.24-15.10.24, EN 01456535-36 [“they put a partition in the main temple, which was divided into two sections. Female prisoners were detained at one side where we could see them through windows. They did not receive as much attention as male prisoners. A barrier was set up behind the Buddha’s statue throne where female prisoners were detained. One section was used to keep female prisoners while the male prisoners were detained at the other side of the partition.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A20-21, EN 01035844 [“All the prisoners were placed in the temple and they locked the door. [...] They placed the female prisoners separately from the male prisoners. There was a wooden wall in front of the Buddha statue to divide them. The male prisoners’ legs were shackled and their cell front doors were locked.”]; **D6.1.192** Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242087 [“When we arrived at the Watt Au Trakuon Security Office, they separated the female villagers and pushed them into the temple building.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [“The temple was used as the prison. Half of the temple was used for female prisoners, and half for male. There were foot cuffs secured by iron bars. The bars were attached to the wall. After I was taken into the prison, I was put in foot cuffs.”].

1097 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.28.43-14.31.01, EN 01406881 [“There were no handcuffs during the regime, but their hands could be tied. However, there were shackles, and the shackles were used. People were detained in shackles in a row of 30 to 40 or 50.”], 15.13.02-15.16.27, EN 01406891 [“When I spoke about the people being cuffed I did not mean the handcuff, but I meant the shackled when they were in the temple. The side walls of the temple were having holes where they inserted the metal bar to shackle the detainees and they would lock the end side of the metal bar. No handcuffs were used during the regime. So when you mentioned handcuffs to me, that was not what I mentioned. I refer to the shackles and not the handcuffs, and of course I stay true to my conscience that what I saw were shackles but not handcuffs.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.31.02-11.33.40, EN 01456499 [“I saw people were being chained -- shackled in the main temple. Their ankles were shackled.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A18, EN 01111788 [“They shackled me day and night for about 20 days. At the time, my arms got swollen because the blood could not circulate well. Later on, they released me to work in daytime. I was tasked with cleaning the excrement and carrying the prisoners’ waste. But they shackled my feet at night.”]; **D5/1586** Chim Sarim Civil Party Application, 12 December 2013, EN 01195704-05 [“When the Pol Pot arrested me in 1977, they ordered me to work excessively. At that time,

they shackled my ankles and wrists at night. In the morning, they unlocked me and took me out to be beaten and interrogated. Then, they sent me to work heavily. For each meal, they gave each of us one ripe head of corn to be boiled to eat. Later, in 1979, I broke out of prison and went to live in Prey Boeng where I hid myself.”]. EN 01195706-07 [“I was detained in Ou Trakuon Security Office, accused of being one of Vietnam’s CIA agents.”].

1098 **D5/1488** Phann Chhan Civil Party Application, 19 March 2014, EN 01145605-06 [“They detained me there at Ou Trakuon office (Spean Yuon) for one year. During detention at Ou Trakuon office, they placed me aside, and detained me in a cell without shackling. They sent me outside to work”]; **D5/1586** Chim Sarim Civil Party Application, 12 December 2013, EN 01195704-05 [“When the Pol Pot arrested me in 1977, they ordered me to work excessively. At that time, they shackled my ankles and wrists at night. In the morning, they unlocked me and took me out to be beaten and interrogated. Then, they sent me to work heavily. [...] Later, in 1979, I broke out of prison and went to live in Prey Boeng where I hid myself.”]. EN 01195706-07 [“I was detained in Ou Trakuon Security Office, accused of being one of Vietnam’s CIA agents.”].

1099 **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.44.58-10.47.06, EN01431104 [“Those who were brought into that pagoda never returned. They were brought in, and disappeared. That’s all I know.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“Prisoners were rarely released from Wat O Trau Kuon - maybe 1 in a 100. I knew of a few others who were also released, but they are all dead now. When I was released [in 1977, about a year before the fall of the regime], the guards told me that I was lucky and that being released was a rare case. Local people knew that also.”].

1100 **D5/1488** Phann Chan Civil Party Application, 19 March 2014, EN 01145606 [“The Khmer Rouge delegated me a task to be responsible and look after those prisoners. One day, the prisoners sneaked out to escape, so they shot them to death. [...] They imprisoned me [at Wat Au Trakuon] for one year before they released me to return to live in the base.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210433 [“There was another survivor of the security center. The other person released went back to thank the guards for being released, and when he did that he was killed.”].

1101 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A42, EN 01111791 [“On one occasion Kan came to Wat Au Trakuon Security Office and called me to meet him whilst I was clearing the weeds to plant the sugar canes. [...] Then Kan told me that: in fact, my mistake was minor, but because my arms were so swollen due to their being tied, they referred me to Wat Au Trakuon Security Office. Actually they were about to release me when I was at the security office. At the time Kan told me that I could go back home [two years after April 1975].”]; **D117/58** Muy Vanny Written Record of Interview, 4 July 2014, A22, 01035844 [“Light offenders, like those who had stolen potatoes, were released after being detained for one or two months. But for the serious offenders, they were not released. They had to be killed at the place in front of the pagoda.”]; **D219/293** Cheam Peou Written Record of Interview, 04 May 2015, A52, EN 01111824 [“In approximately late 1976 or early 1977 [...] He was detained and suffered from starvation for about a month in Wat Au Trakuon Pagoda. Then my uncle, who lived in Boeng Trav, went to the security office and was able to secure his release.”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A10, EN 01148860 [“Once because they gave us too little food to eat, approximately 120 of us decided to escape from Anlong Ak Worksite to our homes. We were caught and sent to be detained at Wat Ou Ta Kuon Pagoda for one week. They asked who the ringleader was. We said that Nol was the group leader, and at that time he was still at Anlong Ak. After that, they took Nol to be killed. After we were detained at Wat Ou Ta Kuon Pagoda for one week, they sent us back to Anlong Ak Pagoda. We stayed and worked over there for many months before they sent us to work at Anlong Chrey Pagoda [around one year before liberation].”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210470 [“In 1977, about a year before the fall of the regime, the Khmer Rouge accused me of stealing wood, arrested me and held me in Wat O Trau Kuon prison for one day and night before I was released. This took place after the people with the accents from the Southwest had come here. The district chief at the time was Kan.”]. EN 00210472 [“My case was known to the village and commune chief. They told the security cadre that I was a good guy. Local people who worked at the eating hall by the riverside also told them that I was a good man and industrious. That is why I was released.”]; **D3/5.1** Bao Troab OCP Statement, 5 August 2008, EN 00210429 [“Phai was put in prison because she had gotten homesick and tried to leave work and run home. She was brought and tempered at the prison. She was released because she was a base person. A whole unit was released at the time. People who were 1975 people would not have been released. Phai told her that prisoners were locked up at night and made to work during the day [in 1977].”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN

- 00210433 [“There is one survivor from the security center, but a friend of mine has told me that he moved abroad. He had mental problems.”]; **D5/1598** Nai Mom Civil Party Application, 14 March 2014, EN 01170618 [“In 1977, my father was tied up and taken to Ou Trakuon. He was later released by a military man who had a friendly relationship with him. His entire body was full of marks from the rod to which he had been tied. He told me that he was tied up and taken to the edge of a pit. Then the military man with whom he had a friendly relationship came by horse and stopped him from being killed.”]; **D5/1488** Phann Chan Civil Party Application, 19 March 2014, EN 01145605-06 [“I was arrested and taken to Spean Yuon, which was near Peam Chi Kang market together with about another 20 people. They accused us of being spies for the American C.I.A. and they tied our hands behind our back. [...] They imprisoned me for one year before they released me to return to live in the base. Regarding the diet in the prison, we ate porridge as we did in the base.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [“A few prisoners were released. For instance, 9 female *kong chalat* were released. [...] One is still alive, Peng Hao who lives in Sampov Meas village.”].
- 1102 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.51.32-13.53.30, EN 01456508 [“If [prisoners arriving at Wat Au Trakuon] came by motorboat, 50 people or 100 people arrived at a time by boat.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A27-28, EN 01035845 [“Yes, as I remember, there was only one temple building [used to detain prisoners], and the number of each prisoner intake was around fifty. [...] I did not know clearly about [whether prisoners were taken in every day or every week] because I was not always at the pagoda.”].
- 1103 **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16, EN 00506029 [while the witness lived at the Office of Kang Meas District after the Southwest Zone cadres arrived (see A15): “we were instructed to transport detainees to [Au] Trakuon at night time. When our machine boat arrived in Aur Trakuon, the soldiers made a signal to allow us to dock there and unload the detainees, whose hands were tied up. I can recall that when I first transported 22 detainees who were group chiefs and village chiefs. On the machine boat, there were 4 militiamen guarding all along. I knew that those detainees were group chiefs and village chiefs because I used to distribute salt to them. I knew that next morning, all of those detainees detained in Aur Trakuon were all taken away and killed. I knew about that because Han and Dan who were the chiefs of Aur Trakuon Prison told me personally. Later on, I transported other 130 detainees whose hands were also tied up and connected to each other in line. [...] Most detainees were the 17 April people. One week later, I transported 80 children to Aur Trakuon. They were the children of the previous 130 detainees.”], A18, EN 00506030 [“One day, I transported 600 male adolescents from Kang Ta Neung to Aur Trakuon. We used two machine boats for transporting. In the same night, after finishing transporting all 600 adolescents, I returned and transported 400 adolescents from mobile units to Aur Trakuon as well. Before those male and female adolescents were called to get on the boats, there had been a meeting to announce that all 1,000 adolescents would be transported by 50 trucks waiting for them in Peam Chi Kang toward Prey Chhor. However, at the moment, they had to travel by boat to Peam Chi Kang before they continued by truck. At that time, I realized that all of them would be taken away and killed because there were no trucks waiting in Peam Chi Kang.”].
- 1104 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.36.33-09.38.40, EN 01406812 [“I saw the people being taken into the pagoda on a daily basis. Most people were taken inside the compound of the pagoda, but not out of the compound of the pagoda.”]; **D6.1.399** Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235517 [“They rounded up 300 Cham, children and adults, and put them along the road in front of the pagoda entrance. [...] After the arrest was completed, the Long Sword just disappeared, leaving my team of four persons to march the Cham to the security office in Au Tra-kuon pagoda.”].
- 1105 **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A9 and A11, EN 01044609 [“I came across an event one day in 1978. While I was walking to work, I accidentally saw the Khmer Rouge leading Cham people up from a boat which was anchored on the bank of the Mekong River into Wat Ou Trakuon Pagoda. I think there were about 500 Cham including men, women and children. Those Cham people had been sent from the upper areas, probably from different locales in Kampong Cham Province. I would say there were more than 500 people because the boat I saw was like a ferry. [...] Q: How did you know that those Cham would be sent to Wat Ou Trakuon Pagoda afterwards? A: Because that was the dock of Wat Ou Trakuon Pagoda.”].
- 1106 **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [“The temple was full of prisoners when I was taken inside. There were many people. There were many rows of prisoners. They were

- chained up right next to each other and very close together. Only 1 foot was cuffed. The iron bars extended all the way from one end of the temple to the other. Which I believe was over 20 metres wide.”]
- 1107 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A14, EN 01111787-88.
- 1108 *See* VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Extermination section below
- 1109 **D219/702.1.89** Samrit Muy, T. 15 September 2015, 14.18.40-14.20.12, EN01431141 [“while living with them in 1976, none of the Cham people there was killed; and only upon -- after the arrival of the Southwest group in 1977, all of them were rounded up and smashed.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“The amount of killing increased after the Southwest cadres arrived.”]; **D1.3.11.9** Chhean Heang OCP Statement, 1 August 2008, EN 00210418 [“Sreng was replaced as Sector 41 Chairman by someone from the Southwest. [...] There were less killings during Sreng’s time. After the arrival of the Southwest Zone cadres, more and more people were killed.”]. EN 00210419 [“The Southwest Zone people showed no mercy to the local people. Any minor mistake could cost you your life. They accused us of being disloyal to Angk[a]r.”]
- 1110 **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 11.25.48-11.27.17, EN 01409060 [“everybody knew that if people were called to go to Au Trakuon pagoda, it means their fate would be sealed there.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“Prisoners were rarely released from Wat O Trau Kuon - maybe 1 in a 100. I knew of a few others who were also released, but they are all dead now. When I was released [in 1977, about a year before the fall of the regime], the guards told me that I was lucky and that being released was a rare case. Local people knew that also.”]
- 1111 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.59.40-11.02.18, EN 01406837 [“For the young [Cham] children who could not climb the temple stairs, they were pushed up by the security forces in Au Trakuon pagoda. So, some of the children actually stumbled and fell while others were crying in the temple”]; **D219/462** Penh Chantha Written Record of Interview, 10 August 2015, A28, EN 01148863-64 [“I remember an event at Wat Ou Tra Kuon [after the Southwest group arrived], in which a man in his seventies was beaten with a hatchet right in front of me because he could not crawl up the main temple of the pagoda. He did not die immediately, and he was sent out of the prison at 7.00 p.m. that night.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210470-71 [“In 1977, about a year before the fall of the regime, the Khmer Rouge accused me of stealing wood. [...] When we arrived at the Wat, one of the young security forces kicked me from behind, and I fell forward and hit my head on the stone step.”]
- 1112 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.59.40-11.02.18, EN 01406837 [“After all the Cham had been collected, they were instructed to walk to the pagoda [...]. Before they were instructed to go into the temple, each of them was beaten with a metal bar in order to break them up and not to let them resist or rebel. However, only men were beaten, but women were not beaten. [...] Each man was beaten at the door of the temple.”]
- 1113 *See* the evidence cited in fn. 1096 above.
- 1114 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.28.43-14.31.01, EN 1406881 [“People were detained in shackles in a row of 30 to 40 or 50.”], 15.13.02-15.16.27, EN 01406891 [“The side walls of the temple were having holes where they inserted the metal bar to shackle the detainees and they would lock the end side of the metal bar.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.31.02-11.33.40, EN 01456499 [“I saw people were being chained -- shackled in the main temple. Their ankles were shackled.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339935 [“I knew [that the prisoners were shackled by the legs] because in the cooperative there were blacksmiths that made many shackles.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A79, EN 01088545 [“I learnt from four persons, three men and one woman, who were freed from that security office, that the people who were arrested and detained [at Wat Au Trakuon] were shackled in the same way as the people who were detained in [S-21] or Tuol Sleng Security Office”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A26, EN 00506031 [“When I entered that pagoda, I saw Vuth, former Kang Meas Commerce chairman being shackled. [...] I felt so sorry for him.”]; **D5/1586** Chim Sarim Civil Party Application, 12 December 2013, EN 01195704 [“When the Pol Pot arrested me in 1977, they ordered me to work excessively. At that time, they shackled my ankles and wrists at night.”]
- 1115 **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489-90 [“The killing pits were not dug by security but by the prisoners themselves. I know that because I asked Moeun about it and he told me that they used the prisoners, sometimes 20 or 30 a day, to dig the pits.”]; **D5/1586** Chim Sarim Civil Party

Application, 12 December 2013, EN 01195704 ["When the Pol Pot arrested me in 1977, they ordered me to work excessively. At that time, they shackled my ankles and wrists at night. In the morning, they unlocked me and took me out to be beaten and interrogated. Then, they sent me to work heavily."]; **D5/1488** Phann Chhan Civil Party Application, 19 March 2014, EN 01145605-06 ["They detained me there at Ou Trakuon office (Spean Yuon) for one year. During detention at Ou Trakuon office, they placed me aside, and detained me in a cell without shackling. They sent me outside to work, whilst the commune committee members or the ex-commissioned officers were shackled and not allowed to go outside."].

1116 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13-14, EN 01111787-88 ["during my imprisonment there for two months and 28 days [...] they forced me to collect and carry the prisoners' excrement. They did not give me enough to eat, and I even suffered from diseases as well."].

1117 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A18, EN 01111788.

1118 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.31.02-11.33.40, EN 01456499 ["The prisoners at Wat Au Trakuon] were given gruel made with morning glory or mixed with cassava. [...] Actually, they were given only a coconut-bowl of plain gruel each."]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A50, EN 01035848 ["The living conditions of the prisoners were so miserable. They ate porridge mixed with morning glory and potatoes. The food rations were not enough."]; **D6.1.986** Mat Touloh Written Record of Interview, 7 April 2010, A26, EN 00506031 ["All of those detainees were starved for three days. They were only allowed to have three spoons of watery gruel per meal."]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A14, EN 01111788 ["During three months whilst I was imprisoned there, I had very little to eat. I was emaciated."]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210470-71 ["In 1977, about a year before the fall of the regime. [...] The prisoners had nothing to eat. They were only provided thin corn porridge and morning glory. The morning glory came from the local lake. The meals were chopped morning glory and 8 grains of corn. They were only fed once or twice a day."]; **D5/1586** Chim Sarim Civil Party Application, 12 December 2013, EN 01195704-05 ["When the Pol Pot arrested me in 1977 [...] [f]or each meal, they gave each of us one ripe head of corn to be boiled to eat."]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 ["Prisoners at Wat Au Trakuon] were just served clear rice gruel with bindweed (*trakuon*), like pigs."].

1119 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A38 and A51, EN 01035846 and EN 01035848 ["I worked with Han for about five to six months and then the Khmer Rouge Regime collapsed. [...] Q: Were there any physicians in the security office? A: No, there were not."].

1120 **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471. *See also* EN 00210470-71 ["In 1977, about a year before the fall of the regime, the Khmer Rouge accused me of stealing wood, arrested me and held me in Wat O Trau Kuon prison for one day and night before I was released. This took place after the people with the accents from the Southwest had come here. [...] I did recognize 2 of the other prisoners [...] I believe they died. They were so weak they could barely talk when I saw them."].

1121 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A14, EN 01111788. *See also* **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210470-72 ["In 1977, about a year before the fall of the regime [...] One of them starved to death and was brought to be buried. I believe that the individual pits that were located around the Wat are likely to be people who starved, as when prisoners were killed it was usually in larger numbers."].

1122 **D219/702.1.89** Sanrit Muy, T. 15 September 2015, 10.44.58-10.47.06, EN 01431104 ["Those who were brought into that pagoda [Wat Au Trakuon] never returned. They were brought in, and disappeared. That's all I know."], 14.16.44-14.18.40, EN 01431140 ["People who left Phnom Penh in 1975 were taken to Au Trakuon pagoda. I was there and in fact those people were told that they were taken for study sessions and then they disappeared, then I knew in my heart that they were taken away and killed."], 15.21.02-15.24.00, EN 01431157 ["When the Cham people were arrested and placed into the pagoda, at night-time the music was played over the loudspeaker and the Cham people disappeared. And then they brought more people in. If the old ones had not been killed, there would not have been available space as both the Khmer and the Cham people were brought in on a daily basis."]; **D219/702.1.93** Him Man, T. 17 September 2015, 10.59.13-11.02.49, EN 01409237 [in Sach Sou Village, Kang Meas District: "Q: Can you inform the Chamber, what happened after the conclusion of that meeting: I mean what happened to the Cham people? A: People started to disappear, either individually or as a whole family and that happened continually. People kept disappearing."]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.48.07-14.49.35, EN 01430899 ["Since

that time. I have never seen them back, I mean those Cham people who had been living in the same village as me [Angkor Ban Village Two]. I have never seen even a single one.”]. 15.06.41-15.09.49, EN 01430903 [“in my village. New People came to settle from Phnom Penh, and there were about 10 families. And later on, they disappeared and never returned. And that happened in 1977, when they were told to work elsewhere, and they never returned. So, it was my conclusion that there was a purge going on in 1977.”]. 15.43.38-15.46.28, EN 01430919 [“There were New People evacuated from Phnom Penh, and about ten families were deposited to live in my village. And these New People disappeared from time to time, and no more New People from Phnom Penh in my village. And I think perhaps they had been taken away and killed.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 10.50.16-11.06.28, EN 01456488-89 [“Q: We were talking about the arrest of all the Cham members of your mobile unit [in Sdau Commune, Kang Meas District]. Did you ever see them thereafter, or they simply disappeared? A: At that time, they disappeared.”]. 15.01.38-15.02.59, EN 01456533 [“I only knew that people were detained there [at Wat Au Trakuon] for a few days and they disappeared. And when I asked the people, I was told that they were taken away and executed.”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A28, EN 01088542 [“A woman named Kheng Srim was freed from Au Trakuon Security Office and said many people were sent to that security office. Therefore, I concluded the people who disappeared from the village were sent to that Security Office.”]; **D219/870** Ry Nha Written Record of Interview, 10 November 2016, A15-16, EN 01373686 [“They arrested people in Kang Meas, but they did not let us know about it. The people were told to join a meeting or to go for education, but they never returned. Instead, the Southwest Zone cadres came to replace them. [...] I don’t know who did this, but I know that they were asked to join the meeting at the sector or zone. Then, they disappeared.”]; **D3/5.1** Bao Troab OCP Statement, 5 August 2008, EN 00210429 [“My uncle took people that were tied up to O Trau Kuon in an ox-cart, and delivered them there. He only did this once. He was asked to do it again, but refused because it had made him sick to do it. [...] He told me that he had transported a family of 4, parents and children. When they reached the commune office, they were tied up. [...] He never saw that family again.”]; **D1.3.11.46** Seng Kuy OCP statement, 7 August 2008, EN 00210482 [“I never saw the Cham people that I delivered to Wat O Trau Kuon again. I assume they were killed, because no one came back after they were sent there.”]; **D5/1611** Lim Mornj Civil Party Application, 14 March 2014, EN 01192844-45 [“My grandfather, Kuong, aged 60, was a fisherman during the Lon Nol regime. During the Khmer Rouge regime, he was assigned to do handicrafts, such as bamboo baskets and ploughs. He was taken away from Peam Knung to Ou Trakuon in 1978. He has disappeared ever since.”]; **D5/1612** Chory Choreb Civil Party Application, 14 March 2014, EN 01145669 [“My husband was separated from me; he was assigned to plough and do farming. Later on, he was arrested at a paddy field, circa 1977. At that time, two or three militiamen in black suits tied his hands behind him and sent him to Ou Trakuon Office on a horse-drawn carriage. The person who arrested him was Moeun [...]. My husband disappeared. I understood clearly that he had been taken away to be killed.”], EN 01145669 [“My younger brother, aged 25, who [was] working in a mobile unit, caused a papaya tree at Paoy Kob Chkac to collapse on a person named Sophea. He was arrested and taken to Ou Trakuon at 3 p.m. and has disappeared ever since. His hands were tied behind his back, and he was taken away on a horse-drawn carriage. The person who arrested him was Din, a dining hall chairman.”]; **D5/1613** Huon Heng Civil Party Application, 14 March 2014, EN 01152384-85 [“My husband, Eng Meng Leng, was a teacher during the Lon Nol regime in Ou Dar, Prey Totueng. [...] In 1978, because of jealousy, some local people accused my husband of being a capitalist and a feudalist. At 2 a.m. he was arrested, tied up, and loaded onto a horse cart headed for Ou Trakuon, which was a security office, and disappeared forever.”].

¹¹²³ See VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Imprisonment – a) Unlawful Arrest and No Due Process section.

¹¹²⁴ **D117/59** Ben Muy Written Record of Interview, 23 July 2009, A36, EN 01031712 [“It was approximately one month after they made the biography [that the Cham and Chinese people disappeared]. Then base people were also frightened.”]; **D5/1612** Chory Choreb Civil Party Application, 14 March 2014, EN 01145669 [after her husband was arrested by militiamen in 1977 and sent to Wat Au Trakuon: “My husband disappeared. I understood clearly that he had been taken away to be killed. I carried earth without rest because I was afraid of being taken [to be killed].”]. See also the testimony of You Vann, who was a member of the Ro’ Ang Commune Committee working under Prak Yut in Kampong Siem District. Even she, a DK official, was afraid to ask questions about what happened to people who disappeared: **D219/702.1.87** You Vann, T. 14 January 2016, 14.06.37-14.08.41, EN 01438491 [“I did not know much about that [what happened to people

- who disappeared]. During the regime, I was very careful with what I said; I had to be vigilant about my own life and I heard that they were taken to the upper level and later they disappeared, but I didn't know what happened."], 14.20.45-14.23.05, EN 01438496 ["I did not know what happened to them. I only knew that they disappeared and I did not dare to say anything about that because I was concerned for my own safety."].
- 1123 **D219/702.1.93** Him Man, T. 17 September 2015, 11.02.49-11.04.48, EN 01409238.
- 1126 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.55.17-13.57.19, EN 01456510 ["I saw them going to do the interrogation. But I did not know what they were asking about. For instance, today, they took people out for questioning. So, I saw them going to the school."]; **D219/702.1.85** Muy Vanny, T. 12 January 2016, 09.31.32-09.36.25, EN 01474907-08 ["[The school building used for interrogations] was adjacent to the gate of the pagoda. [...] It is still located in the same place. There was a building within the compound of that school. [...] It bordered along the fence [of the pagoda], and it's still in the same location, bordering the fence of the pagoda. [...] Yes, you are right [the school building was outside the pagoda]."]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A25, EN 01035845 ["The prisoners were taken from the temple to be interrogated in a school nearby. When the interrogation started, the prisoners were tortured and threatened."]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [the witness, who lived in a house near Wat Au Trakuon during the DK regime, recalls: "The then elementary school, which was located in the east of the gate, was used as an interrogation facility."]; **D6.1.397.8** Wat Au Trakuon Site Identification Report, Annex C: Plan of Wat Au Trakuon, 30 June 2009, EN 00364797 [see the 'Former school building and Interrogation room' near the 'Main Entrance', as depicted in the diagram created by OCIJ investigators]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 ["Prisoners were interrogated in one of the rooms of the school"].
- 1127 **D219/702.1.85** Muy Vanny, T. 12 January 2016, 09.36.25-09.37.48, EN 01474909 ["There were only two individuals, Bot and Kuong, who [conducted interrogations]."]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A30, EN 01111790 ["Han was the security office chairperson, Bot was the interrogator."].
- 1128 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A29, EN 01111790 ["They questioned the prisoners to find out about their associates, who their subordinates were and about their network in the village."]; **D5/1488** Phann Chhan Civil Party Application, 19 March 2014, EN 01145606 ["During interrogation, they always tortured the detainees to get the answer who they worked for, but those victims still answered that they did not know."].
- 1129 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A25, EN 01035845 ["Well, the deputy of the security office named Kuong was the interrogator. The prisoners were taken from the temple to be interrogated in a school nearby. When interrogation started, the prisoners were tortured and threatened. Some prisoners were given electric shocks"]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A27-28, EN 00506031 ["I did not see [security guards torturing detainees] personally. I was also invited to watch it but I refused. I learned about the torturing on detainees from Han and Dan. [...] I was invited to help them hitting the detainees but I refused."]; **D5/1586** Chim Sarim Civil Party Application, 12 December 2013, EN 01195704 ["At that time, they shackled my ankles and wrists at night. In the morning, they unlocked me and took me out to be beaten and interrogated [in 1977]."]. *But see contra* **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.55.50-14.58.05, EN 01456531 ["I knew that interrogation location but I did not know about the interrogation itself."].
- 1130 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13-14, EN 01111787 ["Other prisoners were also tortured. They were tied and their feet were hung upwards. [...] I would like to confirm that I saw the events when the prisoners were being tied up and tortured."].
- 1131 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A29, EN 01111790 ["I became aware of this whilst they were questioning prisoners, and they ordered me to help hold up the prisoners who could not stand up and walk. They called me to help support those prisoners to walk back to the temple."].
- 1132 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 ["Some prisoners died during the interrogation."], A23, EN 01111789 ["Whilst they ordered me to carry the excrement I observed that they interrogated four or five prisoners again. But only two or three of them were spared. The others died during that interrogation after they were tortured badly. The prisoners died during the interrogation because they did not confess. They were tortured to death."].
- 1133 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A29, EN 01111790 ["They would keep their notes in writing."].

- 1134 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A23, EN 01111789 [“Those who confessed and gave the names of other people to them could survive.”], A25, EN 01111789 [“They let any prisoners who cooperated with them to live longer so that they could be interrogated. The interrogation would even last for six to seven days more. Sometimes, they even gave good food to those prisoners to eat for the sake of their cooperation to provide the names of other people to them.”].
- 1135 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A23 and A26, EN 01111789 [“Those people whose names were given earlier in their confession would also be arrested and killed later. [...] After they questioned these five cadres they received the names of those cadres’ work mates or subordinates. They [the security guards] would go to arrest those people to be imprisoned at the security office continuously.”].
- 1136 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 13.42.40-13.45.00, EN 01406862 [“[Mocun] told about everything that had taken place in that particular place [Wat Au Trakuon]. He even told me about rapes of pretty women, who were New People, before the victims were executed. He also said that those women were stripped of their clothes and raped before they were slain.”].
- 1137 **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.44.58-10.51.28, EN 01431105-06 [“Whenever they wanted to kill people they would bring people into the pagoda and the loud music would be played. [...] I would hear the loud music being played over the loud speaker once in every three, four or five days. [...] The music would be played for one or two hours. [...] I would hear the screaming for help during the time that the loud music was being played.”]; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251309 [“Q: Were you able to hear the screams of the victims while the loudspeakers played? A: Yes! I heard.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [“Loudspeakers would be switched on during the killing, but people could still hear the voices of the sufferers.”].
- 1138 **D219/702.1.91** Tay Kocmlun, T. 16 September 2015, 10.01.45-10.03.22, EN 01409035 [the witness went to Wat Au Trakuon in 1979 when the pagoda was being rebuilt and refurbished: “I did not look inside the pit since its stench was rather strong. [...] It was the stench of corpses.”]. See also **D219/702.1.93** Him Man, T. 17 September 2015, 13.57.29-14.00.03, EN 01409259 [the Civil Party, who hid near the pits at Wat Au Trakuon for almost four months, recalled: “Sometimes I could smell the stench, bad smells. Somehow, the stench turned sweet. My nose could no longer make a distinction anymore.”].
- 1139 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.18.24-11.23.30, EN 01406843 [“Cham people were killed in front of the pagoda. In the former regime that area was the Areca nut, mango or lemon plantation. For Cham people, large pits, each of which was about 10 square meters, were dug because there were many of them. One pit can fit 70 or 80 people. When I was going out to climb the palm tree, I saw five large pits lying close to each other. [...] The plantation where pits were dug to bury the Cham people was located in front of, and to the north of the temple”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A9, EN 01044608 [“The killing field was called ‘Prey Sla’, which was about 100 metres east of the temple [in 1978].”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A28, EN 01111790 [“According to my observation [about two years after April 1975], prisoners were brought into the security office by horse and ox carts. But when they killed them they walked them in queues to the east of Wat Au Trakuon Security Office. After the Khmer Rouge regime collapsed, I saw pits located about 100 metres to the east of that Wat Au Trakuon Pagoda.”]; **D6.1.192** Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242087 [“Every day at dusk, from when the sky darkened until 10 or 11 at night, I heard them playing loudspeakers so they could kill people at a bamboo grove east of the pagoda. I never personally saw them kill, but I heard what happened every night from November 1976 until January 1979, and after the Vietnamese soldiers came I saw many grave pits at that bamboo grove. The highest numbers of killings were in 1977. Most of the victims were new people, but in September 1977 many Cham were killed.”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“The prisoners were taken to be killed at an approximately-three-hectare land situated in the east of the pagoda fence [...] it was a place where the prisoners were killed and buried.”]. See regarding the location of the pits: **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.19.55-11.23.30, EN 01406843-44 [“The plantation where pits were dug to bury the Cham people was located in front of, and to the north of the temple and there were two plantations that were used to bury the people who were executed. But, geographically, they were situated beside each other and they had fences, which were not of any significance, but were very

simple. The fences were made of small trees and bamboo trees standing side by side. The Cham people were taken to be executed and buried in the pits in front of the temple in the northern plantation.”].

1140 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A35, EN 01035846 [“Yes. I saw killings two or three times, but not so often. The prisoners were sent to be killed in groups of about ten people. Each prisoner’s hands were tied to their back and their face was covered; and then the Khmer Rouge sent them to the front of the pagoda which was about 200 meters away. There was an already-dug pit. When they reached the pit, they beat the prisoners with a cart axle and dropped the bodies into that pit. The prisoners were men, women and children. Before dying, the prisoners shouted for help. Initially, I heard that the Khmer Rouge had used megaphones to play a sound in order to cover up the prisoners’ screams. But when I saw those killings, there was no megaphone because the number of people to be killed was small.”]. See also **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A29, EN 00506031 [“Ycs. [Han and Dan] said that they killed the detainees by hitting from behind the head with the iron axis.”].

1141 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A35, EN 01035846 [“Yes. I saw killings two or three times, but not so often. The prisoners were sent to be killed in groups of about ten people. Each prisoner’s hands were tied to their back and their face was covered; and then the Khmer Rouge sent them to the front of the pagoda which was about 200 meters away. There was an already-dug pit. When they reached the pit, they beat the prisoners with a cart axle and dropped the bodies into that pit. The prisoners were men, women and children. Before dying, the prisoners shouted for help.”].

1142 **D219/702.1.93** Him Man, T. 17 September 2015, 11.22.37-11.25.17, EN 01409244-45 [“I knew that we were rounded up by them and that we would fall into death trap and then I discussed with my wife what we were going to do in order to survive. So, within the group, I was walking ahead of other people so that the Khmer Rouge people would think that I was heading for the pit. And then I met a person from the sector and he asked me where I was heading. I then told him that I was searching for my cattle. I called my wife to come along quickly because we had to rush to find our cattle [...] luckily the person told me that he had seen a cow -- rather brown colour cow at the back of a house where I was heading, and then I was happy as I knew that I would survive. However, we could not leave the outskirts, of the village yet as I observed that there were armed people situated along the edge of the village so we hid ourselves in a small bush. Luckily, they did not see us. And, at that time, I was about 50 metres away from them, and it was around 3 p.m. in the afternoon and then we were hiding ourselves in the bushes.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.15.45-11.18.24, EN 01406843 [“Generally speaking, only two out of all the Cham people, who had been arrested in Peam Chi Kang commune, could escape and they were from Sach Sou. They fled to the lake.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 16.04.29, EN 01431174 [“In short, the Cham people in Sach Sou had all been arrested; only one could flee. A man by the name of Man and -- together with his wife fled by hiding themselves in a lake at the time.”]; **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218503, Him Man Interview [“I walked quickly with my wife to the head of the crowd. I knew they were going to kill us so I was going to run away if I could. About 100 meters before we got to the Wat O Trakuon I told my wife my plan. She agreed. When the guard was careless on his watch my wife and I ran off. They did not notice us go at all. We hid in a clump of bamboo.”].

1143 **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218503, Him Man Interview. See also **D219/702.1.93** Him Man, T. 17 September 2015, 11.28.14-11.32.01, EN 01409246-47 [“I was lying in the bush and I remained there until it became dark and maybe it was around 7 o’clock at night, then the Cham people -- they started to kill the Cham people and why could I say that; because the place where I was hiding was about 100 metres away from the pit where they were killing the Cham people. I heard screams, I was lying in the bushes with my wife and we heard the screams. We even heard the sound from people being hit. We heard people screaming to Allah for help. They screamed, ‘O Allah, my Lord.’ And usually other people who were non-Muslims would not make such a scream, but only my relatives, my parents, my villagers, my neighbours, the Cham people whom they had rounded up at the same time as mine would pray to Allah. I was there hiding in the bush because I could not escape from the village since there was another layer of the Khmer Rouge guarding the village.”].

1144 **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A18, EN 00506030 [“One day, I transported 600 male adolescents from Kang Ta Neung to Aur Trakuon. We used two machine boats for transporting. In the same night, after finishing transporting all 600 adolescents, I returned and transported 400 adolescents from mobile units to Aur Trakuon as well.”].

- 1145 **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A18, EN 00506030 [“Before those male and female adolescents were called to get on the boats, there had been a meeting to announce that all 1,000 adolescents would be transported by 50 trucks waiting for them in Peam Chi Kang toward Prey Chhor. However, at the moment, they had to travel by boat to Peam Chi Kang before they continued by truck. At that time, I realized that all of them would be taken away and killed because there were no trucks waiting in Peam Chi Kang.”].
- 1146 **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A18, EN 00506030 [“When we arrived in Aur Trakuon, the soldiers call 10 of them at a time to get off the boats, walked them to a concrete house on the river bank near Aur Trakuon Pagoda, tied them up and walked them away through [the] back door. Then another 10 people were brought in. They did the same thing until they finished with them all. I was personally told to hide myself on the roof of the boat to avoid being arrested by mistake.”].
- 1147 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.09.45-14.12.58, EN 01406873 [“[Mocun] spoke to me because I climbed palm trees not far from where he climbed. And usually, sometimes when we rested, then we chit-chatted. And sometimes, I wanted to know what was going on inside and I asked him questions. Because we were friends, he would not mind me asking him questions.”]. 14.14.10-14.17.27, EN 01406875-77 [“As for the executioners, they were skilled and actually competing amongst themselves. If they killed more, then they would be selected to be in charge of a unit, for instance.”].
- 1148 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.14.10-14.17.27, EN 01406875-77 [“There was a case that I heard that within an hour one young member, who was about 20 years old, actually killed 70 people, and that was the record.”].
- 1149 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.13.10-11.15.45, EN 01406841-42.
- 1150 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.49.50-10.51.55, EN 01406833-34 [“The Long Sword Group was divided into smaller groups and they headed to various villages where the Cham people resided and by about 7.00 or 8 o’clock that evening, all the Cham within the commune had been arrested. [...] Every Cham person had been arrested by that time including children”. 11.34.53-11.38.33, EN 01406849-50 [“In 1977 -- and by that year my uncle had nine children, eight of whom were arrested and in fact his other child was hidden by the unit chief [...]. They actually lived in Damnak Chrey village and the[y] arrested the children and the wife were transported to Wat Au Trakuon pagoda. One of his children, it could be the third or the fourth whose name I cannot recall, actually fell off the horse cart and in fact he was tied and they did not stop the horse cart to pick him up but he was dragged along behind the horse cart until they reached Au Trakuon pagoda. People saw it and it was rather tragic but nobody dared do anything, everybody minded his or her own business.”], 14.33.14-14.35.17, EN 01406883 [“When there were arrests made, the whole family members were also arrested together with the spouse or the husband.”], 14.38.16-15.04.22, EN 01406885 [“all members within the family would be arrested. Young children, baby, older people, everyone from the -- within the family were arrested.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.10.12-10.12.23, EN 01431098 [“I saw all the Cham people including young children were being walked. No one was left behind.”], 11.26.16-11.30.46, EN 01431118-20 [“When I returned from my work and while I was having my gruel, I saw people being transported or walked, including young children. However I saw the event from a distance and I did not know where those people had been taken from. [...] I saw the events with my own eyes. All the people could see it. Sometimes during meal time at noon, while we were having gruel, we saw those people being transported and I could see young children, I could see pregnant women, they were all taken into the pagoda and surely if such event was happening during the time, at night time the loudspeaker would be played.”], 15.21.02-15.24.00, EN 01431157 [“I already testified to the effect. My house was 200 metres from the pagoda and people were arrested, including pregnant women and young children. And by night-time, the music was played over the loudspeaker, and I knew in my head back then that people were being killed. I also mentioned already the sound of people screaming.”], 15.58.55-16.01.00, EN 01431172 [“from 1977 to 1979, Actually, not only the Cham people were killed, but also the Khmer people. After the execution of the Cham people, all types of the Khmer people including pregnant women and small children were taken to be killed. The execution took place on a daily basis.”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.34.37-14.37.18, EN 01430895 [“Yes, their hands were tied to string and as for children, young children their hands were not tied, four or three years old children.”], 15.40.02-15.42.14, EN 01430917 [“Children, small children, were thrown onto ox carts, and for older Cham people, they were pushed onto the ox carts.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A71-72, EN 01035850 [“When I worked with Han [for about five to six months before the Khmer Rouge Regime collapsed] [...] The parents

of Cham children were taken to be killed first and then they arrested the children to be killed.”]; **D117/63** Say Doeun Written Record of Interview, 6 August 2014, A34, EN 01044602 [“For Lon Nol soldiers and new people, only men were arrested. [As] for the Cham [people] men, women, and children were arrested.”]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A9, EN 01044609 [“I came across an event one day in 1978. While I was walking to work, I accidentally saw the Khmer Rouge leading Cham people up from a boat which was anchored on the bank of the Mekong River into Wat Ou Trakuon Pagoda. I think there were about 500 Cham including men, women and children.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 [“Those prisoners were both male and female, including children who were all ethnic Cham.”]; **D6.1.414** Tay Koenlum Written Record of Interview, 24 November 2008, EN 00251013-16 [“I was forced to join the revolution while I was plowing ground in 1977 [...] I knew some of the prisoners. [...] There was Thol, my adopted older brother, and there was Lim Srun, my cousin. Both of them were arrested along with their entire families, including the wives and children. [...] There were small children [prisoners]. All the people saw this, because there were hundreds of them there at mealtime.”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16 and A18, EN 00506029-30 [“Most detainees were the 17 April people. One week later, I transported 80 children to Aur Trakuon. They were the children of the previous 130 detainees. [...] One day, I transported 600 male adolescents from Kang Ta Neung to Aur Trakuon. We used two machine boats for transporting. In the same night, after finishing transporting all 600 adolescents, I returned and transported 400 adolescents from mobile units to Aur Trakuon as well.”]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210481-82 [“I believe this was around mid-1977 [...] The people arrested were women and children [...] The Cham woman and children that I was asked to take to O Trau Kuon were all the Cham who were left in my village, so there were no Cham left after that day.”]; **D3/5.1** Bao Troab OCP Statement, 5 August 2008, EN 00210429 [“My uncle took people that were tied up to O Trau Kuon in an ox-cart, and delivered them there. He only did this once. [...] He told me that he had transported a family of 4, parents and children. When they reached the commune office, they were tied up.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219209, Amin Maryam Interview [“In 1978 they started taking measures to destroy the Cham, every last one. I saw this purge with my own eyes when they sent me to Wat O Trakuon. They arrested me because I had left my unit to go get a sleeping mat from home. After one night at O Trakuon pagoda I was released back to my unit. While I was there, I saw a large group of children, some who could not yet walk, some who could. Their parents had already been killed. I knew that most of them were Cham children from my village, and others were the children of the April 17 people. The Khmer Rouge tossed some children in the air and speared them with knives. Some were bashed against tree trunks and then thrown in pits on top of the piled bodies of adults.”].

1151 **D219/702.1.88** Seng [Sen] Srun, T. 11.13.10-11.15.45, EN01406841-42 [“I asked Moeun about the young children, the babies who were with the mothers and I was told that some young babies or children were smashed against the trees and some had their legs torn apart and that some children were not killed yet, but they were just tossed, torn and thrown into the pits together with the adults”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 [“For small children, the guards at that security office gripped their feet and beat them against the temple to death.”], A14, EN 01111787 [“I would like to confirm that I saw the events when the prisoners were being tied up and tortured. I also saw the children being beaten against the temple to death.”]; **D6.1.190** Him Man Written Record of Interview, 11 August 2008, EN 00242091 [“I did not see that [the killing of children by swinging them against tree trunks or house pillars in 1978] with my own eyes, but others told me that they had seen it.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219209, Amin Maryam Interview [“In 1978 they started taking measures to destroy the Cham, every last one [...] Some [children] were bashed against tree trunks and then thrown in pits on top of the piled bodies of adults.”], EN 00219216 [“Children without parents were running around through the villages. The Khmer Rouge grabbed their feet and smashed them into tree trunks or house pillars, killing them. They marched us to Wat O Trakuon, their killing site [in 1978].”].

1152 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219209, Amin Maryam Interview.

1153 See, e.g., **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“One of [the prisoners at Wat Au Trakuon] starved to death and was brought to be buried. I believe that the individual pits that were

located around the Wat are likely to be people who starved, as when prisoners were killed it was usually in larger numbers.”]

1154 *See* VI. Crimes and Crimes Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Other Inhumane Acts – a) Inhumane Conditions of Detention.

1155 *See* the VI. Crimes and Crimes Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Torture section above, particularly D219/290 Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 [“Some prisoners died during the interrogation.”], A23, EN 01111789 [“prisoners died during the interrogation because they did not confess. They were tortured to death.”].

1156 **D219/363** Hak Sophal Written Record of Interview, 12 June 2015, A4, EN 01128232 [“We [the CGP Mapping Team] never excavated the graves or counted the bones.”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“After 1979 there was no official exhumation of the graves here.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [“When the memorial was constructed, only 17 bags of bones were retrieved.”]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 17 October 1995, EN 00208310 [“These graves were partially excavated in 1982, and the bones placed in a memorial near the Wat.”]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211165 [“The memorial seems to contain hundreds and quite possibly thousands of long bones.”].

1157 *See, e.g.*, **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A23, EN 01044619 [“Many months after the Khmer Rouge regime collapsed, I went to Wat Ou Trakuon Pagoda. At that time, I saw that people went there to dig for gold.”]; **D6.1.190** Him Man Written Record of Interview, 11 August 2008, EN 00242091 [“After 1979, villagers and I went to look at the grave pits which the villagers had dug to look for gold.”]; **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348094 [“many people came here to dig these graves in a bit to search for other valuable objects. [...] Later on, my father walked to collect the remaining bones on the ground and placed them at the location where the memorial stupa is standing now.”].

1158 **D6.1.381** Seng [Sen] Srun Written Record of Interview, 23 June 2009, EN 00348095 [“After 1979, I saw a document of the prisoner list: at that time the villagers dug the ground and found an approximately-200 liter water concrete container at the trunk of the khvet tree situated 20 metres away from the south fence and about 40 metres in the west entrance of the pagoda compound. In that water concrete container, papers filled half of the container: I saw the prisoner list among those papers. Those names were hand-written on pieces of paper; the number followed before each name: so, I looked at the last number of the page, which made it easy (for me) to assess the real number of the prisoners. This list identified the name of each prisoner as new people or base people. [...] I did not know [where that document was]. The people just took the concrete container for use and I did not know where the papers had been lost to.”]; **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208395 [“The prison registers were found by the people after 1979, but the paper was used for various purposes and also they were afraid the KR would come back for the evidence. They were various exercise-books, with one thicker than the other. There were sheets attached inside as well. There was no order from the new authorities to destroy them. Simply, the people were afraid the KR would come back. Paper was used to smoke cigarettes. There were reports about each prisoner, with their name, age, origin, from which birth place, job, sex etc.”]. *See also* **D219/619** Written Record of Investigation Action, 30 November 2015, EN 01181175, Om Hol Interview [“he personally found and read documents which had lists of names of people who [...] were to be killed including his own name with the names of his family.”] further confirming that prison records at one time did exist.

1159 **D219/702.1.84** Muy Vanny, T, 11 January 2016, 13.51.32-13.53.30, EN 01456508 [“If [prisoners arriving at Wat Au Trakuon] came by motorboat, 50 people or 100 people arrived at a time by boat.”]; **D219/702.1.88** Seng [Sen] Srun, T, 14 September 2015, 09.36.33-09.38.40, EN 01406812 [“On the road, I saw people being taken into the pagoda on a daily basis. Most people were taken inside the compound of the pagoda, but not out of the compound of the pagoda.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A27-28, EN 01035845 [“Yes, as I remember, there was only one temple building [used to detain prisoners], and the number of each prisoner intake was around fifty. [...] I did not know clearly about [whether prisoners were taken in every day or every week] because I was not always at the pagoda.”]; **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16, EN 00506029 [“Later on [when Han was the chief of Wat Au Trakuon], I transported [on the machine boat] other 130 detainees whose hands were also tied up and connected to each other in line. [...] Most detainees were the 17 April people. One week later, I transported

80 children to Aur Trakuon. They were the children of the previous 130 detainees.”]. A18, EN 00506030 [“One day, I transported 600 male adolescents from Kang Ta Neung to Aur Trakuon. We used two machine boats for transporting. In the same night, after finishing transporting all 600 adolescents, I returned and transported 400 adolescents from mobile units to Aur Trakuon as well.”]; D117/64 Thong Kim Khun Written Record of Interview, 4 August 2014, A9, EN 01044609 [“I came across an event one day in 1978. While I was walking to work, I accidentally saw the Khmer Rouge leading Cham people up from a boat which was anchored on the bank of the Mekong River into Wat Ou Trakuon Pagoda. I think there were about 500 Cham including men, women and children. Those Cham people had been sent from the upper areas, probably from different locales in Kampong Cham Province. I would say there were more than 500 people because the boat I saw was like a ferry.”]. A11, EN 01044609 [“Q: How did you know that those Cham would be sent to Wat Ou Trakuon Pagoda afterwards? A: Because that was the dock of Wat Ou Trakuon Pagoda.”]; D219/290 Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A14, EN 01111787-88 [“I observed that more people, from 50 to 100 persons a day, were brought to be detained at the security office. They were the 17th April people and the families of the ethnic Cham. Those who committed minor wrongdoings during their work at other bases were also arrested and brought to that security office.”]; D219/582 Toy Meach Written Record of Interview, 2 September 2015, A98-100, EN 01179834-35 [“Approximately 50 persons [were arrested] from all sections. [...] From agriculture, industry, handicrafts, textiles, commerce, and logistics. They were then replaced by Southwest Zone cadres. [...] Some were sent to Wat Ou Trakuon Pagoda. Some were sent to Kor Security Office.”]; D1.3.11.47 Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210488 [“[In August 1977], all the Cham in every village in my commune were gathered and arrested. [...] I was asked to lead 200 to 300 Cham and walk them to the O Trau Kuon temple.”]; D1.3.11.16 Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396 [“Prisoners were brought by horse-cart or oxcart at night, some 5 carts each night, with 2-3 up to 8 persons in each. They were brought from Roka Kay, Peang Chukong and Angkor Ban communes - nearly 10,000 Chams from those communes in 1977.”].

1160 D219/702.1.89 Samrit Muy, T. 15 September 2015, 15.21.02-15.24.00, EN 01431157 [“When the Cham people were arrested and placed into the pagoda, at night-time the music was played over the loudspeaker and the Cham people disappeared. And then they brought more people in. If the old ones had not been killed, there would not have been available space as both the Khmer and the Cham people were brought in on a daily basis.”]; D219/290 Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A14, EN 01111787-88 [“Sometime[s] I also noticed that when the Khmer Rouge ran out of shackles to put on the prisoners they sent the prisoners, who had been detained earlier, to be killed in daytime before they accepted the new prisoners. When they were informed that new prisoners would be brought in they would sen[d] the current prisoners out to be killed.”].

1161 D219/702.1.91 Tay Kocmhun, T. 16 September 2015, 11.25.48-11.27.17, EN 01409060 [“everybody knew that if people were called to go to Au Trakuon pagoda, it means their fate would be sealed there.”]; D219/702.1.89 Samrit Muy, T. 15 September 2015, 10.44.58-10.47.06, EN 01431104 [“Those who were brought into that pagoda never returned. They were brought in, and disappeared. That’s all I know.”]; D1.3.11.31 Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“Prisoners were rarely released from Wat O Trau Kuon - maybe 1 in a 100. I knew of a few others who were also released, but they are all dead now. When I was released [in 1977, about a year before the fall of the regime], the guards told me that I was lucky and that being released was a rare case. Local people knew that also.”]; D1.3.11.6 Chea Maly OCP Statement, 6 August 2008, EN 00210435 [“The Cham were killed between mid-1977 and mid-1978. Most of them were brought to O Trau Kuon.”]. See also para. 313 and the VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Murder section.

1162 D1.3.10.5 Report on CGP Mapping Team Visit to Kampong Cham Province, 17 October 1995, EN 00208309-10 [“The certified document obtained from the DHQ gave the number of mass graves at this site as 467, and estimated the number of victims executed there as 32,690.”]; D1.3.10.23 Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211164, Om Vantha Interview [“There were many burial pits, each of which was half the size of this office. [...] Now, the area is a plantation, but it is in front of the wat.”]; D6.1.469 Statistical Research of Pol Pot’s Crime Scenes in Kang Meas District, 17 October 1994, EN 00422158 [lists that for “Voat Ou Tra Kuon” in Peam Chi Kang Commune, there were 467 pits]; D219/363 Hak Sophal Written Record of Interview, 12 June 2015, A12-13, EN 01128234 [the witness was a member of the CGP Mapping Team that wrote a report on Kampong Cham Province: “Generally, we got all

the documents from the local areas. When we returned, we had to give all of them to the DC-Cam. Q: We would like to check the information regarding Wat Au Trakuon Pagoda (ERN 00208309-EN). This document was taken from the district office, and it states that there were 467 mass graves in Wat Au Trakuon Pagoda, at which 32,690 people were killed. Do you know what formed the basis of this figure? A: [...] I knew that the local authorities gave documents to our working group, but I was not responsible for collecting them. I am sure that if the names of the documents are listed in the report, this means that the documents were really given to the DC-Cam as usual.”]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A28, EN 01111790 [“After the Khmer Rouge regime collapsed, I saw pits located about 100 metres to the east of that Wat Au Trakuon Pagoda.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489-90 [“Many burial pits were found in the plantation area next to O Tra Kuon. I saw them myself. [...] The pits covered almost 1 hectare of land, the whole plantation. I estimate there were around 200 larger pits. There were more small pits than large pits, possibly as many as 1,000. The large pits were around 5 by 4 metres squared, and the depth was more than 2 metres.”].

1163 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.18.24-11.19.55, EN 01406843 [“For Cham people, large pits, each of which was about 10 square meters, were dug because there were many of them. One pit can fit 70 or 80 people.”], 11.19.55-11.25.00, EN 01406844-45 [“After 1979 [...] I went to watch them while they were unearthing the pits in which Cham people had been buried. [...] as for the Cham people, each of the pits was 10 square meters big and as deep as my neck so I could see that there were the heads of children and adults of Cham people within the pits.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210433 [“Some pits had 5 bodies and some others contained 50 to 100 bodies. The pit sizes ranged from 2 by 2 metres to 5 by 5 metres.”]; **D3/5.1** Bao Troab OCP Statement, 5 August 2008, EN 00210430 [“There were bones at the pits around O Trau Kuon. I saw them only after the fall of the regime when there were ceremonies. Many thousands of skulls were found there, maybe as many as Tuol Sleng.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“I believe that the individual pits that were located around the Wat are likely to be people who starved, as when prisoners were killed it was usually in larger numbers.”].

1164 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.23.30-11.25.00, EN 01406845 [“In the former regime, before the security centre had not been established, there were no grave pits. There were also no remains of dead people. It had been a plantation where people had grown crops. [...] There was no grave in that area. That area was once a plantation.”].

1165 See the evidence cited in fn. 1109 above.

1166 **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211163 [“The District Office has no documentation about the Khmer Rouge period or what happened at Wat O Trakuon. They just collected and preserved the remains in a stupa at the Wat. The remains there were more than 20,000. He knows this because someone counted the skulls. The remains were collected between 1979 and 1982. The remains were found in the area surrounding the Wat. They do not include the other people who were killed in the district. The team that collected the remains was comprised of people from the district committee, the Wat committee, and the office of cults and religions.”].

1167 **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, 00211164, Om Vantha Interview [“He knows there were more than 20,000 remains at O Trakuon because it was the district security office and people were killed there from all over the district. The estimate of 20,000 comes from the number of pits. There were approximately 100 people in each pits and the pits covered an area of 2 to 3 hectares. Originally, there were 2 or 3 stupas of remains, now there is only 1 left. He thinks that there are additional remains that were never dug up. He was in charge of collecting the remains at the time because he was commune chief. We ask him if we can formally interview him and if he can show us the location of the burial pits, but he refuses. He says that he is very busy and does not have the time to talk to us.”].

1168 **D219/702.1.83** Seng Kuy, T. 10 September 2015, 09.42.43-09.52.25, EN 01431025-28 [the witness attended a meeting at the Wat Au Trakuon pagoda in either 1981 or 1982, where they were informed by the [Kang Meas] district chief that the people killed by the Khmer Rouge at Wat Au Trakuon was estimated to be around 30,000]. See also **D219/702.1.84** Mury Vanny, T. 11 January 2016, 14.16.20-14.17.45, EN 01456521 [“it was said and documented at that time that there was over 30,000 dead bodies in that area [Wat Au Trakuon]. This number is written on a stupa built to keep their remains.”]; **D38** Seng Kuy Written Record of Interview, 14 July 2011, EN 00722236 [“I didn’t know [Wat O Trakuon Pagoda] well, but through my participation in a ceremony after the regime’s collapse, officials of the state of Cambodia told people that the

number of victims killed here was approximately 30,000. However, this figure was just estimated by some officials, not an official statistics.”]; **D117/62** Kong Yoeun Written Record of Interview, 4 August 2014, A12, EN 01025204 [“From what I heard, more than 30,000 people, most of them had been the new people and unproductive with work or lazy to work, were arrested and taken to be detained and killed in Wat O Trakuon.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“Mouen [a security guard at Wat Au Trakuon] told me in 1978 that approximately 30,000 people had been killed at O Trau Kuon.”]; **D219/619** Written Record of Investigation Action, 30 November 2015, EN 01181175, Om Hol Interview [“he stated that after the liberation he was one of the people that took the census of the people in the district and they found that almost thirty thousand people had been killed.”].

1169 **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 17 October 1995, EN 00208309-10 [“Wat O Trau Kuon, Khum Peam Chi Kong, 030701/02/03 [...] The certified document obtained from the DHQ gave the number of mass graves at this site as 467, and estimated the number of victims executed there as 32,690. These graves were partially excavated in 1982, and the bones placed in a memorial near the Wat.”].

1170 **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208395, Mao Huo Interview [“When I asked if the figure given by DC-Cam was at all reliable - 32,690 victims and 467 pits - he replied that the exact number he checked was 39,007 + 1 as he was a witness to the last that was killed. The total was then 39,008. He does not know why so many people were killed.”]. *Note that Locard indicated in his report that he was skeptical of this figure and of the DC-Cam estimate.*

1171 **D219/702.1.85** Say Doeun, T. 12 January 2016, 10.39.38-10.41.30, EN 01474928 [“Q: What type of people were arrested after the Southwest cadres arrived? A: The New People were arrested”], 11.10.23-11.11.51, EN 01189169-70 [“Former Lon Nol soldiers, as well as the New People, were arrested [by the Long Sword Militia].”]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 11.27.48-11.30.20, EN 01406847 [in Peam Chi Kang Commune: “[the first targeted enemies of the Khmer Rouge were New People or 17 April People and those who had served in the Khmer Republic and royalist regimes. [...] New People, 17 April People, the former civil servants of the monarchy and republican regimes and even those who were working in different mobile units, were repressed, mistreated and arrested.”], 15.27.15-15.29.37, EN 01406897 [“The Pol Pot regime was a genocidal regime, so any other races than Khmer people would be considered their enemies, including the Cham people, the Vietnamese, the Chinese and even the New People, the ones that were liberated in 1975.”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.06.41-15.09.49, EN 01430903 [in Angkor Ban 2 Village, Kang Meas District: “New People came to settle from Phnom Penh, and there were about 10 families. And later on, they disappeared and never returned. And that happened in 1977, when they were told to work elsewhere, and they never returned. So, it was my conclusion that there was a purge going on in 1977.”], 15.43.38-15.48.01, EN 01430919 [“There were New People evacuated from Phnom Penh, and about ten families were deposited to live in my village. And these New People disappeared from time to time, and no more New People from Phnom Penh [remained] in my village. And I think perhaps they had been taken away and killed. [...] All I know is that New People did not commit any wrongdoings. They were working very hard in the field, with Base People.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A49, EN 01035848 [“Most of the people, who had been arrested, were in Kang Meas District. There were also new people among them.”]; **D219/402** Tuy Khuy Written Record of Interview, 4 July 2015, A6, EN 01147859 [“Those seven victims [who the witness transported to Wat Ou Trakuon on Kan’s orders] [...] were new people evacuated from Kampong Cham and Phnom Penh.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210487 [“1977 was a year where intensive killing occurred. People from mobile work brigades had been arrested at all work sites. They arrested new people [...] An came to the Pring Chrum worksite. [...] While he was there, An asked how many new people [...] were working at the site. [...] Nauy [the unit chief] told me that Ta An asked them to gather up the new people and Cham so they could be taken to their local bases. Nauy seemed to know that this meant that people would be brought to O Trau Kuon.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [“I was one of the two targeted classes of people [in 1977, when the witness was arrested and held at Wat Au Trakuon for one day and one night]. The first class was new people. I was a former businessman, so I was also targeted. I was a merchant before the Khmer Rouge period.”].

1172 **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617.

1173 **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489.

1174 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.32.50-10.34.23, EN 01406827.

- 1175 **D6.1.986** Mat Touloh Written Record of Interview, 7 April 2010, A16, EN 00506029 [“Later on [when Han was the chief of Wat Au Trakuon], I transported [on the machine boat] other 130 detainees whose hands were also tied up and connected to each other in line. [...] Most detainees were the 17 April people. One week later, I transported 80 children to Aur Trakuon. They were the children of the previous 130 detainees.”].
- 1176 **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251304 [“There were [new people]. They were evacuees from Phnom Penh. [...] They welcomed them, and when they first arrived, they put them in the pagoda. [...] They told them to go study, meaning they arrested and killed them. [...] They took them all away and killed them. And they selected people in the village according to their biographies and took them along too.”].
- 1177 *See VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Murder.*
- 1178 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 13.53.39-13.53.10, EN 01406866-67 [“Mocun [...] was engaged in the killing of [...] the New People and the 17 April People.”]; **D219/402** Tuy Khuy Written Record of Interview, 4 July 2015, A6, EN 01147859-62 [“Those seven victims [who the witness transported to Wat Ou Trakuon on Kan’s orders] were Khmer and Cham. They were new people evacuated from Kampong Cham and Phnom Penh. [...] I heard the militiamen saying that those moved to Wat Ou Trakuon Pagoda were killed there. I heard the two militiamen talking after I had transported the seven people to Wat Ou Trakuon Pagoda.”]; **D117/62** Kong Yoeun Written Record of Interview, 4 August 2014, A12, EN 01025204 [“From what I heard, more than 30,000 people, most of them had been the new people and unproductive with work or lazy to work, were arrested and taken to be detained and killed in Wat O Trakuon.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A19, EN 01044618 [the witness was a member of the Long Sword group who arrested new people and took them to Wat Au Trakuon. “Q: Do you know what happened to the prisoners who were sent to Wat Ou Trakuon Security Office? A: At the time, I neither entered the premises of Wat Ou Trakuon Pagoda nor saw the killing of prisoners firsthand, but I heard that prisoners were killed and buried around the pagoda compound.”], A22, EN 01044619 [“I know that many people were killed at Wat Ou Trakuon Security Office, but I do not know the actual number.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210489 [“New people and local people were also killed at O Trau Kuon, but mostly new people. The number of new people killed at O Trau Kuon was more than the number of Cham killed. The new people were killed starting at the beginning of the Khmer Rouge regime. The amount of killing increased after the Southwest cadres arrived. The new people were accused of being feudalists and ranking officers of the Lon Nol regime.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210471 [“New People were undressed before being executed. I saw piles and piles of clothes, personal belongings and mats all around the killing pits. I was one of the two targeted classes of people [in 1977, when the witness was arrested and held at Wat Au Trakuon for one day and one night]. The first class was new people. I was a former businessman, so I was also targeted. I was a merchant before the Khmer Rouge period.”]; **D5/1598** Nai Mom Civil Party Application, 14 March 2014, EN 01170618 [“My older brother [...] was then studying medicine in Phnom Penh. He was evacuated to Kampong Cham. The he was tied up and taken away by militiamen at night. A military man named Comrade Phon told me that my brother had been killed at Ou Trakuon miserably by having his throat cut with a sugar palm stem.”].
- 1179 **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210434 [“I saw people digging up the burial pits at the Wat. There was talk that the pits might contain valuable things like gold. [...] Half were local people and half were new people. The local people dressed in black. Some of the clothes of the people killed and found there could be used again, so that is why I think some of the bodies did not have clothes. Most of those found were new people. I cannot say exactly how many bodies were found.”]. *See also* **D5/1599** Theng Chea Civil Party Application, 14 March 2014, EN 01192807 [“Soon after the fall of the regime, they had a meeting. I had a chance to enter Wat Ou Trakuon Pagoda, where I saw thousands of dead bodies, whose skulls looked like coconut shell, in the graves. [...] There was a mixture of dead bodies, including the elderly, the young, the ‘new’ people, and the ‘old’ people.”].
- 1180 **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A44-45, EN 01056219 [“I received an order from Grandfather An to collect Cham people and Lon Nol soldiers. I did not know what happened to them eventually. [...] Grandfather An gave the orders during the monthly meetings. During the meetings, Grandfather An gave the same orders to other district secretaries.”]. *Contra* A37, EN 01056218 [“I never received orders from Grandfather An to arrest anyone.”], A39, EN 01056219 [“I would like to clarify that Grandfather An did not order me to arrest those people, but I am not sure if Grandfather An give direct orders

to Grandfather Sy, my deputy, to do this work.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87 [“At that time, persons responsible for lists and documentation in each district were summoned to take part in that meeting. He explained points to be recorded and emphasized the composition of the people, for example, Cham, Chinese, Yuon, former first and second lieutenants and so on ... I did not talk with others about the list I had developed previously. We just said to one another, ‘We will be busy with another list’.”].

1181 **D219/702.1.88** Seng [Sen] Srun T, 14 September 2015, 11.27.48-11.30.20, EN 01406847 [“the first targeted enemies of the Khmer Rouge were New People or 17 April People and those who had served in the Khmer Republic and royalist regimes. Not only Cham people were smashed, but also New People, 17 April People, the former civil servants of the monarchy and republic regimes and even those who were working in different mobile units, were repressed, mistreated and arrested”].

1182 **D219/702.1.85** Say Docun, T, 12 January 2016, 11.10.23-11.11.51, EN 01474938-39 [the witness was formerly part of the Long Sword Unit: “Q: Is it correct, Mr. Witness, that in addition to the New People and Cham who you identified earlier, that you also received orders to arrest former Lon Nol soldiers? A: Former Lon Nol soldiers, as well as the New People, were arrested.”], 11.15.20-11.16.47 [“Q: And where did the Long Sword Unit take the people who were arrested; what was done with them after they were arrested? A: They were sent to Au Trakuon pagoda.”]; **D6.1.413** Hok Hoem Written Record of Interview, 23 November 2008, EN 00251304 [“They took them all away and killed them. And they selected people in the village according to their biographies and took them along too. Q: Who were the people with bad biographies who were taken away? A: Those people [who] had been captains or majors in the military or had been commandos. Q: They had worked during the Lon Nol era? A: Yes! [...] Q: What happened after they were arrested and taken away? A: They arrested them and brought them to the pagoda. Q: Then what? A: They were killed in front of the pagoda.”].

1183 **D5/1488** Phann Chhan Civil Party Application, 19 March 2014, EN 01145606 [“They detained me there at Ou Trakuon office (Spean Yuon) for one year. [...] They interrogated Lon Nol’s soldiers and excommissioned officers. During interrogation, they always tortured the detainees to get the answer who they worked for, but those victims still answered that they did not know.”]. *Note that the Civil Party did not specify when he was imprisoned at Wat Au Trakuon, but based on the evidence of when the pagoda was turned into a security centre, even if his imprisonment began at that time (April or May 1976), part of his imprisonment would have overlapped with the time Ao An was in charge of Sector 41.*

1184 **D219/702.1.88** Seng [Sen] Srun, T, 14 September 2015, 10.04.38-10.10.47, EN 01406822 [“I recall An who was in charge of the sector actually convened a meeting at Wat Au Trakuon. Kan was there but he did not take a stand, and it was An who spoke [...] at length during the meeting. He spoke about cadres in the North Zone and accused them of being traitors.”], 10.12.51-10.15.34, EN 01406825 [“The meeting that was held at Au Trakuon pagoda was actually held [...] inside the compound [...] on the west side of Au Trakuon pagoda’s main shrine building.”], 15.21.37-15.24.52, EN 01406895-96 [“[An] spoke at length about the arrest of the former cadres who were accused of betraying Angkar. [...] On the issue of the arrest of the so-called traitors, they did not of course tell us the reasons for the arrest. What was the need for that? We were ordinary civilians and the announcement he made was about the arrest of those former cadres since they were betraying Angkar and they were betraying the revolution, and they did not give us any specific reasons for the betrayal. And of course people did not dare to ask any follow up questions.”]; **D76** Seng [Sen] Srun Written Record of Interview, 25 August 2011, A14, EN 00740714-15 [“Q: Did he mention about the ground for the arrest of old cadres? A: Yes, He did. He said that ‘they were the traitors of Angkar’, but I did not know who the Angkar was.”]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210487 [“An also told us not to be afraid because of the arrest and execution of the previous cadre, because they were enemies and disloyal to Angk[a]r. The old cadre had been arrested and killed immediately when the Southwesterners arrived. An said that the prior cadre had been ‘smashed’ because they were disloyal to Angk[a]r and the revolution.”].

1185 **D6.1.400** Samrit Muy Written Record of Interview, 20 October 2008, EN 00235508 [“in early 1977, they held a meeting at the Peam Stadium. All the villagers had to attend. The Sector Committee [Secretary] An and the District Committee [Secretary] Kan convened the meeting and told us to work hard for *Angkar*. Then they said that there were enemies among the people. After that meeting the arrests accelerated, both night and day.”].

- 1186 **D219/702.1.88** Seng [Sen] Srurn, T. 14 September 2015, 09.45.16-09.50.20, EN 01406815-16 ["When the Southwest zone cadres arrived they were working together with the previous security cadres. Khun was still in the position of the security centre chief at that time. Two or three months later I heard that Khun was reassigned to the upper level office and Horn was put in as the security chief. [...] All the cadres in senior management and leadership positions during that time were arrested and killed. and only low level officials, who made the arrests of people from different places. were left and kept for use. Only the previous managers of the security centre were arrested. And Horn had controlled the Au Trakuon pagoda security centre since the previous chiefs of the security were gone. [...] After the arrival of the Southwest Zone people in the 304 Zone, chiefs of sangkats and militia had all been arrested and killed. These people, who had previous positions in the district and communes, had all been arrested."], 11.27.48-11.30.20, EN 01406846-47 ["Even the Khmer Rouge cadres themselves – old and new cadres – were also monitored and arrested because of links."]; **D219/702.1.85** Say Docum, T. 12 January 2016, 10.31.34-10.32.55, EN 01474926 ["Q: Were any of the former cadres in Kang Meas district or Peam Chi Kang commune – were they arrested when the Southwest group arrived? A: Some of them were arrested."]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 [approximately two years after April 1975: "I was transported to Wat Au Trakuon Security Office. [...] I was detained in a temple with six or seven other prisoners who had been the cadres and two other soldiers who had quit the army."]; **D5/1095** Penh Va Civil Party Application, 14 September 2011, EN 01184976-77 ["The first office chairperson arrested Sam Meng along with Sam Meng's wife and their 5 children. Sam Lai and Sam Lai's wife and their children were also arrested. Many cadres were arrested too. Sam Aun *alias* Sam Lei the second office chairperson went to tie them up at night. Sam Lei's father was also taken as well as a younger sibling-in-law, children, nephews and nieces. In total 10 people were taken to be killed. Many other cadres suffered the same fate. On 20 October 1977 *Angkar* discharged me and sent me to live in my home town collective. I saw those people being transported in ox-carts to Wat Ou Trakuon Pagoda which was also a killing site."].
- 1187 **D6.1.986** Mat Toulouh Written Record of Interview, 7 April 2010, A16, EN 00506029 ["When our machine boat arrived in Aur Trakuon, the soldiers made a signal to allow us to dock there and unload the detainees, whose hands were tied up. I can recall that when I first transported 22 detainees who were group chiefs and village chiefs. On the machine boat, there were 4 militiamen guarding all along. I knew that those detainees were group chiefs and village chiefs because I used to distribute salt to them. I knew that next morning: all of those detainees detained in Aur Trakuon were all taken away and killed. I knew about that because Han and Dan who were the chiefs of Aur Trakuon Prison told me personally."].
- 1188 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A93-95, EN 01179834 ["[Ao An] summoned the people to meetings at his house and then arrested them. Those remaining were arrested by his soldiers [...] I saw him send his soldiers make the arrests. I saw him arrest those people. [...] They were held at gunpoint and arrested straight away."], A98-100, EN 01179834-35 ["Approximately 50 persons [were arrested] from all sections. [...] From agriculture, industry, handicrafts, textiles, commerce, and logistics. They were then replaced by Southwest Zone cadres. There was an office, probably the Industry Office that was a water jar production site. Many persons from that office were arrested. [...] Some were sent to Wat Ou Trakuon Pagoda. Some were sent to Kor Security Office."], A105, EN 01179836 ["I do not know who was sent where [from Ta An's house]. I only know that some were sent to Wat Ou Trakuon Pagoda in Kang Meas District. I heard this from Industry Office people who came to collect rice from my office. Those who were arrested and brought from remote areas, for example, Prey Chhor District, were sent to Kor Security Office."], A108, EN 01179836 ["Those who were gathered together and sent to Ta An's house were sent to Kor Security Office. Workers at the Industry Office in charge of making pots and water jars were sent by boat to Wat Ou Trakuon Pagoda. That prison was only used for people who lived in Kang Meas District."].
- 1189 *See the evidence cited in fn. 1077 above. See also D5/1607* Gnim Khon Civil Party Application, 14 March 2014, EN 01195792 ["My third child, Chorn, aged 12, climbed a palm tree to drink palm juice due to his hunger. He was arrested by the Khmer Rouge and was taken to au Trakuon at 9 a.m. Before he was arrested, he was seriously and mercilessly beaten."].
- 1190 **D36** Chea Maly Written Record of Investigation, 14 July 2011, EN 00722232 ["Q: Who had power to send people to the security centre? A: The one who had power was the chief of the security centre. The most important were reports on wrongdoing from unit [...] leaders to the district."]; **D5/1613** Huon Heng Civil Party Application, 14 March 2014, EN 01152384 ["My husband, Eng Meng Leng, was a teacher during the Lon Nol regime in Ou Dar, Prey Totueng. [...] In 1978, because of jealousy, some local people accused my

husband of being a capitalist and a feudalist. At 2 a.m. he was arrested, tied up, and loaded onto a horse cart headed for Ou Trakuon, which was a security office, and disappeared forever.”]; **D5/1612** Chory Choreb Civil Party Application, 14 March 2014, EN 01145669 [“My younger brother, aged 25, who [was] working in a mobile unit, caused a papaya tree at Paoy Kob Chkae to collapse on a person named Sophea. He was arrested and taken to Ou Trakuon at 3 p.m. and has disappeared ever since. His hands were tied behind his back, and he was taken away on a horse-drawn carriage. The person who arrested him was Din, a dining hall chairman.”].

1191 **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.50.48-15.11.10, EN 01430901-04 [“Regarding the arrest of Cham people, what I – all I know is that in 1977, the arrests and purges were conducted by the Khmer Rouge in a widespread manner in the village and throughout the country, that is all I know. [...] They did not do anything wrong, and they strived to work very hard. [...] I made that statement that in 1977, the killing became widespread because other people said in the areas that they lived in, the Khmer Rouge purged the Cham people on a massive scale. [...] During the Pol Pot regime, which was led by the Khmer Rouge group, they only wanted to have one pure race. They even killed their own Khmer people, so they would not spare any other ethnicity, including the Cham race.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A43-44, EN 01035847 [“I just knew that they had a plan to kill all the Cham. [...] I heard it through word of mouth.”], A72, EN 01035850 [“they had a plan to kill all the Cham people. The parents of Cham children were taken to be killed first and then they arrested the children to be killed.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339936 [“There were Cham people in my commune. The Cham people rarely survived because both those who had made mistakes and those who had not, the Cham people were killed. I did not see the killings, just saw the Khmer Rouge coming to call one family away at a time, and the Cham population became less and less. Later on, they gathered them all. The Cham people were arrested in 1978.”]. *See also* para. 357.

1192 **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.06.41-15.09.49, EN 01430902-03 [“I myself was not aware on the [reasons for] arrest of the Cham people. And the Cham people who were arrested were innocent Cham people. They did not do anything wrong, and they strived to work very hard.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.06.02-10.10.12, EN 01431097 [“I was resent to live in the cooperative, and that was the [time] that the arrest of the Cham people started. [...] It happened in 1977. [...] All the Cham people were arrested except one family, that is, husband and wife.”]; **D219/120** Prak Yut Written Record of Witness Interview, 30 September 2014, A12, EN 01063608 [former Kampong Siem District Secretary: “I did not know why those people were arrested, for example, all Cham people were arrested without any reason. I did not support the arrests of Cham people, but I had an obligation to follow the upper echelon’s orders.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A13, EN 01044617 [the witness was a member of the Long Sword group who carried out arrests: “The arrests of ethnic Cham people were a little bit different - all the people in each family were arrested at the same time and immediately they were sent to Wat Ou Trakuon Pagoda. [...] The arrests of ethnic Cham people were conducted in the same way as those of Khmer people. The reason for arrests was not given.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339936 [“There were Cham people in my commune. The Cham people rarely survived because both those who had made mistakes and those who had not, the Cham people were killed. I did not see the killings, just saw the Khmer Rouge coming to call one family away at a time, and the Cham population became less and less. Later on, they gathered them all. The Cham people were arrested in 1978.”]; **D6.1.702** Man Heang Written Record of Interview, 10 December 2009, A9, EN 00421085 [“Once in early 1977, security people came down and arrest the Cham. Later the security people came to arrest other Cham, sometimes during the daytime and sometimes during the night.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210435 [“The Cham were killed between mid-1977 and mid-1978. Most of them were brought to O Trau Kuon.”].

1193 **See VI. Crimes and Crime Sites – I. Persecution and Genocide of the Cham – 2. Genocide of the Cham – Implementation of the Genocide in the Central Zone by Southwest Cadres: D219/138** You Vann Written Record of Interview, 8 January 2015, A51 and A58, EN 01059285-87 [“I created a list of the names of the Cham, the former Lon Nol soldiers, and those former village and commune chiefs. [...] Q: Did you know if [an] ethnic Cham name lists like the one in Kampong Siem District were compiled in other districts? A: To my knowledge, others were also compiled. After I submitted the name list I had written up to Prak Yut, they called me to attend a meeting chaired by Ta An in Prey Totueng. At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting. [Ao An] explained

points to be recorded and emphasized the composition of the people, for example, Cham, Chinese, Yvon, former first and second lieutenants and so on"; **D219/702.1.87** You Vann, T. 14 January 2016, 15.22.45-15.25.57, EN 01438514 [representatives from Kang Meas district were in attendance at the meeting where Ao An instructed the representatives to make lists and send the lists to the sector level].

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D6.1.399 Seng [Sen] Srun Written Record of Interview, 20 October 2008, EN 00235517 ["This arrest of the Cham people took place following the order from the district secretary, who was Kan; and he was the one who gave the order."]; **D6.1.700** Seng [Sen] Srun Written Record of Interview, 9 December 2009, A8 and A10-12, EN 00423723-24 ["unit chairman Nauy made a list of the Cham who worked in the Cheung Prey work site. About two or three months later, the Cham minority were arrested at once. Nauy said that it was upper echelon, but he did not say their names. [...] The letter said to compile the names of the Cham minority, detailing how many males and females there were. [...] The letter was signed by Pheap, the newly-appointed district deputy chairperson. Pheap was Kan's wife."]; **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.41.47-10.46.38, EN 01406830-32 ["As for Nauy, the unit's chief, he was from the same village that I was and I was rather close to him. He showed me a list of Cham people but he did not tell me what they would -- or they were going to do to those Cham people. There was a list showing the Cham people as one group and the Khmer people as another group. [...] Nauy received the instructions from the chief of sangkat or the chief of commune. [...] The list was made while I was still working at the worksite and the arrest of the Cham people took place a long time later about three or four months after I was back in the village [...] I was assigned to go along with the Long Sword Group [...] Cham people were arrested in around 1977, although I'm not clear which month it was."]; **D6.1.702** Man Heang Written Record of Interview, 10 December 2009, A5, EN 00421084 ["Those who hid their backgrounds were able to survive; those who told the truth were killed. They began to distinguish people by class. The people were asked if they were ethnic Khmer or Cham."].

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D219/702.1.88 Seng [Sen] Srun, T. 14 September 2015, 10.47.40-10.51.55, EN 01406832-33 ["the palm tree climbing group, was assigned to go with the Long Sword Group [...] and when I almost reached the main road, I saw Cham people being arrested. I saw a woman who was still taking a bath with a young child being dragged to the gate of the pagoda and I was instructed to guard her and Cham people were rounded up and brought in gradually to the area where I was standing and I was assigned to guard those Cham people and I was warned if any Cham escaped that my life would be at risk. [...] The arrests were rather sudden, the Cham people did not realise that they were the target of the arrests. So they dragged those Cham people from their homes and put them into one location and lined them up on the road and I was assigned to guard them. [...] there were also members of the Long Sword Group who were present at that location to guard the Cham people who had been arrested. [...] The Long Sword Group was divided into smaller groups and they headed to various villages where the Cham people resided and by about 7.00 or 8 o'clock that evening, all the Cham within the commune had been arrested. [...] Every Cham person had been arrested by that time including children"]; 10.51.55-10.57.40, EN 01406834-36 [the witness estimated that 400 to 500 Cham people in Peam Chi Kang Commune were arrested at the time], 10.59.40-11.02.18, EN 01406837-38 ["After all the Cham had been collected, they were instructed to walk to the [Wat Au Trakuon] pagoda and I was assigned to walk behind them while other members of the group were walking in front. [...] Not only did I see the Cham people entering the pagoda, but I also entered the temple where the Cham people were detained. I actually walked up the stairs to the temple myself. I saw them with my own eyes."]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.06.02-10.10.12, EN 01431097 ["I was resent to live in the cooperative, and that was the [time] that the arrest of the Cham people started. [...] It happened in 1977. [...] All the Cham people were arrested except one family, that is, husband and wife."]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 10.30.22-10.32.11, EN 01456480-81 [in Sdau Commune, Kang Meas District: "Q: Could you please tell the Chamber what happened to the Cham who were in your unit, in your district mobile unit? A: [...] I saw them being tied up and walked away while I was returning to my sleeping quarter on an ox cart. [...] And when I returned to the sleeping quarter, [...] there were no Cham members of the unit left. There were only the Khmer people there. So it's my understanding that they already knew who the Cham people were and who the Khmer people were, and they took away only the Cham people."]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12-13, EN 01044617 [the witness was a member of the Long Sword group who carried out arrests: "Doeun, the Long Sword group chairman, received namelists of people to be arrested from the Commune Committee, who received them from the District Committee. At first, only the new people who had made mistakes were arrested. Ethnic Cham people were also arrested. [...] When they went

down to make arrests. I was assigned together with one or two other members to conduct the arrests of people. [...] When we arrived, we arrested only those that had to be arrested. We tied them up, and it was not necessary to tell them any reason. We took them straight to Wat Ou Trakuon Pagoda. [...] The arrests of ethnic Cham people were a little bit different - all the people in each family were arrested at the same time and immediately they were sent to Wat Ou Trakuon Pagoda. [...] The arrests of ethnic Cham people were conducted in the same way as those of Khmer people. The reason for arrests was not given.”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339936 [“There were Cham people in my commune. The Cham people rarely survived because both those who had made mistakes and those who had not, the Cham people were killed. I did not see the killings, just saw the Khmer Rouge coming to call one family away at a time, and the Cham population became less and less. Later on, they gathered them all. The Cham people were arrested in 1978.”]; **D6.1.702** Man Heang Written Record of Interview, 10 December 2009, A9, EN 00421085 [“Au Trakuon District Security personnel came to round up the Cham. [...] The unit chairmen were not told in advance about those arrests for fear they would tell the people in their units to flee. Once in early 1977, security people came down and arrest[ed] the Cham. Later the security people came to arrest other Cham, sometimes during the daytime and sometimes during the night. There were more than 20 but less than 30 Cham in my group that had come from Sach Sau village. Not one among them is still alive. I don’t know why those Cham were arrested.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A72-73, EN 01035850-51 [“The parents of Cham children were taken to be killed first and then they arrested the children to be killed. [...] There was a group of security guards coming to our accommodation at Sdau Village, Sdau Commune, Kang Meas District. They ordered the chairman of the unit to select all the Cham people and call for a meeting at a house. After that all the Cham people were tied up and sent out from that place. [...] The next morning, they told us that all the Cham children were sent to Wat Ou Trakuon Pagoda.”]; **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251020 [“They arrested the Cham successively. Sometimes they followed and arrested the Cham at the plowing sites. [...] They had them speak first [to know they were Cham]. For instance, they had me raise my hand and speak. So, they were able to know who was Cham and who was not.”]; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210435 [“The Cham were killed between mid-1977 and mid-1978. Most of them were brought to O Trau Kuon.”]; **D219/619** Written Record of Investigation Action, 30 November 2015, EN 01181174-75. Om Hol Interview [“The team went next door and spoke with Om Hol [...] he personally witnessed many Chams and Khmer people being led to Wat Au Trakuon. He stated that Chams were rounded up almost every night for a long time and each time he saw 20 to 30 going by.”].

1196 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.51.32-13.55.17, EN 01456508-09 [in 1978 when the witness worked for Horn at Wat Au Trakuon: “Q: Were the Cham a majority or were the Cham a minority among the Wat Au Trakuon prisoners? A: They were a majority. There were not so many Khmer people”].

1197 **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A9, EN 01044609 [“I came across an event one day in 1978. While I was walking to work, I accidentally saw the Khmer Rouge leading Cham people up from a boat which was anchored on the bank of the Mekong River into Wat Ou Trakuon Pagoda. I think there were about 500 Cham including men, women and children. Those Cham people had been sent from the upper areas, probably from different locales in Kampong Cham Province. I would say there were more than 500 people because the boat I saw was like a ferry.”]. A11, EN 01044609 [“Q: How did you know that those Cham would be sent to Wat Ou Trakuon Pagoda afterwards? A: Because that was the dock of Wat Ou Trakuon Pagoda.”]. See also **D219/82** Riel Neang Written Record of Interview, 21 November 2014, A20, EN 01067801 [“I never witnessed the arrests of old cadres and new people, but I saw Cham people being transported in horse carts and boats during the rainy season to O Trakuon and Cheung Prey.”].

1198 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.59.40-11.02.18, EN 01406837.

1199 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 14.28.43-14.31.01, EN 01406881 [“As for the Cham young children [...] once they were in the temple, their ankles were shackled and they were not cuffed at all. There were no handcuffs during the regime, but their hands could be tied. However, there were shackles, and the shackles were used. People were detained in shackles in a row of 30 to 40 or 50.”]; see also the evidence cited in fn. 1114 above.

1200 **D1.3.11.16** Henri Locard, *Kompong Cham: West Bank of the Mekong (Old North Region)*, 5 June 2007, EN 00208396, Mao Huo Interview [“Prisoners were brought by horse-cart or oxcart at night, some 5 carts each night, with 2-3 up to 8 persons in each. They were brought [to Wat Au Trakuon] from Roka Kay, Peang Chikong and Angkor Ban communes - nearly 10,000 Chams from those communes in 1977.”].

- 1201 **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472.
- 1202 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.51.54-10.54.00, EN 01419048 [“[The Cham prisoners arrested with Him Man and Him Cheah] were not put in prison. They were not interrogated, and there were no written record of their confessions, or lists of their names. They were not detained, but they were killed.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.58.13-13.59.56, EN 01456511 [“They did not interrogate Cham people, unless there was an issue with the arrestee they would be interrogated.”]; **D117/58** Muy Vanny Written Record of Interview, 03 July 2014, A79, EN 01035851 [“There was no interrogation of the Cham prisoners. They were taken to be killed after they had been detained for three or four days.”]; **D117/64** Thong Kim Khun Written Record of Interview, 04 August 2014, A9, EN 01044608 [“It was my understanding those prisoners were not kept long in the pagoda. They were taken to be killed immediately after they arrived at the pagoda.”]; **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218503, Him Man Interview [on the same day that the group of Cham were arrested in 1978 (from which Him Man and his wife managed to escape): “That night the killing began. [...] Just before dawn, the killing was over.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“Most of the people taken to O Trau Kuon were Cham. Cham people were not detained for long. They were just brought up and then sent to the killing pits. The 3 Cham who were arrested before me were no longer in the prison when I was taken there later that same day.”]
- 1203 **D219/702.1.85** Say Doem, T. 12 January 2016, 14.07.50-14.09.24, EN 01474963-64 [“Yes, I heard of the plan that no Cham, no single Cham shall be spared. [...] The commune told us about it. [...] it was Pheap [...] I cannot recall her words.”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.50.48-15.05.36, EN 01430900-01 [“Regarding the arrest of Cham people, what I – all I know is that in 1977, the arrests and purges were conducted by the Khmer Rouge in a widespread manner in the village and throughout the country, that is all I know.”], 15.06.41-15.09.49, EN 01430902-03 [“the Cham people who were arrested were innocent Cham people. They did not do anything wrong, and they strived to work very hard.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.51.08-09.53.38, EN 01419031-32 [“The Khmer Rouge policies saying that when you dig out the grass, you had to dig all the roots, so when the parents were considered enemies, their children would have no chance of survival unless those children were living in hiding anywhere in a Cambodian family or they changed their identities that they were not Cham children. So the killing of children happened not only at Au Trakuon. This had happened in other places like Krouch Chhmar and other places during the DK period.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 16.05.51-16.07.20, 01405983-84 [“In Kampong Siem the way they killed the Cham people was different, and in Kang Meas there was another execution site for the Cham people at the Au Trakuon Pagoda. For the youth who did not [...] return to the native village were rounded up in one place. They were interrogated. They were asked about their ethnicity and some of them told the truth that they were Cham people and some were concerned about their safety and they did not know which answer to respond, so they said – some said they were Khmer or some said they were half-blood as their mother or father was Cham. So those who responded that they were mixed blood or they were Cham would be placed in one group and those who responded as Khmer they were placed in another group. And for those who responded that they were Cham or of mixed blood, they were killed.”]; **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 13.50.02-13.51.42, EN 01409070 [“If they mistook me for a Cham person and arrested me I would have been killed. I would be killed if they thought I was Cham.”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A43-44, EN 01035847 [“I just knew that they had a plan to kill all the Cham. [...] I heard it through word of mouth”], A66, EN 01035849 [“Yes, at that time, I heard they had a plan to kill all the Cham people. There was only one Cham couple who survived the killing because they had escaped from the village where they lived before the arrests. I knew this story after the Khmer Rouge Regime collapsed. And they are still alive now.”], A72, EN 01035850 [“I knew Cham people were taken from the mobile unit from Ou Trakuon pagoda] Because, as I said at the beginning, they had a plan to kill all the Cham people. The parents of Cham children were taken to be killed first and then they arrested the children to be killed.”]
- 1204 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.51.54-10.54.00, EN 01419048 [“[Cham prisoners arrested with Him Man and Him Cheah] were not put in prison. They were not interrogated, and there were no written record of their confessions, or lists of their names. They were not detained, but they were killed.”]; **D6.1.413** Hok Hoem Written Record of Interview, 23 November 2008, EN 00251304 [“I don’t know why, but right away all the Cham were taken away. [...] They arrested them and brought them to the [Wat Au Trakuon] pagoda. [...] They were killed in front of the pagoda. [...] I did not see it. When they were killing, they played a loudspeaker to confuse [cover the noise].”]; **D117/64** Thong Kim Khun Written Record of

Interview, 4 August 2014, A9, EN 01044607-08 ["I was once ordered to transport Cham people to Wat Ou Trakuon Pagoda by Yung, who was the deputy chairperson of the Sach Sou Village Cooperative. [...] It was my understanding those prisoners were not kept long in the pagoda. They were taken to be killed immediately after they arrived at the pagoda."]; **D6.1.192** Seng [Sen] Srun Written Record of Interview, 11 August 2008, EN 00242087 [the witness lived metres away from Wat Au Trakuon: "every single day I saw them transport prisoners along the road in horse carts. [...] Every day at dusk, from when the sky darkened until 10 or 11 at night. I heard them playing loudspeakers so they could kill people at a bamboo grove east of the pagoda. [...] The highest number of killings [at Wat Au Trakuon] were in 1977. Most of the victims were new people, but in September 1977 many Cham were killed."]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A66, EN 01035849 ["Yes, at that time, I heard they had a plan to kill all the Cham people. There was only one Cham couple who survived the killing because they had escaped from the village where they lived before the arrests. I knew this story after the Khmer Rouge Regime collapsed. And they are still alive now."], A72, EN 01035850 ["they had a plan to kill all the Cham people. The parents of Cham children were taken to be killed first and then they arrested the children to be killed."]; A79, EN 01035851 ["There was no interrogation of the Cham prisoners. They were taken to be killed after they had been detained [at Wat Au Trakuon] for three or four days."]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 ["People who were taken to O Trau Kuon were walked through past the eating hall on the road that goes from the river to the Wat. [...] Sometimes whole families would be brought to be killed if a serious mistake was committed, especially Cham."]; **D1.3.11.47** Seng [Sen] Srun OCP Statement, 6 August 2008, EN 00210488 ["It was around 6:30 pm when I left the Cham at O Trau Kuon. Around 8 or 9 pm that night, the Cham were walked to be killed over in the slaa plantation next to the Wat. [...] When I returned home after walking them to the temple and was about to take my clothes off, I heard the music being played. The music played until nearly 11 pm. The next morning, when I went to go work on the palm trees, there were no people at the temple anymore. Around 6 or 7 am that morning, a close friend of mine named Mocun, who was also a palm tree worker and security officer, told me that they had been busy killing people the night before until 1 am. I asked him how they could kill such a large amount of people. Mouen told me that young children were killed by smashing them against a tree then throwing them into a pit."]; **D1.3.11.6** Chea Maly OCP Statement, 06 August 2008, EN 00210435 ["The Cham were killed between mid-1977 and mid-1978. Most of them were brought to O Trau Kuon."]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211167-68 ["Ma Huor claims to have seen the killing of Chams in this location [Wat Au Trakuon]. He says they were buried in pits on the eastern side of the burial site. He says the killings occurred during the day time and that he came here to tend cows and saw the Chams being killed."];
1205 **D6.1.413** Hok Hoenn Written Record of Interview, 23 November 2008, EN 00251305 ["Q: How do you know they killed those Cham people? A: The militia told me. When the militia came out of the pagoda, they told the people about the killings. That group in the pagoda was called the security group."];
1206 *See para. 329.*
1207 **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A72-73, EN 01035850-51 ["The parents of Cham children were taken to be killed first and then they arrested the children to be killed. [...] There was a group of security guards coming to our accommodation at Sdau Village, Sdau Commune, Kang Meas District. They ordered the chairman of the unit to select all the Cham people and call for a meeting at a house. After that all the Cham people were tied up and sent out from that place. [...] The next morning, they told us that all the Cham children were sent to Wat Ou Trakuon Pagoda."]; **D117/64** Thong Kim Khun Written Record of Interview, 4 August 2014, A9, EN 01044609 ["After they caught all the Cham men, they came to the village and continued arresting the Cham wives and children. I came across an event one day in 1978. While I was walking to work, I accidentally saw the Khmer Rouge leading Cham people up from a boat which was anchored on the bank of the Mekong River into Wat Ou Trakuon Pagoda. I think there were about 500 Cham including men, women and children."]; **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A13, EN 01111787 ["Before I was taken to be detained at [Wat Au Trakuon], around 20 prisoners who were the ethnic Cham were taken to be killed. [...] Those prisoners were both male and female, including children who were all ethnic Cham."]; **D76** Seng [Sen] Srun Written Record of Interview, 25 August 2011, A31-32, EN 00740716 ["Yes, about 300 of them [Cham people, were killed]. [...] Even women and children were also arrested. [...] It was Han. I think it was Han who ordered the killing"]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A13 and A19, EN 01044617-18 ["The arrests of ethnic Cham people were a little bit different - all the people in each family were arrested at the

same time and immediately they were sent to Wat Ou Trakuon Pagoda. In fact, Wat Ou Trakuon Pagoda was officially named Wat Monisaravoan Pagoda. The arrests of ethnic Cham people were conducted in the same way as those of Khmer people. The reason for arrests was not given. [...] I neither entered the premises of Wat Ou Trakuon Pagoda nor saw the killing of prisoners firsthand, but I heard that prisoners were killed and buried around the pagoda compound.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219209, Amin Maryam Interview [“In 1978 they started taking measures to destroy the Cham, every last one. I saw this purge with my own eyes when they sent me to Wat O Trakuon. They arrested me because I had left my unit to go get a sleeping mat from home. After one night at O Trakuon pagoda I was released back to my unit. While I was there, I saw a large group of children, some who could not yet walk, some who could. Their parents had already been killed. I knew that most of them were Cham children from my village, and others were the children of the April 17 people. The Khmer Rouge tossed some children in the air and speared them with knives. Some were bashed against tree trunks and then thrown in pits on top of the piled bodies of adults.”]; **D1.3.11.31** Moeng Peng Hao OCP Statement, 7 August 2008, EN 00210472 [“Sometimes whole families would be brought to be killed [at Wat Au Trakuon] if a serious mistake was committed, especially Cham.”]; **D1.3.11.46** Seng Kuy OCP Statement, 07 August 2008, EN 00210481-82 [“I believe this was around mid-1977. [...] The people arrested were women and children. [...] The Cham woman and children that I was asked to take to O Trau Kuon were all the Cham who were left in my village, so there were no Cham left after that day.”], EN 00210481-82 [“The Cham women and children were tied with rope by their hands and put in the back of ox-carts. [...] The 15 or 16 Cham women and children who had been arrested were in 5 or 6 ox-carts. One ox-cart could carry about 3 people.”].

1208 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A32, EN 01111790 [“To my understanding, because there were many prisoners at the [Wat Au Trakuon] security office some prisoners were taken to be killed at different places. For example, the 20 ethnic Cham were killed at the riverside. I became aware of this after the Khmer Rouge regime collapsed.”]; **D219/320** Paor San Written Record of Interview, 12 May 2015, A17, EN 01112020-21 [“I just heard that one group of ethnic Cham was taken to be killed at the riverbank, but it was only just a gossip amongst the workmates. One of my neighbours said that he heard a lot of human cries at the riverbank. Everyone was frightened and dared not talk about it. I did not witness anything. I just heard that people were taken to be killed that night. I heard so from my neighbours. A few years later, I saw human bones at the riverbank. Right after they were killed, I smelled dead bodies when the wind blew and carried the stench from the river. This made me become even more frightened.”].

1209 **D219/290** Sor [Sa] Chheang Written Record of Interview, 28 April 2015, A34, EN 01111790 [“To my knowledge, all prisoners at Wat Au Trakuon Security Office lost their lives at that very place.”]. *See also* **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251021 [“Q: Were all the Cham here killed? A: Yes. They probably killed them all. [...] I am not able to make an estimate. It is true that the Cham were killed.”]; **D6.1.986** Mat Toulloh Written Record of Interview, 7 April 2010, A33, EN 00506032 [“In principle, if one person was killed, the whole family would also be killed. In my village, all Cham people were killed.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219193, Mat Saren Interview [“In 1978 they began to kill off the Cham people. This time the killing was carried out publicly, not done secretly like before. The killing was known to the Khmer people wherever it was carried out, and they whispered the news to us. They killed the Cham in every village in Kang Meas and Kampong Siem districts. Those who survived were the people who had been evacuated away to far-away areas.”].

1210 **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A147, EN 01088550 [“In Kang Meas District, all the Chams were killed. Only one Cham family with two members survived. One of them was Him Man.”], A151, EN 01088551 [“After the liberation, many people said that only two Chams survived from Au Trakuon.”]; **D219/687** Mao Saroeun Written Record of Interview, 15 February 2016, A28, EN 01214821 [“Most of the Cham people were taken to be killed at Trakuon Pagoda, in Peam Chi Kang Commune, Kang Meas District. Throughout Kang Meas District, almost all of the Cham people were killed. Only one of them has made it alive. His name is Ta Man.”]; **D36** Chea Maly Written Record of Interview, 14 July 2011, EN 00722232 [“Q: As you mentioned Cham matters and you once said in a previous interview that [all] Cham in this district were killed except a Cham family. Which district were you referring to? A: Kang Meas district. In the commune where we are now, only one [Cham] family survived for [they] ran away to live in the lake.”]. *See also* **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A66, EN 01035849 [“There was only one Cham couple who survived the killing because they had escaped from the

village where they lived before the arrests. I knew this story after the Khmer Rouge Regime collapsed. And they are still alive now.”]

1211 **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.48.07-15.09.49, EN 01430899-903. *See also* **D1.3.10.23 Report on OCP Mission to Sector 41 (Operation Riverland)**, 8 August 2008, EN 00211170 [“The Khmer Rouge evacuated some Cham people to other places. Those that were left here were killed. The Cham people who live here now came here after 1979. The Cham who were living here during the Khmer Rouge period were killed. Unprompted, the commune chief [Seng Kuy] says that he participated in bringing Cham people by ox-cart, including children, to a location near Wat O Trakuon. He dropped them at the riverside, at the Wat gate, approximately 700 meters from the Wat compound.”].

1212 **D303** Written Record of Further Appearance, EN 01213485 [Genocide is charged on the basis of three underlying acts: killing members of the group; causing serious bodily or mental harm to members of the group; and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part].

1213 **D303** Written Record of Further Appearance, EN 01213486-87 [The sites and specific underlying offenses at each site are as follows: Kok Pring Execution Site: religious persecution through murder and extermination; Tuol Beng Security Centre and Execution Site and Wat Angkuonh Dei: religious persecution through imprisonment, murder, extermination, and other inhumane acts (inhumane conditions of detention); Wat Au Trakuon Security Centre: religious persecution through imprisonment, murder, extermination, torture, and other inhumane acts (enforced disappearances, physical abuse of prisoners, and inhumane conditions of detention); and Wat Batheay Security Centre: religious persecution through imprisonment, murder, extermination, torture, and other inhumane acts (inhumane conditions of detention, forced labour, and physical abuse of prisoners). Details of the specific crimes underlying from the Wat compound.”].

1213 **D303** Written Record of Further Appearance, EN 01213485 [Genocide is charged on the basis of three underlying acts: killing members of the group; causing serious bodily or mental harm to members of the group; and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part].

1213 **D303** Written Record of Further Appearance, EN 01213486-87 [The sites and specific underlying offences at each site are as follows: Kok Pring Execution Site: religious persecution the charges of persecution are discussed in the individual crime base section of this brief.]. The Co-Prosecutor does not seek indictment on the charges of religious persecution through the other inhumane acts of forced labour and physical abuse of prisoners at Wat Batheay Security Centre, nor on the charges of religious persecution through torture or the other inhumane act of physical abuse of prisoners at Wat Au Trakuon Security Centre.

1214 **D6.1.595** Michael Vickery, *Cambodia 1975-1982*, EN 00396927; also cited in **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot*, EN 01199563.

1215 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237956; **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot*, EN 01199563; **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489300, EN 00489314; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 09.44.36-09.46.25, EN 01405895, 10.54.07-10.55.57, EN 01405915; *see generally* **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678631-36. *See also* **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678632.

1216 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.10.02-11.11.58, EN 01405921, 09.44.36-09.46.25, EN 01405895; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 15.57.41-16.01.35, EN 01246673-74; **D6.1.461** Sos Kamri DC-Cam Statement, EN 01222009; **D219/702.1.77** It Sen, T. 7 September 2015, 11.31.10-11.33.53, EN 01430664-65; **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678632; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678632; **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489371, EN 00489353, and EN 00489316.

1217 **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678632 [“In 1936 it was estimated there were eighty-eight thousand Chams in Cambodia, and by 1975, two hundred fifty thousand.”]; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078450 [“It is estimated that prior to 1975, the Cham, who are Muslims, comprised 10% of Cambodia’s population (roughly 700,000 of the country’s 7,000,000 people).”]. EN 00078450, fn. 5 [the estimate that there were 700,000 Cham in Cambodia prior to 1975 is based on, *inter alia*, interviews with Zakariya Adam, Under Secretary of State of the Ministry of Cults and Religious Affairs, who claimed he had seen statistics on the Cham population compiled by former Grand Mufti Raja Thipadei Res Lah; Van Math, a senator who heard General

- Les Kosem (who had compiled statistics and conducted research on the Cham throughout the country) announce that the Cham population was 700,000; and Uknha Sos Kamry, Chief of Highest Council for Islamic Religious Affairs (Grand Mufti) in Cambodia, who stated, "According to the memories of Cham elders, prior to 1975 there were 700,000 Cham and 220 Cham villages"; and a report entitled "Statistics of the Cham Minorities" by the Department of Minorities, Office of the National Council of the Front, which stated that the Cham numbered 700,000 in 1974], EN 00078450-51 [discussing additional reasons that the author's research differs with Kiernan's estimate on the number of Cham before 1975 and is more accurately estimated to be 700,000]; **D219/879.1.2** The Phnom Penh Post, *How many Cham killed important genocide evidence* (letter from Ysa Osman), 10 March 2006, EN 01199557 ["My own estimate is supported by extensive field research I conducted with the Cham, while Kiernan's and Vickery's are based on French calculations from 1874 and 1936."], EN 01199558 ["According to the current official figures given by the chairman of the Highest Council for Islamic Religious Affairs in Cambodia [...] there are now 510,000 Cham living in Cambodia. [...] Since the Cham population in most regions is lower than it was before the Khmer Rouge [...] My figure of 700,000 Chams living in Cambodia prior to 1975 would then seem to be quite plausible"]; **D6.1.197** Dr. Ewa Tabeau and They Kheam, *Demographic Expert Report entitled Khmer Rouge Victims in Cambodia, April 1975-January 1979: A Critical Assessment of Major Estimates*, 30 September 2009, EN 00385312 [discusses the differences between Ben Kiernan and Ysa Osman's figures and concludes, "We might accept Kiernan's opinions as the most convincing. However, these views are uncertain too [...] due to a lack of reliable statistical sources on ethnic groups in Cambodia in the 1970s."].
- 1218 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.59.42-11.01.05, EN 01246612. *See also* **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.42.10-10.43.40, EN 01246604.
- 1219 **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot*, EN 01199568; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544, fn. 377; **D219/702.1.77** It Sen, T. 7 September 2015, 11.22.32-11.25.48, EN 01430662; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 13.59.28-14.01.32, EN 01142038-39; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 09.32.22-09.33.56, EN 0145890-91; **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot*, EN 01199568; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078545, EN 00078544.
- 1220 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078545, EN 00078577. *See also* **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.11.31-10.34.32, EN 01419039-40; **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.07.25-09.09.55, EN 01452516; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.55.57-10.57.47, EN 01405916; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667274.
- 1221 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.08.09-11.10.45, EN 01419054-55; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219115.
- 1222 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.17.25-11.19.32, EN 01405923-24; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078576; **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678632.
- 1223 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078546, EN 00078465, fn. 55.
- 1224 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.36.54-13.38.55, EN 01405931; **D219/702.1.77** It Sen, T. 7 September 2015, 15.57.45-15.59.52, EN 01430715; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.04.15-14.06.05, EN 01142040. *See also* **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.28.40-11.30.40, EN 01419062.
- 1225 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544.
- 1226 **D219/879.1.17** Hean Sokhom *et al.*, *Ethnic Groups in Cambodia*, EN 00489333; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544.
- 1227 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.33.00-13.35.30, EN 01405930; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.01.32-14.04.15, EN 01430884; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078544, fn. 378; **D1.3.17.1** Elizabeth

- Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237956; **D219/702.1.93** Him Man, T. 17 September 2015, 14.25.00-14.26.48, EN 01409271; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.01.32-14.04.15, EN 01142039.
- 1228 **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.09.55-09.11.48, EN 01188497; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237956; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219189. Ly Ysa Interview: **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489372 [“Traditionally, that is pre-1975, Cham men usually shaved their heads and wore a *kopiah* (skull cap or fez) and dressed in a sarong in public.”].
- 1229 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.16.50-11.19.17, EN 01419057-58.
- 1230 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078545. See also **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.57.46-10.00.25, EN 01419034-35.
- 1231 **D219/702.1.77** It Sen, T. 7 September 2015, 11.28.37-11.31.10, EN 01140827; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, EN 00078578. See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.57.47-10.59.45, EN 01405916-17, 13.35.30-13.36.54, EN 01405931.
- 1232 **D219/702.1.93** Him Man, T. 17 September 2015, 14.23.18-14.25.00, EN 01409270; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.33.27-11.34.45, EN 01216625; **D219/494.1.1** Sen Sophon, T. 27 July 2015, 15.44.50-15.46.50, EN 01122714; **D179.1.2.32** David Chandler, T. 20 July 2012, 15.46.39-15.48.38, EN 00827434-35; **D219/702.1.77** It Sen, T. 7 September 2015, 11.22.32-11.25.48, EN 01430662; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.01.32-14.04.15, EN 01142039; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.57.47-11.01.18, EN 01405916-17; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635. See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.59.45-11.01.18, EN 01405917.
- 1233 **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.29.15-15.33.50, EN 01449829; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.57.47-10.59.45, EN 01405916-17, 11.06.14-11.07.56, EN 01405919; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.09.42-10.34.32, EN 01419039, 10.09.42-10.11.31, EN 01419038-39, 10.36.20-10.38.08, EN 01419041-42, 11.08.09-11.10.45, EN 01419054-55; **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489331; **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678632.
- 1234 **D219/702.1.88** Seng [Sen] Srum, T. 14 September 2015, 09.27.52-09.30.05, EN 01145929; **D219/702.1.77** It Sen, T. 7 September 2015, 11.31.10-11.33.53, EN 01140828; **D5/387/4.1** Meas Soeurn, T. 29 June 2016, 15.10.38-15.12.33, EN 01341137; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.22.42-11.25.39, EN 01419060; **D6.1.705** Meas Soeurn Written Record of Interview, 18 December 2009, A53, EN 00425891; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237956; **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot*, EN 01199567; **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489320.
- 1235 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237956.
- 1236 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.57.46-10.01.32, EN 01419035; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.15.13-11.19.32, EN 01405922; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219074.
- 1237 **D219/702.1.79** Sos Min, T. 8 September 2015, 15.57.47-16.01.15, EN 01141499; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.17.25-11.19.32, EN 01405923; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.57.46-10.00.25, EN 01419034-35; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219074; **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489348. See also **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.36.18-09.38.15, EN 01216583.
- 1238 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219074. See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.19.32-11.21.13, EN 01405924; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.10.45-11.13.38, EN 01419055-56.
- 1239 **D219/879.1.17** Hean Sokhom et al., *Ethnic Groups in Cambodia*, EN 00489336 [“During the Khmer Republic, the Islamic community of Cambodia was led by the ‘Supreme Chief of the Islamic Religion of the Khmer Republic.’ a worthy named Oknya (Khmer title for ‘the Esteemed’) Haji Abdoullah bin Idres, also

known as Haji Reslah. He was assisted by two adjutants and counseled by General, now also Haji, Les Kosem. The Supreme Chief presided at annual meetings of *imam*, *hakim* (religious officials) and other Muslim notables to consider communal questions.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.01.32-10.01.42, EN 01419035-36; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222010; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 11.01.05-11.03.01, EN 01246612.

1240 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, San Teimnah Interview, EN 00219185. See also **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.38.08-10.39.20, EN 01419042.

1241 See, e.g., **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219062 [“Kroch Chhmar district has long been considered the heartland of Cambodia’s Cham Muslims. According to legend, it was the first place the Cham people settled after emigrating from Vietnam, which had been a center of the great ancient civilizations of Champa.”].

1242 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678632 [“[The Cham] are concentrated in about seventy villages near the banks of the Mekong and Tonle Sa in Kampong Cham province in the east and Kampong Chhnang and Pursat in the west. [...] By 1940 Kampong Cham province boasted forty mosques for its thirty-three thousand Muslims”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219062 [“Today, [Kroch Chhmar] district is home to a high concentration of Cham Muslims”].

1243 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219062 [“many religious leaders of Cambodia’s Islamic community have also lived [in Kroch Chhmar District].”].

1244 **D219/702.1.79** It Sen, T. 8 September 2015, 09.07.55-09.10.24, EN 01433790 [“It started in 1973. [...] In 1973, the situation became intense; thus, both the Khmer and the Cham were not allowed to go to school anymore, and schools were closed down.”]; **D6.1.182** It Sen Written Record of Interview, 9 July 2008, EN 00242094 [“I was born in Ampil village and I lived there when the Khmer Rouge came in for the first time in 1973. I was a student at that time but they closed the schools and they ordered all students to plough”]; **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218502 [“In 1972 the Khmer Rouge took control of my village. At that time they were extolling Islam, holding it up as being equal to Buddhism. I heard them announce that Islam and Buddhism and the revolution were really all one and the same.”]. See generally **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635-36.

1245 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219069 [“After years of an escalating process of ‘cooperativization’ across Cambodia during the era of Democratic Kampuchea (1975-1979), the system was propagandized to be a success.”].

1246 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.22.51-11.24.38, EN 01405925 [“But starting from 1973, there were changes: Cham were arrested and detained”], 11.30.32-11.32.30, EN 01405929 [“The effect on Cham people did not start from April 1975: it started earlier since 1973, as I told you earlier that the Khmer Rouge required them to stop practising their religion in 1973.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.39.20-10.41.35, EN 01419043 [“Even prior to 1975 and that it could be in 1973, the Islamic religion was closed. There were no Islamic schools for Cham students. There were no longer any tuons, and mosques were shut down as well. So by 1975, the Islamic schools were completely shut down.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 14.02.25-14.04.40, EN 01403683 [“She was tasked to raise pigs, three pigs, but she was afraid of raising pigs and she became sick. She did not dare touch pigs, she only mixed rice bran and gave it to the pigs. If she didn’t do it, she would be accused of opposing Angkar”]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.31.53-11.33.27, EN 01216624 [“Yes, the Khmer Rouge actually forced us to raise pigs.”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 15.50.20-15.53.57, EN 01099017-18 [“However, in 1973 and 1974, Cham people were evacuated and Cham people were not allowed to go to their mosque to pray”]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.47.56-13.50.48, EN 01430674 [“No. Rather, actually we were allowed to wear our traditional clothing. However, for daily prayers and fasting, it was strictly restricted. For traditional clothing it does not cause any trouble to all of us. We were allowed to wear our traditional clothing at that time.”]. But see, **D219/702.1.77** It Sen, T. 7 September 2015, 11.25.48-11.28.37, EN 01140827 [“From the time that the Khmer Rouge took control of the country, the Khmer Rouge forced us to speak Khmer and not to speak our Cham language. And that happened since 1971 or ‘72.”]; **D6.1.105** Mat Ysa Written Record of Interview, 14 August 2008, EN 00242078 [“Then all the Hakem (religious leaders) and the Tuon (teachers of Islam) were arrested. We could perform religious worship secretly. [...] They wanted [to] eliminate all religion, including Islam and Buddhism. [...] Islamic leaders were arrested and killed. In a meeting they told us that respect for and use of languages of foreign countries were improper.”]; **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048852-53 [“in

early 1976, they said to us: 'Chams who eat pork, and are prepared to raise and slaughter pigs, will be spared. [...] In August 1978, over 100 families of Chams and Khmers from EI's village were executed, including the Chams whom the Khmer Rouge had in 1976 promised to 'spare'.'); **D6.1.191** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00218502-03, Him Man Interview ["In 1972 the Khmer Rouge took control of my village. At that time they were extolling Islam, holding it up as being equal to Buddhism. I heard them announce that Islam and Buddhism and the revolution were really all one and the same. In 1973, once the people trusted them, the Khmer Rouge turned on the Cham. [...] The Khmer Rouge wanted to put an end to religion. Islam was the main target for them to eliminate. They forbade the Cham to worship or to speak their language, and they compelled the Cham to eat pork. Those who did not follow these orders were killed. They announced regularly, 'There are no more Cham, we are all now one nation, a nation of Khmer. We all eat the same food and eat together.'"]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219075 ["According to firsthand accounts, the Khmer Rouge also began to shut down mosques and forbade public communal prayer in 1973. Throughout Kroch Chhmar, Muslim women were coerced to uncover and cut their hair, and Khmer Rouge cadres attempted to collect and burn copies of the Qur-an. In some locations such as Koh Phal, the Khmer Rouge announced that Muslims would be forced to raise pigs and eat pork."]; **D219/702.1.51** Sop Kahtidja Transcript of Audio Interview, September 1984, EN 00667248 ["Cham were forced to take care of pigs."]. See also **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.33.50-15.36.44, EN 01449830 ["In 1974, hakims had been called to commune office. They were arrested and detained at Krouch Chhmar security office and then three other tuons, who were knowledgeable, were also called and taken away. [...] Between 1970 and '74, we were allowed to go and do the worship. The situation was not so tense during that period."].

1247 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.22.51-11.24.38, EN 01405925 ["And in 1974, there were more arrest[s] and the number kept increasing"]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.11.36-09.13.50, EN 01419016-17 ["The killing between 1977 to '78 was more serious and intensified. It means the killing was done discriminately, that meant whoever was considered Cham or Cham related was subject to be killed."].

1248 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635.

1249 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635 (*internal brackets and emphasis removed*).

1250 **D219/702.1.79** Sos Min, T. 8 September 2015, 14.12.02-14.14.10, EN 01433856 ["Under their initial control, their policy or leadership was so good. They made a propaganda for us to join their action in order to liberate the country; they respected our religion, and that happened before 1975. However, everything changed after April 1975 -- that is, after the liberation of Phnom Penh."]; **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.39.20-15.41.15, EN 01449831 ["Starting from 1975, mosques were closed down. We were not allowed to pray or worship, and we were banned from reciting the scripts from the Holy Book Koran."]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 14.20.34-14.21.44, EN 01452588-89 ["Regarding the ban of religious practices, it was banned after the Khmer Rouge took over Phnom Penh and then they started to restrict the religious practices. All mosques were closed down."]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.11.36-09.13.50, EN 01419016-17 ["The killing [...] started since 1973. [...] from '75 to '77, the scale of the killing was also different. [...] between 1977 to '78 was more serious and intensified. It means the killing was done discriminately, that meant whoever was considered Cham or Cham related was subject to be killed."]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.24.30-09.26.26, EN 01246580 ["After the fall of Phnom Penh, we were not allowed to eat at our own home. We had to eat communally at a common kitchen. And we were not allowed to continue our religious practice"]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 ["At the beginning they didn't restrict the Islamic religion or the Cham culture."]; **D219/888.1.8** Preap Sokhoeurn, T. 24 October 2016, 09.10.44-09.13.01, EN 01362061 ["The Cham people living in the union in 1975 were no longer considered Chams. They were like ordinary people. They were not allowed to practice their Cham religion."].

1251 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.13.50-09.15.18, EN 01419017 ["As for the period between '75 to '77, the target of the killing was similar to that of the Khmer people. It means those who opposed the regime, those who refused to obey the instructions or those who opposed the Revolution, those who refused to eat pork or those who refused not to speak Cham or to change their names, they were the targets of the killing between this period of '75 through early '77"]; **D6.1.182** It Sen Written Record of Interview, 9 July 2008, EN 00242095 ["No explanation was made by the Khmer Rouge and those who refused such practices would be killed."]. See also **D219/702.1.78** Sos Romly, T. 8 January 2016, 14.20.34-

14.21.44, EN 01452588-89 [“Regarding the ban of religious practices, it was banned after the Khmer Rouge took over Phnom Penh and then they started to restrict the religious practices. All mosques were closed down.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.11.36-09.13.50, EN 01419016-17 [“The killing [...] started since 1973. [...] from ’75 to ’77, the scale of the killing was also different. [...] between 1977 to ’78 was more serious and intensified. It means the killing was done discriminately, that meant whoever was considered Cham or Cham related was subject to be killed.”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.24.30-09.26.26, EN 01246580 [“After the fall of Phnom Penh, we were not allowed to eat at our own home. We had to eat communally at a common kitchen. And we were not allowed to continue our religious practice”]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 [“They had the Cham people to get a short hair cut, and banned them from speaking the Cham language. This ban and discrimination were intensified after the liberation of Phnom Penh on 17 April 1975.”].

1252 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237957. See also **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.22.25-09.24.50, EN 01452688. See generally **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678542-51.

1253 **D219/702.1.109** No Sates, T. 28 September 2015, 13.58.18-14.00.42, EN 01403681.

1254 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.46.55-10.48.57, EN 01419046 [“And there were also Khmer witnesses who saw such a document or written instructions from the sector to the district and the district to the lower level, and I was told about that.”]; **D219/702.1.79** It Sen, T. 8 September 2015, 09.15.34-09.16.38, EN 01433792 [“The order came down from the upper level to the village chief and to the group chief. The order actually came down from the Angkar above to the village chief and the group chief to impose restrictions on the practice of religion.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 15.35.47-15.38.56, EN 01403709 [“Q: How was it communicated to you that you were not allowed to use your Korans, or to wear your clothes or to have your hair long, who told you this and how was it told to you? A: It was Angkar. Angkar was believed to be from the top. Angkar prohibited all of us from wearing head scarf or traditional clothes and from worshipping, and we were instructed to cut our hair short, we were not allowed to practice, to use Korans; Angkar from the upper level ordered such prohibition. I did not know who Angkar was but, I only know that it was Angkar”. See also **D219/702.1.52** Sufeeyan Idres Transcript of Audio Interview, 25 December 1984, EN 00667254 [“No, village cadre said ordered from the Angka. He thinks the cadre were afraid of the Chams plotting against them.”].

1255 **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.57.02-10.58.33, EN 01246611 [“There were meetings held to explain [to] us about the abandonment of religion. We were told not to practice our religions and try to work for the regime’s interests.”], 10.58.33-10.59.42, EN 01246611 [“In relation to the meetings concerning religions and other issues, they happened very – quite often in villages and in other locations where we were informed of the ban on religion.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 13.58.18-14.00.42, EN 01403681 [“The meeting would take place once every month or even earlier than that and we were told not to speak Cham language. Our religion was abolished, we were prohibited from practising our religion and we were not allowed to do any prayers. We were not allowed to study the prayers”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 14.19.39-14.22.30, EN 01433859 [“They had their principles and instructions. And whenever they wanted to impose those instructions, we would be called to meetings so that those instructions would be relayed, and subsequently imposed. Usually, the cooperative chief or the commune chief would present such impositions.”]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.30.00-11.31.53, EN 01216623-24 [“We were called to an open meeting where the announcement was made. [...] They announced that we should not believe in our superstitious religion. We were prohibited to practise our Islamic religion.”], 15.12.06-15.14.54, EN 01216659 [“Yes, I attended the meeting. All the youths were called to attend the meeting. Women were instructed to cut their hair short. I mean the Cham women. And they were prohibited from wearing the head scarf.”]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.21.17-09.24.50, EN 01452688 [“In 1975, the cooperative made an announcement for the Cham people to cut their hair short and not to cover -- not to use scarf to cover their head and that we were forced not to live in a group [...] The announcement was made in Antak Kouy village, Khmar commune in Bakan district, Pursat province. The announcement made by the Khmer Rouge was done right there in the village, and my family was evacuated to Tram Seh cooperative.”]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.09.55-09.11.48, EN 01452516 [“There was a ban imposed in the meeting, and we were told that the religion was useless and considered reactionary”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.03.15-10.05.37, EN 01405903 [“later on, another [rebellion] took place in 1975. It took place probably in September.”], 10.39.00-10.41.21, EN

01405909 [“there were district chief, Ta Pha (phonetic), and district cadres from the district including the security forces who went to Kaoh Phal area to call a meeting.”], 10.44.10-10.47.12, EN 01405912 [“The five conditions are the following: Number 1: The women who are Cham have to cut their hair short following the revolutionary style and that they have to stop wearing head scarf. Second: The Koran, which is foundation the Islamic religion, shall entirely be gathered and burned. Three: All the Cham people in Kaoh Phal village have to raise pigs and eat pork. And the next condition is they stop -- they have to stop [worshipping] God, and all the mosques have to be closed down. And the last condition imposed is the Cham men and women have to marry other ethnic groups and not with the Cham people. These five conditions were imposed; however, the Cham people living in Kaoh Phal did not accept any of them.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 13.44.03-13.47.14, EN 01419068-69 [“As for the Khmer Rouge regime, the fifth condition that was imposed on Kaoh Phal villagers was that the Cham men had to marry Khmer women; likewise, the Cham women [had] to marry Khmer men. But in practice, it did not actually happen because after the imposition of the conditions, rebellions took place and as a result, the Cham people were evacuated. And for that reason, since the Cham did not live in a community, the fifth condition was rarely imposed as the Cham people lived [mingled] with the Khmer people and this is based on my research.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219119, Res Tort Interview [“Later a Khmer Rouge messenger came to tell the village that on 12 September 1975 they would come to the village to call a meeting. [...] They called everyone to the mosque.”], confirmed by **D6.1.374** Res Tort Written Record of Interview, 19 May 2009, EN 00340202 [“The meeting was led by the person named Phung. He ordered the collection of *Qur-an*. [...] The Khmer Rouge cadres came to the village with other twenty armed soldiers and were in military uniform. As for the cadres, they had pistols. The soldiers brought a rope with them to tie the forty people; they had already planned it.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219115-16 [in September 1975: “The Khmer Rouge sent word that they were entering the village again on a certain day during that month, and declared that they would be calling a ‘meeting’ at that time. This would be an important meeting, according to the communique, one that all must attend without fail.”], EN 00219119, Res Tort Interview [“from that point on, all Cham would have to marry non-Muslims.”], confirmed by **D6.1.374** Res Tort Written Record of Interview, 19 May 2009, EN 00340202; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219120, San Sulaiman Interview [“on a Wednesday during Ramadan 1975 at 1:00 p.m., eight cadres arrived to convene another meeting. One of the eight was Cham, Ta Yok.”], EN 00219126, Mat El Interview [“In 1975 many Kroch Chlumar cadres held a meeting in the village mosque. [...] one of the cadres got up and announced, ‘There is no benefit to adhering to religion, so it must be stopped.’”], EN 00219130, Chet Sman Interview [“On the tenth day of the Islamic month of Ramadan in 1975, the district-level cadres of Kroch Chlumar called a meeting of the villagers of Koh Phal. [...] The Yok who came from Trea made fun of the villagers for not abandoning Islam. At 6:00 p.m., the time for late afternoon prayer and breaking the fast, they kept the meeting going.”]; **D6.1.376** Kac Noh Written Record of Interview, 20 May 2009, EN 00340181 [“After they burned the *Qur-ans*, the Khmer Rouge cadres assembled people to attend a meeting and told them that if the people joined them, they would live easier lives, but they did not tell what would happen to us.”].

1256 **D219/702.1.77** It Sen, T. 7 September 2015, 13.40.13-13.43.13, EN 01430671 [“The order came down to villages, and village chiefs and security guards of Ampil village and Preaek Krouch village went around to confiscate all the Korans. The order came down from the upper echelon.”]. See also **D219/702.1.79** It Sen, T. 8 September 2015, 09.15.34-09.16.38, EN 01433792 [“The order came down from the upper level to the village chief and to the group chief. The order actually came down from the Angkar above to the village chief and the group chief to impose restrictions on the practice of religion.”], 09.24.29-09.27.14, EN 01433796 [“Kob Sath was a village chief at the time -- that is, during whose term many people were evacuated and arrested. He was there as a village chief. He was the one that ordered us to eat pork; we understood that he received such an order from the upper level.”], 10.55.42-10.57.32, EN 01433828 [“The order came down from the upper level to the commune chief and the village chief to chase us from the village. They were ordered not to issue us food ration if we continued to stay in the village.”], 11.09.02-11.10.43, EN 01141449 [“It was the security force, the village chief, and the commune chief who gave us that order. And they said that the order came from the upper level, and the order came through the chain of command for us to go.”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 14.19.39-14.22.30, EN 01433859 [“They had their principles and instructions. And whenever they wanted to impose those instructions, we would be called to meetings so that those instructions would be relayed, and subsequently imposed. Usually, the cooperative chief or the

commune chief would present such impositions.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 15.38.56-15.40.20, EN 01403709 [Meetings in Svay Khleang commune].

1257 **D219/702.1.109** Him Man, T. 28 September 2015, 11.20.00-11.23.18, EN 01403669-70 [meetings in Sach Sou village in Peam Chi Kang where instructions were given from Angkar at the “upper level”].

1258 **D219/702.1.109** No Sates, T. 28 September 2015, 15.38.56-15.40.20, EN 01403709.

1259 **D219/702.1.109** No Sates, T. 28 September 2015, 13.58.18-14.00.42, EN 01403681. *See also* **D219/702.1.93** Him Man, T. 17 September 2015, 14.29.11-14.31.21, EN 01409272 [“no one was allowed to pray in the mosque anymore [...] we were explicitly prohibited from praying”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.57.02-10.58.33, EN 01246611 [“There was a ban, and close observation or surveillance was implemented at the time to prevent us from practising our religions”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219212, Ismail Maisam Interview [“Every night members of the militia hid under the raised houses, listening for the sound of anyone praying.”], *confirmed by* **D6.1.175** Ismael Maisam Written Record of Interview, 7 July 2008, EN 00242110.

1260 **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.39.25-15.41.04, EN 01431685 [“for religion there was a ban, no Islam was allowed to be practised.”]. *See also* **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.49.13-13.50.50, EN 01405936 [“during the DK regime the religious belief and practices were entirely abolished and the Cham people were forced to eat pork and to speak Khmer language.”]; **D6.1.531** Math Ly Transcript of Audio Interview, EN 00436857 [“They forbid worship, all religion.”]. **Central Zone:** **D219/702.1.75** Ban Seak, T. 5 October 2015, 10.54.10-10.55.21, EN 01409550 [“To my knowledge they [the Cham] were prohibited from practising their religion”]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053461 [“From 1973 in Kratie Cham could not practice religion.”]; **D6.1.190** Him Man Written Record of Interview, 11 August 2008, EN 00242090 [“Islam was eliminated”]; **D6.1.191** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00218503, Him Man Interview [“At 3 o’clock in the afternoon the Khmer Rouge began evacuating all the Cham throughout Kang Meas district. Most of them were former residents of Sachso Village, Antong Sar, and Angkor Ban. That amounted to hundreds of people.”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 10.28.18-10.30.22, EN 01456480 [“Religion was prohibited, and that applied to the Cham and to the Khmer people.”]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210482 [“When the Khmer Rouge first arrived here, the Cham men were told to do fishing, and the women farming. They were not allowed to wear traditional clothes or practice their religion.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14, September 2015, 09.32.11-09.33.55, EN 01406810 [“Cham people were prohibited from practising their religion.”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.24.30-09.26.26, EN 01246579-80 [“we were not allowed to continue our religious practice.”]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 [“They didn’t allow the practicing of Islamic religion or the Cham culture.”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 10.04.42-10.09.56, EN 01098950-51 *confirming* **D6.1.407** Or Ho Written Record of Interview, 18 November 2008, EN 00250047 [“Their religion was closed down, and they were not allowed to worship.”]; **D219/702.1.7** Meas Layhuor, T. 25 May 2015, 15.52.48-15.54.05, EN 01123214 [“they were not allowed to practice their religion”]; **D219/702.1.106** Meas Layhuor, T. 26 May 2015, 14.10.03-14.11.33, EN 01101816-17; **D6.1.410** Meas Layhuor Written Record of Interview, 20 November 2008, EN 00244165 [“They did not let the Cham practice their religion: they had to do everything like the ethnic Khmer.”]; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 [“They did not permit us to practice religion”]; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.15.14-14.16.56, EN 01430889 [“Q: As far as you are able to ascertain, were the Cham allowed to practice their religion while they were living in Angkor Ban Village Number Two? A: No, it was not allowed.”]. **East Zone:** **D6.1.1050** Statement submitted by Amnesty International to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Allegations of Human Rights Violations in Democratic Kampuchea*, August 1978, EN 00271509-10 [“The refugee alleged that the Muslim families were later separated, each forced to live with larger groups of non-Muslims, forbidden to meet or assemble in a group and to practice religion”]; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667269-70 [“Q: What was Khmer Rouge policy toward Cham? A: He has put more pressure to Cham people and Islamic religion, all the Cham customs and traditions. They did not allow Cham to do at all as ceremonies of festival, marriage. [...] They saw ‘religion is no good’, useless, so don’t believe in it, we have to believe in our organization.”]. EN 00667272 [“Cannot practice Islam religion, because they do not want to have any religions in their regime and if they have kept the people to do anything with religion. It is difficult, and religion is a useless thing.”]; **D219/702.1.78** Sos Romly, T. 8 January 2016,

09.07.25-09.09.55. EN 01452515 ["In 1975, Khmer Rouge started to close down mosques in Trea village and Korans were not allowed to use any more. And Cham women were required to cut their hair short in contrast to the Islamic tradition, and worship at home was not allowed to be practised."]. 14.20.34-14.21.44. EN 01452588-89; **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053301 ["Not allowed to practice religion. All religion was banned."]; **D219/702.1.76** Ban Seak. T. 6 October 2015, 10.59.38-11.01.45. EN 01435837-38; **D6.1.386** Ban Seak Written Record of Interview, 6 July 2009. EN 00360759 ["the Muslim Chams were not allowed to pray"]; **D219/702.1.77** It Sen. T. 7 September 2015, 11.22.32-11.25.48. EN 01430662 ["And we were not allowed to do our daily prayers and fasting. The restriction began in 1970."], 13.38.09-13.40.13. EN 01430670 ["When they arrived, there were no more prayers and fasting."]; **D6.1.182** It Sen Written Record of Interview, 9 July 2008. EN 00242095 ["We were not allowed to obey Cham religion"]; **D219/702.1.86** Math Sor. T. 13 January 2016, 09.43.08-09.45.03, EN 01414984-85 ["our religious practices were abolished [...] they did not allow us to practise Cham religion"]; **D219/702.1.79** Sos Min. T. 8 September 2015, 15.30.30-15.33.05, EN 01433880-81 ["Everything to deal with the religion was forbidden. We were not even allowed to speak the Cham language."]; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008. EN 00242073 ["They did not allow any religious practice at all."]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.38.15-09.40.52, EN 01216584-85 ["We were prohibited from practising our religion"]. 11.28.52-11.30.00. EN 01216623 ["We did not dare to practise our religion or pray."]; **D6.1.106** Van Mat alias Sales Ahmat Written Record of Interview, 15 August 2008, EN 00242067 ["They did not allow our religious practice and they forced us to eat pork. We could not meet or practice our customs and traditions at all."]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275164 ["They did not permit us to observe our religion or traditions."]; **D6.1.111** Sa Nau Written Record of Interview, 17 August 2008, EN 00242061 ["They forbid us from respecting religion; then they began to arrest the religious leaders and the educated."]; **D6.1.376** Kac Noh Written Record of Interview, 20 May 2009, EN 00340182 ["The Khmer Rouge abolished all religious practices."]; **D6.1.378** Chhi Ly Written Record of Interview, 20 May 2009, EN 00340173 ["They did not allow religious practices, both Buddhism and Islam."]; **D219/792.1.4** Man Sles. T. 29 February 2016, 13.40.09-13.41.52, EN 01452734 ["we were not allowed to pray"]; **D219/792.1.1** Sos Romly. T. 6 January 2016, 15.39.20-15.41.15. EN 01449831-32 ["Starting from 1975, mosques were closed down. We were not allowed to pray or worship, and we were banned from reciting the scripts from the Holy Book Koran."]. **Northwest Zone: D219/702.1.52** Sufeyan Idres Transcript of Audio Interview, EN 00667254 ["The KR policy was banning all religion. No Cham practiced even in secret, because they were afraid they would be killed."]; **D219/792.1.4** Meu Peou. T. 29 February 2016, 09.16.51-09.18.47. EN 01452686 ["They forced the Cham people to abandon their religion"]; **D219/702.1.2** Zakreyah Transcript of Audio Interview, 22 January 1984, EN 00855135 ["Some who continued to practice religion were killed by KR. [...] Not allowed, KR was very strict. At first, religion was tolerated, but by May 1975 the policy was strict. The reason was one should not believe what one could not see."]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053139 ["KR eliminated the practice of all religions."]; **D1.3.28.16** Hul Man Transcript of Audio, September 1984, EN 00053146 ["No, we could not practice. A few tried to practice, but only the very devout, 2 families, in December 1978, were criticized and threatened with death if they persisted."]; **D219/702.1.46** Abdullah Transcript of Audio Interview, July 1985, EN 00667260 ["Cham religion was banned. [...] Not allowed to speak Cham, not allowed to practice religion, had to eat pork."]. **North Zone: D6.1.1252** lep Toh Transcript of Audio Interview, September 1984, EN 00053246 ["Q: What was the Khmer Rouge policy toward Cham? A: Not allowed to pray or practic[e] Cham religion. Not allowed to speak Cham. Cham had to work very hard, same as Khmer. If prayer continued, after the 3rd time they were caught, they would be killed. This is what he heard. Cham had to eat pork."]; **D219/702.1.49** Peang Romly Transcript of Audio Interview, 20 May 1985, EN 00667218 ["in 1974-1975 they did not allow them to do that [live together] also about practice religion."]. **Southwest Zone: D219/702.1.48** Mak Kathect Transcript of Audio Interview, September 1984, EN 00667211 ["But in August 1975 the district, srok and village leaders banned Cham religious practice."]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053139 ["KR eliminated the practice of all religions."].

¹²⁶¹ **D219/792.1.1** Sos Romly. T. 6 January 2016, 15.39.20-15.41.15, EN 01449832 ["The meetings were held among the village chief and commune chiefs and religion was considered reactionary."]. See also **D219/702.1.78** Sos Romly. T. 8 January 2016, 09.09.55-09.11.48, EN 01452516 ["we were told that the religion was useless and considered reactionary"], **D1.3.17.1** Elizabeth Becker, *When the War was Over*:

Cambodia and the Khmer Rouge Revolution, EN 00237956 ["These exotic people were twice doomed, for their 'foreign race' and their 'reactionary' faith. For generations they had avoided being absorbed into the society of Buddhist Khmers. The Cham had always lived apart in Cambodia"]; **D6.1.458** Math Ly DC Cam Interview, 27 March 2000, EN 00441581. *See also* **D1.3.20.2** DK Constitution, 5 January 1976, EN 00184838 ["Every citizen of Kampuchea has the right to worship according to any religion and the right not to worship according to any religion. Reactionary religions which are detrimental to Democratic Kampuchea and Kampuchean people are absolutely forbidden."]; **D6.1.1073** Kaing Guek Eav alias Duch Responses, EN 00251374, fn. 1 ["For example, Article 20, Chapter 15 of the DK's Constitution, the first sentence which reads 'Every Cambodian has the right to believe in any beliefs or religions,' was a lie. It was written to conceal the essence of the second and, in particular, the third phrase."]; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078543 ["Under this article of their Constitution, the Khmer Rouge aimed to carry out a pure revolution to eliminate religions from Cambodia."]; **D179/1.2.32** David Chandler, T. 20 July 2012, 15.48.38-15.49.26, EN 00827435 ["there's no religion that the Khmer Rouge didn't think was 'reactionary.' [...] the Constitution itself, by indirection, after first making phrase that would be pleasing to an overseas audience, then made it clear that there was really no patience or tolerance for religious activity. And this, of course, what – one of the things that set the Cham aside."]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.26.26-09.28.28, EN 01246580.

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D6.1.531 Math Ly Transcript of Audio Interview, EN 00436866 ["all religions were eliminated. Cambodia had three religions, first Buddhism, second Islam, third Christianity. No one was allowed to have faith. Any believers were smashed by Pol Pot."]; **East Zone: D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242081 ["The Khmer Rouge came to my village in 1973. [...] From the very beginning, they were not good people. They forbid the practice of religion. They gathered up our Qurans and had us cut our hair short. [...] They always arrested people during the daytime, especially on Fridays, when the males worshipped at the Cham mosque. They arrested people, tied them by their hands into lines, and walked them to the District Security Office at Krauch Chhmar."]; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667271 ["He knew one man named Naseath that was taken and killed and the main reason that he was killed because of adhered in religion. He was criticized once twice time before he was killed like stop practicing and worshipping. Eat the pork meat and this was happened in 1977, February and was killed by the Khum sapper team."]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.38.09-13.40.13, EN 01430670 ["Those who dared to do daily prayers were arrested and disappeared. Two or three people were not allowed to have an assembly. From then on, we were under strict surveillance."]; 13.43.13-13.45.00, EN 01430672 ["No one dared to do so. If anyone did dare to resist the order, they would be arrested and taken away. We did not dare to resist, or we would be taken away. They came to listen to us every night underneath our house. We were not supposed to talk about anything at our home at night. Whenever they heard anyone talking, they would go into that house and arrest those people immediately."]; **D219/702.1.51** Sop Kahtidja Transcript of Audio Interview, September 1984, EN 00667249 ["The Haikum in Bong Prruil, Mr Ajcheese Ma-cl, was evacuated to live with interviewee in Taibai Koksrok. He pretended to be crazy so he could pray. The KR said that because he continued to pray, defying the ban on Cham religion, he must be taken to become 'fertilizer'. The Haikum was taken to be killed about 8 months before HS liberation. His wife was taken as well."]; **D1.3.17.5** Ben Kieman, *The Pol Pot Regime*, EN 00678638 ["Ismael recalls, 'Once they banned religion, people gave it up. ... There was no resistance here as in Krauchhmar and Peareang. ... We did not dare to continue religious activity because they came and watched us, and would take us away and kill us, if we did.'"]; **Northwest Zone: D219/702.1.2** Zakreyah Transcript of Audio Interview, 22 January 1985, EN 00855135 ["Some who continued to practice religion were killed by KR. One man, Usos, from Smany Bhat, was killed by the KR in April 1976. He was caught praying and tied up and taken away to unknown place, presumably to be killed."]; **D219/702.1.52** Sufeyan Idres Transcript of Audio Interview, 25 December 1984, EN 00667253-54 ["The Haikum from Narraah was killed in Tapon, Sankeyc, Battambang in 1977 (late). He was educated in Egypt and was possibly killed for his biography, but he also combined to practice religion after KR came to power. [...] Many were killed, some for allegiance with Lon Nol, some for a Mr. Usoh was killed for practicing Cham religion in 1977. He estimated that 10 people were killed in this village. 1 family of 3 were killed because they continued to practice religion."]; **D1.3.10.1** Weekly Report of Sector 5 Committee, 21 May 1977, EN 00342709 ["for this situation, we have taken special measures, that is, look for their string, look for the head of their movement in order to sweep clean"]; **Central Zone: D219/702.1.109** Him Man, T. 28 September 2015, 11.15.00-11.17.15, EN 01403668 ["We were not allowed to pray or to

worship anymore, and if somebody tried to do it secretly and was caught, then the person disappeared”]; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 [“My uncle and his family were killed during that era because he worshipped.”]; **Southwest Zone: D6.1.1235** Mat Sman Transcript of Audio Interview, September 1984, EN 00053218 [“KR killed his grandfather. The interviewee was away with his company and is not sure of the date. His mother told him that a KR spy saw his grandfather praying and reported the incident. His grandfather lived in Svey Leu and was taken to Po tonle village and executed.”], EN 00053221 [“1975-1977 they could pray secretly, but 1978 it was impossible. There was a meeting in March 1978 [...] [the Khmer Rouge] said if KR saw anyone pray they would kill them. People were very afraid after the meeting. Before 1978, Cham would only be criticized for praying. After March 1978 KR would kill one for praying. His grandfather was killed after this time.”].

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D277/1.7 Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661479 [“As for Islam, CPK policy was similar to that for Buddhism: practice of the religion was to be ended and the top level of the Phnom Penh-based Islamic religious hierarchy was to be smashed, killed like high-ranking *bandasak*. Often leading Islamic officials were executed in Cham-populated rural areas long under Communist control to which they were evacuated. Also killed in many places were evacuated members of the second-tier Islamic elite: hakim, haji and tuon (judges, men who had made the pilgrimage to Mecca and scribes), apparently being treated like lower-ranking *bandasak* and this subject to systematic extermination. [...] Immediate post-17 April executions of Islamic dignitaries in these relatively small and isolated Cham settlements went hand-in-hand with assaults on practice of Islam and on Cham identity – sometimes accompanied by discrimination in food rations and work assignments – and executions of those who resisted or refused to comply with de-Islamization and de-Chamization”]; **D219/702.1.82** Ysa Osman, T, 10 February 2016, 09.11.36-09.13.50, EN 01419016-17 [“And the killing between 1973 to ’75 was meant for those who were knowledgeable in religion, religious leaders, religious students, intellectuals or those who were respected in the community or those who were also wealthy.”], 10.50.05-10.51.54, EN 01419047-48 [“In cases of the arrest and detention of the Cham people, it happened since 1973. In 1973, some Cham people who had roles in their leadership, including hakim, haji and tuon were gathered. Haji referred to those who went on pilgrimage to an Arabic country. For example, they were rounded up in 1973, in Krouch Chhmar district, these people were gathered up and detained in a district security centre near Krouch Chhmar market.”], 13.48.30-13.52.22, EN 01419069-70 [“In fact, the previous mufti, as well as his first and second deputies, were killed”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222010 [“Several generations of leaders came and went under this structure and the elders say that this ended when the Khmer Rouge regime came to power in 1975 and with the killing of the last religious leader. [...] We had gone without a religious leader for 20 years from 1975 to 1996.”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237957 [“After the Khmer Rouge victory, the attack against the Chams became open and systematic. The religious and community leaders of the Chams were hunted down and murdered.”]; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078570-72 [list entitled ‘Important Islamic Leaders Who Died During the Democratic Kampuchea (DK) Regime’]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678637 [list entitled ‘Death Toll of Islamic Leaders in Democratic Kampuchea’]; **Phnom Penh: D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667212 [“There was no Haikum in his village, barong Usoh, who was Haikum in Chrang Chamreas, Phnom Penh, was killed by KR after he was identified by other Chams as a Cham leader.”]; **Central Zone: D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053460 [“This was after the Cham community had a conflict with KR in Angkor Bhan and were evacuated to Kratie, with the Haikum killed.”], EN 00053463 [“Haikum was killed in 1973 in Angkor Bhan, after being accused of planning to defect to Lon Nol controlled area.”]; **D6.1.191** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00218502, Him Man Interview [describing events in 1973: “That year the Khmer Rouge evacuated about twenty families from my village to provinces that were far away. They were all well-educated in Islam and they were the religious leaders of the village.”]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667235-36 [“some Muslim teachers, when they put more pressure who lead about religion was taken to prison and killed so all the people who are the rest have to follow them. [...] He knew one man, his name is Hosen [...] [he] was a Muslim teacher, he saw then they came and took that man but he did not when they took that man to kill. He heard that he was killed at Toum Pang Sway area”]; **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048831

["Ibrahim pointed out that of 11 haji (Mecca pilgrims) from his village, nine went to the Central Zone where they were all executed"]; **East Zone: D219/702.1.78** Sos Romly, T. 8 January 2016, 09.49.50-09.51.15, EN 01452531 ["Before 1975, there were haji."], 09.14.30-09.16.14, EN 01452518 ["I only knew that they held different positions."], 09.48.28-09.49.50, EN 01452530-31 ["Hakims were arrested in early 1975."], 09.55.08-09.56.13, EN 01452533-34 ["Q: Do you know if they survived the regime? A: All of them were arrested and taken away by the Khmer Rouge."], 09.56.13-09.59.02, EN 01452534-35 ["All the three religious teachers: one named Sos Sleiman, he was a student coming from Egypt. He went to study the religion in Egypt. And then another one is Sos Yaskos. He went to study the religion in Malaysia. And he came to teach in Trea village. And another one's name was Brohim, Ibrohim. He was a teacher, religious teacher, and he was trained in the village and was a learned person in the village. Q: Do you know what happened to them between April '75 and 1978? A: All the three were arrested."]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635 ["By December 1974, arrests of Cham leaders in Trea village or Krauchhmar district provoked a rebellion."]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.34.37-09.36.18, EN 01216582-83 ["After Pol Pot came to control the country, hajis, tuons had been sent away and killed."], 09.42.08-09.44.08, EN 01216586 ["Religious teachers, as well as intellectuals, had been arrested. At the time, they had been sent to a security centre in Krouch Chhmar district, and they never returned."], 09.45.52-09.47.23, EN 01216587 ["Haji, hakim and tuons were all arrested. No one left."], 14.24.37-14.26.42, EN 01216647 ["I saw them coming to arrest the people, to arrest the leaders of the tuons, hajis and hakims"]; **D219/702.1.86** Math Sor, T. 13 January 2016, 11.06.24-11.08.38, EN 01415012-13 ["Hakim was taken away and killed, and his name was San."]; **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.33.50-15.36.44, EN 01449830; **D6.1.111** Sa Nau Written Record of Interview, 17 August 2008, EN 00242061 ["There were many changes. They forbid us from respecting religion; then they began to arrest the religious leaders and the educated. I saw events many times, but they did not arrest me."]; **D6.1.105** Mat Ysa Written Record of Interview, 14 August 2008, EN 00242078 ["Then all the Hakem (religious leader) and the Tuon (teachers of Islam) were arrested. [...] Buddhist monks were forced from their robes, but they were not killed. To the contrary, the Islamic religious leaders were arrested and killed."]; **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053298-99 ["He stayed in Prey Veng, where his father was killed by KR for being a Haikum. Interviewee says 'all' Haikums and Muslim leaders were killed. The 'head of Chams' in Chrang Chamres was killed at the same time with his father in 1975. His father was killed with boiling water. The Cham leader from Chrang Chamres was Kes Abdullah. [...] He says that all Haikums were killed during KR during April and May 1975. His father was a Haikum and killed in Prey Veng during this time, along with other Cham religious figures."]; **D219/702.1.51** Sop Kahtidja Transcript of Audio Interview, September 1984, EN 00667249 ["The SW KR killed the Haikum."]; **D1.3.28.13** Rim Sarah Transcript of Audio Interview, August 1984, EN 00053305 ["The Haikum in Koh Sautin, as well as the Imam, were taken to Koh Kabai village in 1975, soon after April, and killed. Koh Kabai was where Cham religious leaders and others who were targets were taken to be questioned and killed."]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219075 ["in 1973, the members of these new hakim committees were called to undertake 40 days of political training at Rokar Khmor. It is not known whether Sos Man attended as well. Three months later the religious leaders who had been called to attend the meetings were arrested. So Man was arrested in the following year and executed."]; **D6.1.1050** Statement submitted by Amnesty International to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Allegations of Human Rights Violations in Democratic Kampuchea*, August 1978, EN 00271509; **Northwest Zone: D219/792.1.4** Meu Peou, T. 29 February 2016, 10.43.51-10.45.44, EN 01452710-11 ["Religious scholars of Islam were taken away and killed during the Khmer Rouge regime, but I did not know where they were killed or where they were detained. But I just knew that if they happened to know any religious scholar in Islam, they would be taken away and killed. That was what I knew."]; **Southwest Zone: D1.3.28.10** Muhamed Ali Transcript of Audio Interview, August 1984, EN 00053272 ["He had no Haikum in his village in Battambang in Cha village, in Takco the Haikum was taken by KR to be killed."]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053137 ["The Haikum in Prey Reng was killed in June 1975. The Haikums name was Moot Lee."]; **D6.1.1241** Saleh Transcript of Audio Interview, September 1984, EN 00053278 ["He [Haikum] was killed in September 1977 for praying. Before 1977, he prayed secretly. He was caught 2 or 3 times but was only criticized. Interviewee saw him tied up and taken to Po-tonle village."]; **West Zone: D1.3.28.2** Abraham Transcript of Audio

Interview, August 1984, EN 00053266 ["As soon as KR took control, they closely scrutinized all Cham, but particularly the Haikum. His Haikum was killed, but he isn't sure when."].

1264 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078451 ["They forced the collection of the Qur-an and *Keitap* (a book teaching Islam and explaining the Qur-an)"]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 13.35.56-13.39.18, EN01419065-66 ["As for the texts related to religion or related to the history were the subjects to be burned and that was the clear instruction especially in Krouch Chhmar district by the Khmer Rouge. In particular, Koran was the main target."]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237957 ["Copies of the Islamic religious book, the Koran, were destroyed."]; **Central Zone: D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.40.13-10.42.10, EN 01246604 ["The holy book, there were no longer holy book or religious books. And stuff -- I mean holy books had been destroyed, and those who had the holy books with them, they did not dare to use those holy books. And some people, Cham people, destroyed and burned down their holy books"]; **East Zone: D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.40.52-09.42.08, EN 01216585 ["All of holy books of Koran had been collected and burned. Some were used as toilet paper. All of them had been burned. Religious texts of Muslim people had been burned."], 11.30.00-11.31.53, EN 01216624 ["Some people actually hid the Koran text in a big jar or under the ground. And the rest were collected from each house and destroyed."]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.40.13-13.43.13, EN 01430671-72 ["The Korans were gathered -- collected and burned. They confiscated the Koran from every house."]; **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.36.44-15.41.15, EN 01449830-32 ["In 1975, Korans were collected and placed in Hakim's houses. Later on the Korans were taken away to the commune office where they were destroyed."]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.07.25-09.09.55, EN 01452515-16 ["In 1975, Khmer Rouge started to close down mosques in Trea village and Korans were not allowed to use any more."]; **D6.1.375** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219119, Res Tort Interview ["One day they called me to a meeting at Ampil village. At that meeting they ordered me to collect all of the Qur-ans from every house in Koh Phal. I gave them no reply. When I returned to the village, I did nothing to carry out that order. The Khmer Rouge were angry with me. [...] As they were leaving they arrested me and sent me to the prison at the Kroch Chhmar security office. I was released after six months and ten days."], confirmed by **D6.1.374** Res Tort Written Record of Interview, 19 May 2009, EN 00340201-02 ["I would like to confirm that I had given this interview, and the information in this interview is correct."]; **Northwest Zone: D219/702.1.52** Sufeeyan Idres Transcript of Audio Interview, 25 December 1984, EN 00667253 ["Korans were burned in Preyt Trop in May 1977. KR announced that all Korans were to be turned in, some were withheld, and KR went to the houses. This was Khum cadre from the South West, who had been in power about 20 days."].

1265 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237957 ["Mosques were destroyed or desecrated, used, like pagodas, as granaries, pigsties, or prisons."]; **Central Zone: D219/702.1.93** Him Man, T. 17 September 2015, 14.29.11-14.31.21, EN 01409272-73 ["Rice was also stored in the mosque [...] rice and its grinder were placed in the mosque"]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.40.13-10.42.10, EN 01246604 ["They used that mosque to whatever they think they should. For example, they used that mosque to hold stuff and to be the dining hall."]; **D219/702.1.88** Seng [Sen] Srut, T. 14 September 2015, 09.33.55-09.36.33, EN 01406811 ["Regarding mosques, in 1976, those mosques were turned to be shelters for Khmer people and Cham people were placed to live together with Khmer. Cham mosques were turned into warehouse for storing food supplies and rice. Cham people were not allowed to enter the mosques."]; **D6.1.413** Hok Hoem Written Record of Interview, 23 November 2008, EN 00251307 ["The mosque was closed."]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 ["mosques were used for different purposes, for instance, they were used as places for thrashing rice or raising animals."]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678642 ["Two of the three village mosques had been destroyed, the third used as a pigsty, then a warehouse. According to the PRK report, a village dignitary, Haji Yousos Aony, had been 'condemned to live and eat with pigs in a pig-sty until his dead in July 1975.'"]; **East Zone: D219/792.1.4** Man Sles, T. 29 February 2016, 14.24.05-14.26.00, EN 01452749-50 ["At that time no one went to pray at the mosque as the Khmer Rouge prohibited us from doing so and actually cattles were put in the mosque as well as tobacco was stocked in the mosque."]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.40.13-13.43.13, EN 01430671-72 ["Muslim women and elderly Muslim ladies were assigned to weave Krama and perform other agricultural activities within the mosque."]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.40.52-09.42.08, EN 01216585

["That mosque had been transformed into the place to keep cattle or cows.": **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667270-71 ["In Thont Village the mosque was remove the roof and make again and use as a [illegible] [illegible] stopping the rice and the other side they use to feed the pig that Cham people do not like and the reason why they do that because they do not want to have any religion in their regime and this was ordered from district cadre. This mosque was removed in September [or] October 1976 [...] Another mosque in that area that is bigger than Thhot area was removed also and that mosque was all removed except the [illegible]. That they build it again and use that place as a communal dining room and later on when they build another dining room already. They kept that [place] to feed the pig, too and this happened in February 1977. The reason and order was the same.": **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667234 ["First they allow to worship once a week and later on they stopped and took the mosque to be a barn.": EN 00667236 ["This mosque was closed at the end of 1973 [...] Cham people could not use and they say they will use this mosque to be a barn.": **D1.3.28.13** Rim Sarah Transcript of Audio Interview, August 1984, EN 00053305 ["In Koh Sautin village in Kompong Cham half the mosque was torn down and the other half was used as a prison.": **Southwest Zone: D1.3.28.7** Loah Treh DC-Cam Statement, 16 June 1985, EN 00053442-3 ["This mosque was broken down some parts and they took that place to keep the old engines and machines also feed the worms there [...] and also keep the yard of the mosque to be a place for feed the pigs [...] this was ordered from Khum cadre and another mosque in Barain village Saan district and Kandal province was broken down all over the mosque. This happened in 1978.": **D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667212 ["Some mosques were used to raise pigs, but most were destroyed.": **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053137 ["The mosque was destroyed in Prey Rong. Mosques in the countryside were torn down more than in the city. The mosque [in kandal] was destroyed in 1975.": **D6.1.1235** Mat Sman Transcript of Audio Interview, 10 September 1984, EN 00053218-19 ["The mosque at Cham Icu was used as a corn warehouse. The mosque at Cham Krown was destroyed in 1977. From 1975-1977 it was used as a place to raise silkworms. [...] In 1977 [...] the mosque was ordered destroyed. [...] The mosque at Cham Krown was ordered destroyed because unlike the other mosques it served no purpose. It was not being used for storage or other productive use, so it had to be destroyed.": **Northwest Zone: D118/147.1.7** Men Peou Civil Party Application, 12 January 2008, EN 01205013 ["During the regime, our mosques were destroyed or converted to pigsties.": **D1.3.28.16** Hul Man Transcript of Audio Interview, September 1984, EN 00053144 ["In Srok Sankeye, there were two mosques. One was used as a kitchen. The other was used to raise pigs.": **D219/702.1.52** Sufeeyan Idres Transcript of Audio Interview, 25 December 1984, EN 00667253 ["Narrea Village, Battambang Province, 2 mosques, one was used for a stable for pigs and one was used as a hospital. [...] from 1975-77 they were used as a warehouse.": **D1.3.28.10** Muhamed Ali Transcript of Audio Interview, August 1984, EN 00053272 ["All the mosques were destroyed except for some that were used for farm purposes, such as storing animal feed, etc.": **D219/702.1.49** Peang Romly Transcript of Audio Interview, 20 May 1985, EN 00667218-19 ["everything was finished (religion, talking Cham language, the mosque). [...] They had remove that small mosque and took all the furniture to make other things.": **West Zone: D1.3.28.2** Abraham Transcript of Audio Interview, August 1984, EN 00053266 ["All the mosques had to be destroyed. The mosques that were not destroyed were used to store human and animal manure for fertilizer.": *See also* **D6.1.1104** Ben Kieman, *How Pol Pot Came to Power*, EN 00487502 ["In 1977 Islamic practices were 'totally forbidden [and] local KR cadres constantly threaten[ed] to destroy all mosques by the end of 1974.'"]

Central Zone: D219/792.1.12 Sos Kamri, T. 6 April 2016, 09.24.30-09.26.26, EN 01246579 ["Before the fall of Phnom Penh, we could provide religious teaching. However, that was banned after the fall of Phnom Penh.": **East Zone: D219/792.1.5** Van Mat alias Sales Alumat, T. 9 March 2006, 09.36.18-09.38.15, EN 01216584 ["And after Khmer Rouge came into the country, we were not allowed to study.":

D219/792.1.12 Sos Kamri, T. 6 April 2016, 11.04.15-11.06.30, EN 01246614 ["about 80 to 90 per cent of mosques were completely ruined and needed to be rebuilt.": *See also* **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078567 [chart that lists the total number of mosques destroyed during DK].

D219/702.1.79 Sos Min, T. 8 September 2015, 14.17.17-14.19.39, EN 1433858-59 ["the regime started to impose restrictions on our religion, [...] daily prayers and fasting.":

D219/792.1.4 Men Peou, T. 29 February 2016, 09.31.13-09.33.44, EN 01452692 ["After he passed away, no one of my relatives went to hold any ceremony for my father's funeral. During the regime, there was no

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religion, there was no ceremony held for any dead people.”]; **D219/702.1.51** Sop Kahtidja Transcript of Audio Interview, September 1984, EN 00667248 [“In 1976 the new policy began, banning the practice of Cham religion and language completely, as well as prohibiting traditional burial. If someone died in a hospital, their bodies were not returned.”]; **D6.1.458** Math Ly DC Cam Statement, 27 March 2000, EN 00441578-79 [“I spoke about Cham, the dead soldiers who died near Cham village and were requested to be buried by Cham. In Cham tradition, a body is buried with their head to the north and foot to the south and body on their side facing the west. If Cham body was buried like that of Khmer, the head could be placed to the east or west. I made a request and then Ta Chea Sim said he would review it.”], EN 00441579 [“[Pol Pot replied] ‘that since we had joined the revolution, how the body was buried was up to the revolution.’”]; **D6.1.599** Karl Jackson, *Cambodia 1975-1978*, EN 00394155-56 [“Cham dead were buried ‘upside down,’ that is, not facing Mecca – an extreme sacrilege to the Cham of Cambodia.”].

D1.3.17.8 Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078451 [“They also forced the consumption of pork”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.36.54-13.38.55, EN 01405931-32 [“The Khmer Rouge was well aware that the Cham people did not eat pork but they forced the Cham people to eat pork although during the Khmer Rouge regime there were not enough meat to feed people, but still the Khmer Rouge made soup that contained pork and forced the Cham people to eat pork. In some cases, Cham people faced execution when they refused to eat such meat.”]. **Central Zone: D219/702.1.93** Him Man, T. 17 September 2015, 14.29.11-14.31.21, EN 01409272-73 [“we had to eat pork.”]; **D219/702.1.109** Him Man, T. 28 September 2015, 09.35.05-09.37.16, EN 01403642 [“During the period, Cham people were forced to eat pork”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 11.08.05-11.09.53, EN 01246616 [“Q: And was pork given to the people to eat at the time? A: I believe no one could avoid that including myself”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 10.04.42-10.07.16, EN 01503131, *confirming D6.1.407* Or Ho Written Record of Interview, 18 November 2008, EN 00250047 [“The ethnic Cham were forced to eat pork.”]; **D6.1.376** Kac Noh Written Record of Interview, 20 March 2009, EN 00340183 [“In Kampong Thom province, they beat us with a stick if we did not eat pork.”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 [“They were forced to do things prohibited by the Islamic religion or Cham traditions, such as eating pork. [...] If the Chams did not eat it they would have no food to eat. [...] some people could really not swallow pork and they vomited or became sick.”]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053461-62 [“Cham were not forced to eat pork until 1976. [...] From 1975 on Cham and Khmer were treated the same, except for Cham could not speak their own language and had to eat pork.”]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667235 [“they also force Cham people to eat pork meat. [...] if anybody do not eat they accused as their enemy and there are some people who was taken and killed because of this problem.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219212, Ismail Maisam Interview [“They forced us to eat pork. On days when pork was used in the dining hall, the Khmer Rouge kept a coil of rope handy, ready to tie up any Cham who refused to eat it. We had to eat it if we wanted to stay alive.”]. **East Zone: D219/702.1.79** Sos Min, T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 [“In 1975, the regime started to impose restrictions on our religion, forced consumption of pork”]; **D219/702.1.109** No Sates, T. 28 September 2015, 14.21.20-14.23.22, EN 01403688-9 [“they released us and before that they had a party in which they killed a pig and cooked it in a curry soup for us. That day I had to force myself to eat pork”], 15.21.54-15.24.40, EN 01403703-04 [“Only our group, the group of 30 women were instructed to eat that pork soup. And Ho of course did not eat the soup with us. But, he had the soldiers there watching us and seeing whether we were eating the pork soup or not. If we did not eat that pork soup, they would know that we were Cham. So, we had to forcibly eat the soup”]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.38.15-09.40.52, EN 01216585 [“we were forced to eat pork.”], 11.31.53-11.33.27, EN 01216624-25 [“And later on, they were forced to eat pork. And some of them dare not refuse and they ate pork and then, later on, they vomited.”]; **D219/702.1.86** Math Sor, T. 13 January 2016, 11.32.42-11.33.57, EN 01415021-22 [“And that morning, they actually killed a pig and instructed us to eat”]; **D6.1.376** Kac Noh Written Record of Interview, EN 00340182; **D6.1.112** Sok Preum Written Record of Interview, 18 August 2008, EN 00275391 [“they forced them to eat pork”]; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667269 [“Also about forcing to eat the pork meat was happened in 1977 too often.”]; **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053298-99 [“Cham could not eat the pork, which was served twice a day. Some Cham were forced to eat pork at gunpoint by KR. [...] Cham were treated differently than Khmer. Cham had to eat pork, often in

soup.”]; **D6.1.181** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00204415. Math Sor alias Ahmad Sofiyah Interview [“The Khmer Rouge killed a large pig and made soup for us in order to test us. As we ate they watched us closely. Everyone tried to eat everything in her bowl so they would not be suspected of anything.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219200. No Satas Interview [“During that time Hor made pork soup for everyone at every meal. We tried to act natural when we ate so Hor would not suspect us. Hor was not yet convinced.”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*. EN 00678639 [“From early 1977, Chams were ‘really forced’ to eat pork. [...] Chams were ‘put aside’ if they did not eat it, meaning they were to be killed. [...] We were called ‘protestors’ and ‘enemies’ if we did not eat the pork. Hakkem Los was killed for refusing to eat pork. [...] ‘Anyone who refused to eat it was called an enemy, a ‘class enemy’ is what they said. ‘You are not shedding the customs and habits of the feudal system. This means you are resisting the revolution.’”]. **Northwest Zone: D347/2.1.41** Huon Chocum, T. 18 October 2016, 10.48.54-10.52.12, EN 01385521-22 [“The Cham people had a different ways of living from us. They did not eat pork, and in that time, they were forced to eat pork. Some of them refused to eat and, as a result, they were punished. Some of them were killed. [...] I told them not to worry because at my area, they did not have to eat pork, but they had to follow orders. [...] whatever food that was given, they had to eat it [...] if there was pork, we had to eat pork together.”]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.22.25-09.24.50, EN 01452688-89 [“The Khmer Rouge forced the Cham people to eat pork.”], 09.26.22-09.29.41, EN 01452690 [“I had to eat pork, and whatsoever required by the Angkar because I was so scared. I had to force myself to eat pork so that I could survive.”]; **D5/1660/3.1** Hun Chum Ly, T. 6 December 2012, 15.43.12-15.46.08, EN 00869000 [“And for the sick Cham people who could not go to work, their ration would be cut, and they were also forced to eat pork.”]; **D118/106** Huon Choeum Written Record of Interview, 22 September 2013, A59, EN 00978427 [“The Cham did not eat pork, but in the cooperatives, the Cham were forced to eat pork.”]; **D1.3.28.19** Yatogop Bin Ali Transcript of Audio Interview, January 1985, EN 00053192 [“Cham were forced to eat pork at the same time communal dining was instituted in 1976.”]; **D1.3.28.10** Muhamed Ali Transcript of Audio Interview, August 1984, EN 00053272 [“Cham were [...] Forced to eat pork, and not allowed to dress in Cham clothes.”]; **D118/147.1.7** Meu Peou Civil Party Application, 12 January 2008, EN 01205013 [“They forced Muslims to eat pork. If we did not eat it, [...] they would kill us.”]; **Southwest Zone: D5/803/3** Loep Neang, T. 3 April 2015, 15.41.38-15.43.20, EN 01483692 [“my unit chief knew that I did not eat pork, but I was forced to eat it with gruel. I did not dare to refuse as all my siblings had already been taken away; thus, I tried to eat it, to swallow it. I was afraid that I would be the next in line to be taken away.”]; 15.46.46-15.48.31, EN 01483693-94 [“In my religion, we are prohibited from eating pork, but we were threatened to eat. We were forced to eat and we had to eat, they stood behind me armed with weapons. They gave us the food and they stood there to make sure that I ate the food. And only after I had finished the food did they walk away from me. In order to survive, I had to force myself to eat it.”], 15.56.16-15.58.03, EN 014383698 [“It was the unit chief and the militia who forced me to eat pork. [...] Every time they killed a pig, I was forced to eat pork. And every few days, they would kill a pig and then I was forced to eat pork.”]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053136 [“Chams were forced to eat pork”]; **D6.1.1241** Saleh Transcript of Audio Interview, September 1984, EN 00053278 [“KR forced Cham to eat pork. His company of boys [...] had to eat pork. In communal dining, in 1977, KR put 8 Cham together and forced them to eat pork soup. This policy of forcing Cham to eat pork began in January 1977. They would be beaten if they refused.”]; **D219/702.1.46** Abdullah Transcript of Audio Interview, 21-22 January 1985, EN 00667260 [“Not allowed to speak Cham, not allowed to practice religion, had to eat pork. Some older Cham continued to practice religion secretly. If people refused to eat pork, they would be warned twice and sometimes disappear after the third infraction.”]. **North Zone: D6.1.1252** Iep Toh Transcript of Audio Interview, September 1984, EN 00053246 [“This is what he heard, Cham had to eat pork.”]; **West Zone: D1.3.28.2** Abraham Transcript of Audio Interview, August 1984, EN 00053265 [“Cham were forced to eat pork. Pork was served [approximately] every 10 days.”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*. EN 01150150 [“By 1976, the Chams were being forced to eat meals that included pork, on pain of withdrawal of the salt ration or even death.”].

¹²⁷¹ **D219/702.1.93** Him Man, T. 17 September 2015, 11.09.06-11.12.23, EN 01409239-41 [“Some people were weeping while they were eating pork.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 14.10.23-14.12.54, EN 01430681-82 [“could not take it so they vomited after they ate it”].

- 1272 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.30.40-13.34.04, EN 01419062-64 ["In fact, the Khmer Rouge did not have enough pork to supply to the co-operative, but the Khmer Rouge still try to find way to force the Cham people in the co-operative to eat pork, despite the inadequate pork supply.": **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 01150142 ["Mat added that the Democratic Kampuchea authorities had 'forced us to eat pork on rare occasions when meat was available'"].
- 1273 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.40.38-13.42.14, EN 01405933 ["they said that they were forced to eat pork and to raise pigs and if they dared to refuse they would be killed. And there were [...] cases when people, when the Cham people refused and those people were taken away and killed.": **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.30.40-13.34.04, EN 01419063 ["And those Cham people who resisted their instruction to eat pork, they were killed and those who followed the order survived.": **D347/2.1.41** Huon Chocun, T. 18 October 2016, 10.48.54-10.52.12, EN 01385521 ["They did not eat pork, and in that time, they were forced to eat pork. Some of them refused to eat and, as a result, they were punished. Some of them were killed.": **D219/702.1.93** Him Man, T. 17 September 2015, 11.09.06-11.12.23, EN 01409239-41 ["we were forced at gun point [...] At that time we were threatened if we were not to consume the pork then we would shot.": **D219/702.1.109** Him Man, T. 28 September 2015, 09.37.16-09.39.07, EN 01403642-43 ["I was within group of people. If I refused to eat pork, I was afraid that the bullet would be shot -- I would be shot or I would be beaten with a stick. So it applies to other people. If we refused to eat pork, we would risk our lives. We had to eat pork in tears [...] There was an announcement that if one refused to eat pork, that person would be considered opposing Angkar. They had to eat pork while weeping to save their own lives.": **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.29.41-09.31.13, EN 01452691 ["My father died because he was a Cham person who adhered to his religious practice, and he didn't abandon his religion when he was forced by Angkar. They forced him to eat pork, but he refused, so Angkar gave him a last warning that he had to eat pork. And if he could not eat pork, then there would be nothing for him to eat. [...] They used his case as an example to scare other Cham people.": **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 ["they forced us to eat pork and dog meat. Anyone who refused was beaten. I was beaten once because I refused to eat it.": **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340182 ["They forced me to eat pork; they held a big stick to threaten us to eat.": EN 00340183 ["In Kampong Thom province, they beat us with a stick if we did not eat pork.": **D118/106** Huon Choeum Written Record of Interview, 22 September 2013, A59, EN 00978427 ["Some Cham agreed to eat pork; those who refused to eat pork were taken to be killed.": **D219/702.1.50** Sam Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667235 ["they also force Cham people to eat pork meat. He himself also have to force their mind to eat because if anybody do not eat they accused as their enemy and there are some people who was taken and killed because of this problem. He knew one man, his name is Hosen [...] [he] was taken and killed [in 1977].": **D6.1.1235** Mat Sman Transcript of Audio Interview, 10 September 1984, EN 00053217 ["He refused to eat pork and to work harder per order of KR as a result. [...] In 1977 Cham who refused to eat pork were taken from Svey Leu to Po Tonle across the river and killed.": **D6.1.1241** Salch Transcript of Audio Interview, September 1984, EN 00053278 ["KR forced Cham to eat pork. His company of boys, (8 Cham, 150 Khmer) had to eat pork. In communal dining, in 1977, KR put 8 Cham together and forced them to eat pork soup. This policy of forcing Cham to eat pork began in January 1977. They would be beaten if they refused.": **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048852-53, Interview of EI ["in early 1976, they said to us: 'Chams who eat pork, and are prepared to raise and slaughter pigs, will be spared.": **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678638-39 ["When communal dining was introduced they were forced to eat the same as everyone else, including rice gruel sometimes containing a few morsels of pork fat. Two old [Cham] men in Maesor Prachan refused to eat with the rest of the hamlet. After a week of boycotting communal dining, the two were arrested and shot." [...] Several more Muslims were executed in 1976 or 1977 for stating that they would not eat pork, as many more in 1978. In all, five men and three women from the village were executed for their opposition to eating pork. Though rarely if ever served in the communal mess halls anyway, pork was opposed by Muslims on principle: 'In fact we never saw pork, but it was an excuse for the Khmer Rouge to kill people who said they would not eat it.'"], EN 00678645 ["By 1976, the Chams were being forced to eat meals that included pork, on pain of withdrawal of the salt ration or even death.": **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219176 ["Those who refused to [eat pork] were arrested, according to countless oral testimonies. A document dating to 1977, coming from the leadership of the party committee in Battambang, reported on the problems caused by the Cham newly evacuated to the area from

Phnom Penh who were resisting orders by refusing to eat pork. The document reads, ‘To address this situation, we have formulated a plan; specifically, we will investigate their [Cham Muslim] networks and identify their leaders for extermination.’ Samas Karim was one Cham Muslim who was sent to [...] S-21 (Tuol Sleng Prison), for his refusal to eat pork.’”].

1274 **D219/336** Toam Cheah Written Record of Interview, 24 May 2015, A47, EN 01117990.

1275 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678496; **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431648 [“All Chams were expected to stop using their ‘foreign’ language and renounce their religion.”].

1276 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.44.12-13.45.53, EN 01405934-35 [“the majority were forced to eat pig, to eat pork and to stop speaking Cham language.”], 13.49.13-13.50.50, EN 01405936-37 [“the Cham people were forced to eat pork and to speak Khmer language.”]; **Central Zone: D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.13.14-14.15.14, EN 01430887-88 [“they did not speak the Cham language anymore, they started speaking the Khmer language.”], 14.16.56-14.19.32, EN 01430889-90 [“It was imperative for them to speak the Khmer language. They actually secretly spoke the Cham language to one another at the beginning of their arrival and after that the Cham language was completely banned and they had to speak the Khmer language.”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.26.26-09.28.28, EN 01246580 [“After the Khmer Rouge took control, we could not speak our Cham language openly. However, we could speak to one another when we were not observed”]; **D219/702.1.7** Meas Layhuor, T. 25 May 2015, 15.52.48-15.54.05, EN 01500298-99 [“they were not allowed to speak Cham”]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 [“They had the Cham people to get a short hair cut, and banned them from speaking the Cham language.”]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053460-62 [“Cham were not allowed to speak Cham, and were ‘criticized’ if they did. [...] Cham could not speak their own language”]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210482 [“They were not allowed to speak the Cham language. They were afraid to do so because they might be killed if they didn’t follow the rules and adapt to the Khmer village.”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 [“Those who continued to practice Islam and adhered to Islamic traditions – for example, speaking the Cham language or wearing Cham clothes – were considered to have committed the gravest offense, and were labelled ‘enemies’. [...] there was a ban on speaking the Cham language. Obviously, we [continued] to secretly speak the Cham language at home, but never in public”]; **D6.1.405** Chuop Non Written Record of Interview, 17 November 2008, EN 00244158 [“They did not let them speak the Cham language.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219212, Ismail Maisam Interview [“The Cham language was prohibited too.”], confirmed by **D6.1.175** Ismael Maisam Written Record of Interview, 07 July 2008, EN 00242110; **East Zone: D219/702.1.79** Sos Min, T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 [“we were not allowed to speak the Cham language.”], 15.30.30-15.33.05, EN 01433880-81 [“Everything to deal with the religion was forbidden. We were not even allowed to speak the Cham language.”]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.38.15-09.40.52, EN 01216585 [“We were prohibited from practising our religion and not allowed to use Cham language.”], 11.33.27-11.35.46, EN 01216625 [“They spoke Khmer. We were banned from speaking the Cham language. [...] Of course it was beyond difficulty, but what could we do? If we were to speak Cham, we would be taken away and killed, so we tried to force [ourselves] to speak Khmer language for our communication. And some Cham people did not speak Khmer fluently.”]; **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340182 [“We were not allowed to speak Cham language; they beat us if we spoke.”]; **D219/702.1.86** Math Sor, T. 13 January 2016, 09.45.03-09.47.02, EN 01414985 [“We were ordered to speak Khmer language.”]; **D6.1.182** It Sen Written Record of Interview, 09 July 2008, EN 00242095 [“We were not allowed to obey Cham religion and to speak Cham language”]; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667270 [“they do [not] allow Cham people to speak [their] own language.”], EN 00667272 [“He cannot talk Cham language in the public area [...] they did not allow to do that because they want to have only one nation and language”]; **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053301 [“Not allowed to speak Cham language”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678638 [“Anyone could be arrested for using a language other than Khmer”]; **Southwest Zone: D1.3.28.7** Loah Treh Transcript of Audio Interview, 16 June 1985, EN 00053441 [“they had prohibited [...] all the Cham to speak Cham language.”], EN 00667204 [“they do not want to speak Cham language because they want to have only Khmer”]; **D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667212

["He spoke Cham very secretly. If KR found out, they would kill him."]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984. EN 00053136 ["Cham were not allowed to speak Cham."]; EN 00053139 ["The village leader ordered the group leader to implement the rule [prohibiting the Cham language.]; **D6.1.1241** Saleh Transcript of Audio Interview, September 1984. EN 00053277 ["They were allowed to speak Cham until the middle of 1976. [...] the ban on speaking Cham began in mid 1976. In his company of boys, the ban began in January 1977."]; **Northwest Zone: D219/792.1.4** Meu Peou, T. 29 February 2016, 09.18.47-09.21.17, EN 01452687 ["We were forced to abandon our religion and not to use our Cham language. If anyone spoke our language, Angkar would take that person away and executed him or her, and that terrified us."]; **D1.3.28.10** Muhamed Ali Transcript of Audio Interview, August 1984. EN 00053272 ["Cham were prevented from speaking Cham."]; **D219/702.1.2** Zakreyah Transcript of Audio Interview, 22 January 1984, EN 00855135 ["Q: Were you able to talk Cham language? If not, who said? Why? A: No. According to the village leader, reason: only one nation, Khmer, and the Chinese and Cham would be able to plot against the state."]; **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984. EN 00053136 ["Cham were not allowed to speak Cham."]; **D219/702.1.46** Abdullah Transcript of Audio Interview, 21-22 January 1985. EN 00667260-61 ["not allowed to speak Cham language. [...] One cousin in 1977 was caught speaking Cham and food was withheld from her"]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678645 ["To Hosan recalls that in early 1976, his cooperative chief in Battambang announced that only the Khmer language was permitted."]; **D1.3.28.13** Rim Sarah Transcript of Audio Interview, August 1984. EN 00053307 ["She was not allowed to speak Cham."]; **North Zone: D6.1.1252** Iep Toh Transcript of Audio Interview, September 1984. EN 00053246 ["Not allowed to speak Cham."]; **D219/702.1.49** Peang Romly Transcript of Audio Interview, 20 May 1985. EN 00667218-19 ["everything was finished (religion, talking Cham language, the mosque). [...] this strict order came down in 1976, middle of the year, including do not allow to speak Cham language."]; **Sector 505: D6.1.387** Toulas Sma Written Record of Interview, 10 July 2009, EN 00353498 ["the Khmer Rouge did not allow us to speak the Cham language"]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678639 ["In Sambor district, the prohibition on speaking Cham language was imposed in 1977. First and second offenses were punished with reeducation sessions, but a third meant death."].

1277 **East Zone: D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.33.27-11.34.45, EN 01216625 ["If we were to speak Cham, we would be taken away and killed"]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.43.13-13.45.00, EN 01430672 ["We were not allowed to speak the Cham language at all; only the Khmer language was allowed to be spoken at that time. The rule was also applied to young children. It would be your luck if they did not hear you speak Cham; but if they did, you would be taken away for refashioning immediately."]; **D6.1.531** Math Ly Interview with Steve Heder, 1990. EN 00436857 ["They stopped speaking Cham, and anyone who spoke Cham was tied up for the fire ants to bite for one night."]; **Northwest Zone: D219/792.1.4** Meu Peou, T. 29 February 2016, 09.18.47-09.21.17, EN 01452687 ["If anyone spoke our language, Angkar would take that person away and executed him or her, and that terrified us."]; **Central Zone: D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.19.32-14.21.29, EN 01430890 ["I did not see anyone impose such restrictions. However the Cham people themselves decided not to speak the Cham language anymore and they had to make themselves speak the Khmer language as they were afraid of being punished for speaking the Cham language. Or if there was restriction on the Cham language, I was not aware of that."]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.49.13-13.50.50, EN 01405936 ["the Cham people were forced to eat pork and to speak Khmer language."]; **D1.3.11.46** Seng Kuy OCP Statement, 7 August 2008, EN 00210482 ["They were not allowed to speak the Cham language. They were afraid to do so because they might be killed if they didn't follow the rules and adapt to the Khmer village."]. The prohibition on the Cham language has had effects even until this day in reducing the number of Cham who know the language.

1278 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237858 ["Bright clothes, jewelry, and any 'extravagance' of dress were forbidden [during DK]. Black or drab-colored pajamas and sarongs were the uniform. [...] these rules hit the Muslim minority, the Chams, especially hard."]; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078451 and EN 00078544 ["Forcing Muslims to commit acts absolutely forbidden (haram). [...] forcing females to cut their hair short or not cover their heads"]; **Central Zone: D219/702.1.81** Seng Kuy, T. 9 September 2015, 14.13.14-14.15.14, EN 01430887-88 ["When they arrived to live in my village, they no longer wore their distinctive dress"]; **D219/702.1.109** Him Man, T. 28 September

2015, 11.15.00-11.17.15, EN 01403668 ["Before the regime fell, we could not wear any Cham traditional dress. We had to wear the same dress as that of the Khmer people"]; **D219/702.1.88** Seng [Sen] Srum, T. 14 September 2015, 09.32.11-09.33.55, EN 01406810-11 ["And as for their clothes, they were not allowed to wear traditional clothes for Cham people. They were required to wear the same clothes as Khmer people.": **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.24.30-09.26.26, EN 01246580 ["In my village, after it was under the control of the Khmer Rouge, we were not allowed to wear our customary clothing. We had to wear the same clothing provided by the Khmer Rouge.": **D1.3.11.46** Seng Kuy OCP Statement, 07 August 2008, EN 00210482 ["They were not allowed to wear their traditional clothes or practice their religion.": **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 ["Those who continued to practice Islam and adhered to Islamic traditions – for example, speaking the Cham language or wearing Cham clothes – were considered to have committed the gravest offense, and were labelled 'enemies'. [...] They [...] altered clothing styles. The wearing of religious attire, sarongs, religious shirts and fez was strictly prohibited.": **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053460 ["Cham were not allowed to dress traditionally.": **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667234 ["[They] do not allow all the people and he himself wear the clothes as the Cham way at all they want them to wear.": **East Zone: D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667272 ["Cannot wear Cham clothes, they want to have only one uniform black one and the order came down step by step from the higher organisation.": **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053301 ["Not allowed [to wear Cham dress]. Only allowed to wear black.": **D6.1.531** Math Ly Interview by Steve Heder, 1990, EN 00436856-57 ["they gathered up the sarongs and stuffed them in bags. [...] Sector 20 ordered us to burn the sarongs, they had all villages burn all the sarongs.": **Southwest Zone: D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667212 ["No [Cham dress could not be worn]. KR wanted Chams to stop all customs. They wanted Cham to be like Khmer.": **D1.3.28.16** Savcc Bin Kasim Transcript of Audio Interview, September 1984, EN 00053136 ["Cham were not allowed to dress according to Cham customs.": EN 00053139 ["In May 1975, KR implemented the ban on both dress and language.": **D1.3.28.7** Loah Treh Transcript of Audio Interview, 16 June 1985, EN 00053441 ["they do not allow Cham people to dress the Cham way.": EN 00053446 ["Could not wear Cham dress, because they do [not] want to have more nation in their regime, only Khmer, and they want all the people wear in one uniform, black one, and this was said by village cadre.": **Northwest Zone: D1.3.28.10** Muhamed Ali Transcript of Audio Interview, August 1984, EN 00053272 ["Cham were prevented from speaking Cham, forced to eat pork, and not allowed to dress in Cham clothes. Cham customs were banned. This was all per order of 'Anka'.": **D1.3.28.16** Savee Bin Kasim Transcript of Audio Interview, September 1984, EN 00053136 ["Cham were not allowed to dress according to Cham customs.": **North Zone: D6.1.1252** Iep Toh Transcript of Audio Interview, September 1984, EN 00053248 ["No [witness was not allowed to wear Cham dress], per order of the village and group chief.": **West Zone: D1.3.28.2** Abraham Transcript of Audio Interview, August 1984, EN 00053268 ["Not allowed [to wear Cham dress] per order of the group and village leader.": **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078451 ["They forced the collection of the Qur-an and *keitap* (a book teaching Islam and explaining the Qur-an), the *Sarong* and the fez, and the *Mahkna* (a longer prayer garment for women).": **Central Zone: D219/702.1.93** Him Man, T. 17 September 2015, 14.29.11-14.31.21, EN 01409272-73 ["we were explicitly prohibited from [...] wearing headdress.": **D6.1.405** Chuop Non Written Record of Interview, 17 November 2008, EN 00244158 ["the women could not cover their heads with scarves.": **East Zone: D219/702.1.78** Sos Romly, T. 8 January 2016, 09.12.43-09.14.30, EN 01452517-18 ["No, we were not allowed to wear headgear or scarf.": **D219/792.1.5** Van Mat alias Sales Ahmet, T. 9 March 2016, 15.12.06-15.14.54, EN 01216659 ["Yes, I attended the meeting. All the youths were called to attend the meeting. Women were instructed to cut their hair short. I mean the Cham women. And they were prohibited from wearing the head scarf.": **Northwest Zone: D219/792.1.4** Mcu Pcou, T. 29 February 2016, 09.21.17-09.22.25, EN 01452687-88 ["In 1975, the cooperative made an announcement for the Cham people to cut their hair short and not to cover -- not to use scarf to cover their head.": **D219/702.1.2** Zakheyah Transcript of Audio Interview, 22 January 1984, EN 00855135 ["Not allowed to cover the head, women must cut their hair, not allowed to wear Cham traditional dress. All must dress in black.": **D1.3.28.13** Rim Sarah Transcript of Audio Interview, August 1984, EN 00053307 ["During KR she was not allowed to cover her head"].

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- 1280 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*. EN 00078451 ["They also [...] made females cut their hair short"]; **East Zone: D219/792.1.4** Man Sles. T. 29 February 2016, 13.40.09-13.41.52, EN 01452734 ["Second, we, Cham people, were told and instructed the Cham women to cut their hair short and we were not allowed to pray."]; **D219/702.1.77** It Sen, T. 7 September 2015, 11.22.32-11.25.48, EN 01430662 ["After the Khmer Rouge took control of us the Cham people in 1970's, the Cham women were forced to cut their hair short. Women were no longer allowed to keep their hair long."]; 13.38.09-13.40.13, EN 01430671 ["Comrade Seng, who was from the Southwest Zone, was a very strict man. He was the person who imposed restrictions on private cooking and short haircut for the Cham women"]; **D219/702.1.86** Math Sor, T. 13 January 2016, 09.43.08-09.45.03, EN 01414984-85 ["we were ordered to cut our hair short"]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.07.25-09.09.55, EN 01452515-16 ["And Cham women were required to cut their hair short in contrast to the Islamic tradition"]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.38.15-09.40.52, EN 01216585 ["And people were required to cut their hair short"], 15.12.06-15.14.54, EN 01216659 ["Women were instructed to cut their hair short."]; **D6.1.182** It Sen Written Record of Interview, 9 July 2008, EN 00242095 ["women were required to have very short haircut."]; **D6.1.531** Math Ly Interview by Steve Heder, 1990, EN 00436856 ["June or July 1975, when they began to have a unit to cut hair."]; **Southwest Zone: D1.3.28.7** Loah Treh Transcript of Audio Interview, 16 June 1985, EN 00053441 ["They forced all the Cham women to keep the hair short."]; **D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667211 ["After August 1975, Chams were told to cut their hair."]; **Northwest Zone: D219/792.1.4** Meu Peou, T. 29 February 2016, 09.53.41-09.57.33, EN 01452699-700 ["women were told to have their hair cut short and to live in a normal life as Khmer people."]; **D219/702.1.2** Zakreyah Transcript of Audio Interview, 22 January 1984, EN 00855135 ["women must cut their hair."]; **Central Zone: D219/702.1.109** Him Man, T. 28 September 2015, 11.15.00-11.17.15, EN 01403668 ["we also had to cut our hair in the same way as the hair of the Khmer people."]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.39.10-10.40.13, EN 01246603-04 ["Hair was to cut short. I mean females had to cut their hair short."]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 ["They had the Cham people to get a short hair cut, and banned them from speaking the Cham language."]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 ["They were forced to cut their hair short because typically Cham women knotted their hair in a chignon."]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN 00667234 ["Also they want all the [Cham] women to keep the hair short."].
- 1281 **D219/702.1.79** Sos Min, T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 ["In 1975, the regime started to impose restrictions on our religion, forced consumption of pork, and daily prayers and fasting"]; **D219/792.1.4** Man Sles, T. 29 February 2016, 14.10.45-14.12.37, EN 01452744-45 ["As I have just stated, due to the abolishment of the Islamic religion, the Cham people in my village rebelled for the survival of our religion. It was a life and death rebellion."]; 15.00.50-15.01.53, EN 01452756-57 ["We decided to rise up against the Khmer Rouge because they killed many Cham people. Therefore, we decided to rebel in the whole village."]; 15.09.50-15.12.05, EN 01452760-61 ["First, it was because many Cham people had been killed. Second, we were not allowed to practice our religion, the religion of our Allah. For this reason we rebelled against the Khmer Rouge for the sake of our religion and Cham people as a whole. We were no longer afraid of death."]; 15.13.20-15.16.22, EN 01452761-62 ["They had to rebel for the sake of our religion and Holy God, or Allah."]; **D6.1.178** No Sates Written Record of Interview, 8 July 2008, EN 00274703-04 ["We had to live our lives following the Khmer ways, not the Cham ways. [...] everyday life had become stricter day by day."]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222008-09 ["The revolt or insurrection resulted from the psychological persecution experienced by the Chams, in particular, in relation to their food and the ban on their culture and tradition. [...] During Ramadan, the Khmer Rouge suppressed the Chams, banned fasting, prayers, forced Cham women to cut their hair short. The villagers [could not] take it anymore and revolted."]; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview ["Also during 1975 all practice of Islam was strictly forbidden."], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893529 ["the Khmer Rouge began gradually applying stricter rules, such as not allowing the Cham Muslim community to worship or practice religion five times a day or Ramadan (the Month of Fasting)."]; **Forced to Eat Pork: D219/792.1.4** Man Sles, T. 29 February 2016, 14.12.37-14.15.13, EN 01452745-46 ["We, the Cham people, were prohibited from eating pork but when they cooked food or they cooked gruel they actually put pork with oil

in the gruel. And when we were given pork with gruel we actually tried to get rid of the soup and ate only the rice. Some people could not bear the smell of the pork while others tried to eat in order to survive. I drank only the soup for survival”]; **D219/702.1.79** Sos Min. T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 [“In 1975, the regime started to impose restrictions on our religion, forced consumption of pork, and daily prayers and fasting”], 14.19.39-14.22.30, EN 01433859 [“We were forced to eat the food that we could not eat. And if we did not eat, we would be accused of not giving up [...] our religious practice. And that would be subject to be monitored. If we opposed any of the principles they imposed, then we would be accused of being an enemy of Angkar.”]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163 [“They announced that we had to eat pork”]; **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893529 [“The food provided included pork, or the meat of other animals prohibited by Islam.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219075 [“In some locations such as Koh Phal, the Khmer Rouge announced that Muslims would be forced to raise pigs and eat pork. By the time of the rebellions at Koh Phal and Svay Khleang in 1975, survivors interviewed for this research claimed that such points had become official policy enforced by the Khmer Rouge.”]. **Prohibited from speaking Cham language:** **D219/792.1.4** Man Sles. T. 29 February 2016, 14.12.37-14.15.13, EN 01452745-46 [“Q: Thank you. And what about your language? Were you allowed to speak your Cham native language freely? A: From that day onward we did not dare to speak our language and of course when we did not see them we would quietly speak our language.”]; **D219/702.1.79** Sos Min. T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 [“We were not allowed to speak the Cham language.”]; **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893529 [“Women were not allowed to wear scarves on their heads or to speak the Cham language.”]; **D6.1.531** Math Ly Interview, 1990, EN 00436857 [“They stopped speaking Cham, and anyone who spoke Cham was tied up for the fire ants to bite for one night.”]. **Ban on Traditional Clothing:** **D219/702.1.109** No Sates. T. 28 September 2015, 15.33.24-15.35.47, EN 01403707-08 [“in 1975 [...] Regarding clothing, we had only black skirts, trousers or shirts, no traditional Cham clothes were allowed, we had to wear the same clothes as Khmer people were wearing at the time”]; **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893529 [“Women were not allowed to wear scarves on their heads or to speak the Cham language.”]. **Cham women forced to cut hair:** **D219/702.1.109** No Sates, T. 28 September 2015, 15.35.47-15.38.56, EN 01403709 [“Q: Were Cham women allowed to continue wearing their hair long? A: They had short hairs at the time; they could not have long hair in that regime.”]; **D219/702.1.79** Sos Min. T. 8 September 2015, 14.17.17-14.19.39, EN 01433858-59 [“Cham women were forced to cut their hair short.”]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163 [“They announced that [...] Cham women had to cut their hair short.”]; **D6.1.104** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221898, Teh [Zain] Sren Interview [“Ta Yok ordered the women to cut their hair”], confirmed by **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275379; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview [“Ta Yok [...] announced that the women must cut their hair”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219164, Msas No Interview [“In 1975 the Khmer Rouge took two measures against us: first, they forced women to cut their hair, second, they collected our Qur-ans from our houses for burning.”]. **Prevented from Using the Mosque:** **D219/702.1.109** No Sates, T. 28 September 2015, 13.42.41-13.44.26, EN 01403676 [“In 1975 it was chaotic, there were no religions. There were no Cham tradition and religion. The practising of religion was prohibited: Cham people were not allowed to practice their religion or to pray within the mosque”]; **D219/702.1.80** Ysa Osman. T. 9 February 2016, 10.36.52-10.39.00, EN 01405908-09 [“[The Chams] were forced by the Khmer Rouge to close their mosques, to stop their five times a day worshipping their God and to relinquish their traditional attire, and to do things contradictory to the faith of Islam.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 14.24.05-14.26.00, EN 01452749-50 [“At that time no one went to pray at the mosque as the Khmer Rouge prohibited us from doing so and actually cattles were put in the mosque as well as tobacco was stocked in the mosque.”]; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview [“Also during 1975 all practice of Islam was strictly forbidden. The doors to the mosque were closed. [...] the Khmer Rouge recorded the names of those who went to the mosque to pray. That evening they arrested those whose named appeared on that list.”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163. **Korans Collected and Burned:** **D219/702.1.109** No Sates, T. 28 September 2015, 15.33.24-15.35.47, EN 01403907-08 [“Korans

were collected and burnt down, we were not allowed to have the possessions of Korans. But, I don't know where they took the Koran texts to and Korans were not allowed to be kept in houses.”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 15.57.47-16.01.15, EN 01433891-92 [“And as for the Korans, they were collected and placed in their office. People were not allowed to read the Quran. All the Korans in any size were confiscated.”]; **D6.1.378** Chhi Ly Written Record of Interview, 20 May 2009, EN 00340171 [“In 1974, they called all the people to attend a meeting and collected knives and swords as well as Qur’ans. Later on, they burned all the Qur’ans.”]; **D6.1.194** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00218594, Sman At Interview [“During the 1975 Ramadan, the Khmer Rouge forbade the people of Koh Phal to pray, burned their Qur-ans, and forced the women to cut their hair. [...] they seized our Qur-ans and burned them.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219125 [“cadres came into the village and gathered up all the Qur-ans from each home. No one dared to hide them. The Qur-ans were placed in the place of worship [*surao*] and later district cadres came and burned them.”]; **D6.1.104** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221898, Teh [Zain] Sren Interview [“All our Qur-ans had to be seized and burned, they said.”], confirmed by **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275379; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview [“Qur-ans were collected and burned”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219157, Touloas Mein Interview [“They forced us to [...] hand over our Qur-ans for burning.”], EN 00219164, Msas No Interview [“they collected our Qur-ans from our houses for burning.”]. **Arrest of Religious Leaders: D219/702.1.79** Sos Min, T. 8 September 2015, 15.55.25-15.57.47, EN 01433891-92 [“I could say that Hakims during the Pol Pot time were arrested and they were the first targets of arrest by the Khmer Rouge. [...] Hakims and other Muslim leaders including Tuons. Muslim teachers in Islamic religion were all arrested in 1974.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 13.40.09-13.44.40, EN 01452734-35 [“At that time, Khmer Rouge people arrested the religious leaders, hakim, haji, Deputy Assist and tuon and among them, there was my father. [...] my father had been arrested and he was sent to the district hall. Since that time, we have never seen him again.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 15.40.20-15.42.37, EN 01403709-10 [“You mean hakim in 1975; all hakims were gathered and sent away. I do not know where hakims or tuon were sent to”]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275162 [“Village chief El Kao was arrested and disappeared, I did not know the reason they arrested him. The new person who came to replace him as village chief was Zen Usman, but two or three months later, they arrested him and he disappeared. Then a new village chief, Sales Mat, replaced him.”]; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008, EN 00242072 [“The Khmer Rouge arrived in my village in 1972 but at the beginning they did not impose too strict measure. I could continue my school but things started changing little by little. They began to mistreat the religious leaders and religious educated group.”]; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221858, Man [Zain] Sen Interview [“In 1974, others were arrested. The Khmer Rouge chose those who had a good knowledge of Islam along with former officials from the Sangkum Reastr Niyum regime. About sixty were arrested during this stage. [...] In late 1974 the arrests increased. None of the *hakim*’s clerical assistants or ‘ten-household group’ leaders escaped this sweep. Over two hundred people were arrested in this one action.”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D219/883.1.5** Man Sles Civil Party Application, 27 October 2009, EN 01089919 [“Khmer Rouge soldiers released most of the arrested people except five persons [...] These five men were senior persons working in the Village, including a village chief and a deputy of the religion clan.”]. See also **Arrest of Villagers: D34.1.2** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219124, Chhi Ly Interview [“They began arresting people, one group after another, and sending them to the district prison. [...] In 1975 the Khmer Rouge started arresting villagers again. [...] They captured a villager named Osman and took him away.”], confirmed by **D6.1.378** Chhi Ly Written Record of Interview, 20 May 2009, EN 00340170; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242081 [“They forbid the practice of religion. [...] They gathered up our Qurans and had us cut our hair short. [...] Meng was the Subdistrict Security Chairman. He was responsible for the arrests of many people. They always arrested people during the daytime, especially on Friday, when the males worshipped at the Cham mosque. They arrested people, tied them by their hands into lines, and walked them to the District Security Office at Krauch Chhmar.”]; **D289.1** No Sates, T. 29 September 2015, 09.13.15-09.17.54, EN 01409358-59 [“those who were arrested

never returned. And that was the root cause of rebellion that took place in Svay Khleang. They were afraid that the arrest would continue. For that reason, they had no choice but to rebel. [...] They said they would rather die than get arrested, detained and mistreated. [...] Because by that time, every single night, about 20 or 30 of them would be arrested and taken away by the Khmer Rouge. Who on earth could put up with that kind of torture?”. 10.44.25-10.46.47, EN 01409384-85 [“The arrests started before the rebellion in fact. So they were successive arrests, and the rebellion took place because Cham people had been successively arrested since 1975”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 14.19.39-14.25.21, EN 01433859-61 [“if anyone violated any of the principles, the person would be accused of being enemy. For that reason, people were tied up and arrested almost every night. I can say that out of the 30 days in a month, there were at least 20 days where people were arrested and tied. Between four and ten people were arrested every night”], 14.29.32-14.32.02, EN 01433862-63 [“Due to the extremely difficult living condition and we were thinking that if we did not revolt and if we did not do anything, then our days would come, that’s when we would be taken away and killed. For that reason, we gathered up amongst the seven of us and we organized a revolt [...] We knew that we would be killed [...] We thought that being shot dead was a better option compared to being taken away and killed.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 14.26.00-14.39.45, EN 01452750-54 [“Regarding the arrest, the arrest had occurred from 1973 up until 1975, at which there was a rebellion. [...] I did not have the figure at the time but what I know is that many people kept disappearing. [...] Yes, there were others who were arrested together with my father. In fact, about 50 to 60 people were arrested at the time.”]; **D219/883.1.5** Man Sles Civil Party Application, 27 October 2009, EN 01089919 [“one day Khmer Rouge soldiers came to arrest 50-60 Cambodian Muslims [...] There were 20 Khmer Rouge soldiers coming to arrest them.”]; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221858, Man [Zain] Sen Interview [“In late 1973 the Khmer Rouge began arresting the villagers at Svay Khleang. [...] telling them Angkar had called them to a meeting. [...] no further news was heard of them [...] In 1974, others were arrested. [...] About sixty were arrested during this stage. [...] In late 1974 the arrests increased.”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D6.1.104** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221898, Teh [Zain] Sren Interview [“By 1974, the Khmer Rouge were constantly making arrests and were increasing pressure against Islam.”], confirmed by **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275379; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219147, Smas Sa Interview [“Before the rebellion the Khmer Rouge were arresting people almost every night. Some nights they took four or five people.”], EN 00219148, Lep Vanmath Interview [“the Khmer Rouge made many arrests in Svay Khleang, from twenty to fifty at a time.”], EN 00219158, Hak Mat Interview [“There were [many more] arrests after that. [...] In 1975 there were more arrests and increasing pressure against Islam.”], EN 00219164, Ly Touman Interview [“Many arrests were made: eighty to a hundred were taken at a time.”], **Rebellions: D289.1** No Sates, T. 29 September 2015, 09.17.54-09.19.29, EN 01409359-60 [“Yes, that is correct. The day of the rebellion was the day of the Raya celebration. They were planning to round up all the Cham people on that Raya day. And the plan was to round up those Cham people who went to pray in the mosque on that Raya day. That was their plan. For that reason, there was a rebellion against that plan.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 13.37.26-13.39.06, EN 01403674 [“In 1975 there was a rebellion at Svay Khleang and I was then evacuated to Khsach Prachheh Leu”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.03.15-10.05.37, EN 01405902-03 [“And later on, another one took place in 1975. It took place probably in September. That was the rebellion in Kaoh Phal village in Krouch Chhmar district. And then, two weeks later, that was probably in October, at that time, the Cham people was under full control of the Khmer Rouge regime and, at that time, they had no calendar or watch or clock to tell about the date. [...] In Islam, it was during the Ramadan month based on the Islamic calendar. That was on the 29 of the Ramadan month.”], 10.36.52-10.39.00, EN 01405908-09 [“Those in Kaoh Phal didn’t accept such instructions, and then the suppression started in 1973”], 10.39.00-10.41.21, EN 01405909-10 [“but the villagers in Kaoh Phal refused to do that. They still held on to their religious faith, their customary tradition.”], 10.47.12-10.51.15, EN 01405912-14 [“He shouted to everyone or -- or called everyone for pray and then the situation became chaotic as the villagers, who were attending the meeting stood up. They no longer listened to the speech made by those cadres. Then there were those backup forces appeared.”], 13.59.38-14.01.24, EN 01405940-41 [“No, there was none. Those who were involved in the rebellion were the villagers themselves. Even when the rebellion took place at Kaoh Phal, those Cham people living in other areas, for example in Svay Khleang, was not -- were not aware of that rebellion. So there was

no coordinated rebellions that took place here or there.”], 13.52.55-13.54.08, EN 01405937-38 [“The purpose of the rebellion was to seek freedom, the freedom to practice their religious belief and to preserve their traditions. That was the demand and it was the demand for freedom and not with the intention to overthrow the Democratic Kampuchea regime.”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 16.02.53-16.05.50, EN 01433892-3 [“the rebellion at Kaoh Phal occurred 15 days before the rebellion at Svay Khleang. So the Svay Khleang rebellion occurred 15 days after the rebellion on Kaoh Phal.”]; **D219/702.1.79** Ti Sen, T. 8 September 2015, 09.34.50-09.37.12, EN 01433800-01 [“As for people on Kaoh Phal, they resisted when they were told not to do daily prayers and fasting. The whole villagers from Kaoh Phal rose up and resisted the restrictions imposed by the Khmer Rouge”]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.40.13-13.43.13, EN 01430671-72 [“And for this reason, there was a rebellion in Kaoh Phal. The Muslims armed with machetes and swords fought against the military members of a division. There was an uprising in Kaoh Phal because of the confiscation and destruction of the Korans.”], 13.55.51-13.58.28, EN 01430676-77 [“And it was because we were not allowed to practise our religion that there was a rebellion at that time; and as a result, they brought in troops to curb the rebellion.”]; **D5/387/4.1** Meas Soeurn, T. 29 June 2016, 15.10.38-15.12.33, EN 01341136-37 [“There was an event where many workers in Sector 21 knew that there was a rebellion by the Muslim people to oppose the Khmer Rouge government at the time. I heard about that rebellion spearheaded by the Muslim people to oppose the local authority in Krouch Chhmar district.”], 15.14.39-15.17.19, EN 01341138-39 [“that event could be result of internal conflicts since the Muslim people and the Khmer people went along rather well in their daily activity. And previously, they were not mistreated. But I believe they were mistreated by the local authorities and that they could no longer stand it.”]; **D6.1.424** Sau Seimech Written Record of Interview, 12 December 2008, EN 00274335-36 [“they called a meeting and assigned forces to suppress those rebels. [...] Sokh Sath organized the troops to suppress the Cham rebellion. [...] In Trea Subdistrict, Svay Khleang Subdistrict, and at Koh Phal. All three places were suppressed at the same time.”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222008-09 [“The revolt or insurrection resulted from the psychological persecution experienced by the Chams, in particular, in relation to their food and the ban on their culture and tradition. [...] The first villages to be suppressed by the Khmer Rouge were Koh Phol and Svay Khleang villages in Krauch Chhmar district. This was in 1975 and had to do with the ban of the Ramadan. [...] During Ramadan, the Khmer Rouge suppressed the Chams, banned fasting, prayers, forced Cham women to cut their hair short. The villagers could [not] take it anymore and revolted. The fighting between the Khmer Rouge and the Chams occurred during the months of Ramadan.”]; **D277/1.7** Steve Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661480 [“These attempts by the CPK in Krauch Chhmar to make a ban in Islam stick provoked open and armed defiance of Party authority by devout Muslims in two villages in September-October 1975, which was repressed by massive retaliation that soon affected the Cham population of the whole country.”]; **D6.1.104** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221898, Teh [Zain] Sren Interview [“One day in September 1975, on the Raya holy day Leim, the cooperative chairman told me that sixty people were going to be arrested that night. [...] Some defiant youths began sharpening their swords, hatchets and knives in preparation to fight the Khmer Rouge. [...] They chased the Khmer Rouge representatives and killed one of them [...] At dawn, the Khmer Rouge began firing on the village.”], confirmed by **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275379; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219121, San Sulaiman Interview [“This meeting forced the villagers to miss their 4 o’clock [*ásr*] prayer and it went on past the 6 o’clock [*maghrib*] prayer time, which was also the time for the meal that would break the fast for that day. [...] Unable to tolerate this any further, another villager stood up and voiced the call to prayer. The villagers got up and left to do the ablution for their prayers.”], EN 00219127, Mat El Interview [“After the meeting, the villagers refused to quit practicing Islam. [...] Man was arrested and sent to the subdistrict prison [...] The villagers got ready too, with knives and swords. [...] many were shot dead.”], EN 00219130, Chet Sman Interview [“At 6:00 p.m., the time for late afternoon prayer and breaking the fast, they kept the meeting going. The villagers got up to leave to go for prayer.”], EN 00219119-20, Res Tort Interview [“Ta Pha went on to the fourth point of his plan, which was the stopping of all Islamic prayer and closing the mosque. [...] The people were silent, did not utter a word. But after the meeting they did not permit Ta Pha to arrest the forty elders and they did not carry out that five-point plan. So the Khmer Rouge grew angry.”], confirmed by **D6.1.374** Res Tort Written Record of Interview, 19 May 2009, EN 00340202; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview

[“One day during October 1975, on the religious holy day called ‘Raya,’ prayer was permitted in the morning at the mosque. But the Khmer Rouge recorded the names of those who went to the mosque to pray. That evening they arrested those whose names appeared on that list. [...] Then drumbeats from the mosque sounded the signal for the villagers to rise up together and rebel. [...] At 8 o’clock the next morning, an armed Khmer Rouge force headed for the village from the west. They attacked the rebels.”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163. See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.50.50-13.52.55, EN 01405937 [“The Khmer Rouge did not respond to their appeal and as a result, the protestors were angry and then they burned an office.”]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 13.39.22-13.41.40, EN 01452570-71 [“What I can recall is that in late 1973, there was a minor rebellion in Trea 5 village, not in my village, in Trea commune. At that time there was a round of arrests and some 20 people were arrested and taken away in a vehicle.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.03.15-10.05.37, EN 01405902-03 [“And let me talk about the small rebellion which took place in Trea village, in 1973. Later on, I do not – and we do not know the specific dates and month when it took place, but we just knew that it took place in 1973.”]; **D6.1.185** Sos [Suf] Romly Written Record of Interview, 10 July 2008, EN 00223087 [“There was a small revolt in the village in 1973 after a religious leader tried to escape from an arrest. [...] A district hall was burned down. [...] Approximately twenty people were arrested and thrown onto the truck. [...] The killing situation was getting worse from then until 1975.”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678635 [“By December 1974, arrests of Cham leaders in Trea village of Krauchmar district provoked a rebellion. Casualty figures are unknown, but a Cham-dominated insurgency known emerged in Region 21, in association with local Sihanoukists and Vietnamese.”]; **D117/36.1.23** Philip Short, *Pol Pot*, EN 00396454 [“In November 1973, a Cham revolt had broken out in the East, in protest against the communists’ attempts to force them to abandon their customs and live in co-operatives like everyone else.”].

1282 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219117 [“The following day, according to accounts, the Khmer Rouge bombarded the village all day long with artillery fire. Homes, the mosque, and schools all burned to the ground. Cham defenders lunged and hacked at the attackers, but were shot when their knife and sword blows missed. Hundreds of Cham defenders died and the wounded filled the village.”], EN 00219120, Res Tort Interview [“All of the grown men of the village grabbed their knives, the long-handled knives we used to cut plants, along with their swords, and headed out to defend the borders of the village. [...] The Khmer Rouge entered the village and gunned down hundreds of people.”], EN 00219123, Ya Sos Interview [“The villagers grabbed their knives, hatchets and swords to defend the village perimeter. The Khmer rouge bombarded the village with artillery and burned the mosque and tens of houses.”], EN 00219127, Mat El Interview [“The villagers got ready too, with knives and swords. Then the Khmer Rouge initiated a large-scale fight by firing artillery into the village and invading a little bit at a time. The villagers fought back, but many were shot dead. In the end, the villagers did not have the means to resist any further.”], EN 00219157, Touloas Mein Interview [“We had only two firearms, [...] [o]ther than that, we had only swords, hatchets and knives to defend ourselves. [...] At least two hundred, maybe three hundred, villagers were killed.”].

1283 **D219/702.1.81** Sos Min, T. 9 September 2015, 10.00.48-10.03.00, EN 01430834-35 [“It’s about right the number, I - however, I cannot say the casualties reached 500. Perhaps it was below or a little bit above that number.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 14.02.08-14.04.42, EN 01419074-75 [“In the rebellion even in Svay Khleang, many of my relatives lost their lives. My grandparents were told to go out of the village but they refused to do so. They were still staying at their home, saying that was their house and village, so they refused to leave. When we returned, they were still there. In fact, there were many Cham people who refused to leave the village like my grandparents. They were the elderly and the women who just gave birth. They could not travel. However, when we came back in 1979, we didn’t see many of them alive.”], 14.08.32-14.10.55, EN 01419076-77 [“In 1979, when we returned, I saw houses left empty. I kept waiting to see a return of my uncle, my aunts, my cousins, second cousins, and my neighbours. We did not know where they had gone. We keep waiting a year or two or three years and no one has returned. Then I assumed that they were all died or killed because it was a large village of more than 1,000 families.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.53.29-13.55.51, EN 01430675-76 [“Those who resisted were smashed or shot dead and some of them had their throats cut. Most Muslim men were killed. Only Muslim women remained.”]; **D6.1.109** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00218582, Sos [Ponyamin] Min Interview [“Hundreds of villagers were wounded or killed.”]; **D1.3.3.3** Ysa Osman, *The*

Cham Rebellion: Survivors' Stories from the Villages, EN 00219118 ["The next morning the Khmer Rouge attacked even more aggressively, now supported by many types of artillery. Koh Phal shook. Boats patrolled up and down the river, strafing the villagers who were hiding along the bank. By afternoon, the Khmer Rouge had entered the village. According to eyewitnesses, they fired at men, women, children and the elderly and infirm. [...] Based on witness estimates, there were approximately 900 survivors after the fighting had ended, and about 1,000 people had died."], EN 00219121-22, San Sulaiman Interview ["Despite their numbers, the villagers rushed toward the attackers without hesitation, and large numbers of them were shot down by the Khmer Rouge. I carried bodies of the dead and the wounded. I saw piles of dead, so many I could not carry them all. Blood flowed like water. Houses were destroyed by artillery fire. The villagers could not withstand such an attack, and by 4:00 p.m. they had fled in retreat, some in boats, some swimming. All those who tried to flee in boats were captured and killed down to the last person."], EN 00219123, Ya Sos Interview ["[The Khmer Rouge] shot and killed indiscriminately, and people piled up on top of one another as they died. At 3:00 p.m., attackers swooped in from all directions and almost wiped out the whole village. Some villagers swam for their lives."], EN 00219125, Chi Ly Interview ["Two days later at 2 o'clock in the afternoon, the soldiers came back to the village. A fierce clash occurred, and thirty-seven villagers were killed. Eleven died on the battlefield east of the village and twenty-six to the west. The defense was broken and scattered."], EN 00219120, Res Tort Interview ["the Khmer Rouge positioned their artillery around Koh Phal Island [...] they began shelling the village. [...] Only 183 survived out of the 1,864 original inhabitants. In the bamboo groves around the village I found forty-nine mass grave pits."], confirmed by **D6.1.374** Res Tort Written Record of Interview, 19 May 2009, EN 00340202; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219157, Touloas Mein Interview ["At least two hundred, maybe three hundred, villagers were killed."], EN 00219158, Hak Mat Interview. ["At dawn the Khmer Rouge soldiers attacked and hundreds of people were killed throughout the village."], EN 00219162-63, Ly Touman Interview ["At about 8 o'clock the next morning the Khmer Rouge began firing into the west side of the village. Bullets fell like rain. We had our knives and swords in hand. They gunned down many villagers. We had one rifle that we had taken from a Cham Khmer Rouge soldier who had come to visit his family in the village."], EN 00219165, Msas No Interview ["At 8 o'clock the next morning the Khmer Rouge started firing into the village from the west. At first there were many defenders there, but later almost all of them had been killed. At 2 o'clock in the afternoon the Khmer Rouge launched a big raid, and by 6 o'clock almost all the defenders had fallen and the attackers entered the village."], EN 00219186, San Teimnah Interview ["The Cham killed the subdistrict leader [during the uprising at Svay Khleang], and the Khmer Rouge killed countless hundreds of us. [...] As the rebellion was being defeated by the Khmer Rouge, there was chaos because they were shooting down villagers left and right."], **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview ["the Khmer Rouge moved us out along with the rest who also remained [survived] – about two hundred families."], **D6.1.194** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00218594-95, Sman At Interview ["That afternoon the Khmer Rouge approached from the east and clashed again with the defenders there. Seven defenders died on the spot, including my uncle Sen. [...] On the fourth day, beginning at 7 o'clock, the Khmer Rouge bombarded the village with hundreds or thousands of shells and then attacked from all sides. [...] The casualties mounted. Blood flowed like water. I had never seen anything like it. I carried bodies to their graves. I came upon a pile of bodies in a low spot to the west of the village and carried them in one after another. I must have carried in and buried twenty-five bodies that day. [...] On the fifth day, the Khmer Rouge raided the village once again. Beginning at dawn, the ground quaked with the reverberations of artillery. Automatic fire from boats raked the river banks. The fighting this day was ghastly since the attackers penetrated into the village and shot people indiscriminately. The defenders still would not surrender. I continued to carry out my task of recovering and burying bodies. [...] I found so many villagers lying dead and wounded that I could not carry them all. A slope running down to the river nearby the dock flowed with blood, so much that the river water nearby ran red. On this day I was only able to bury forty-six out of the hundreds of bodies that were scattered on the battlefield."], **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678637 ["[Sen Mat] cited the Koh Phal events, claiming '1,108' Chams had been gunned down with artillery and heavy machine guns. Eight people survived and escaped that night, after being left for dead on the spot, he said"]; See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.49.50-10.53.23, EN 01405913-14 ["So there were more victims at Kaoh Phal since they were fired upon by weapons and artillery and there were countless death of the villagers there. There were 30 or 40 dead bodies in each pit and even those who carried the dead bodies

sometimes were hit”]; **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340182 [“Those dead bodies were buried in two mass graves in the centre of Koh Phal village.”]; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 [“when I went back there, there were remnants of broken houses and many grave pits. [...] I saw only the bones and clothing of the victims near the pits.”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222008 [“In Koh Phol, there was a pit where Khmer and Cham victims were buried. I personally saw 48 pits that have been preserved to this day.”]; **D325/2.1.5** Din Paet DC-Cam Statement, 11 December 2011, EN 00726177 [“many Cham were killed because artilleries were also used”].

1284 *See* **VI. Crimes and Crime Sites – I. Persecution and Genocide of the Cham – 1. The Cham as a Distinct Religious and Ethnic Group – Increased Persecution and Dispersal of the Cham.**

1285 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 14.26.26-14.27.53, EN 01218288-89 [“I did not mean to imply that it was solely because of the rebellions that they were targeted. [...] people are clearly, in Cambodia, aware of the differences between – identity differences of Cham and ethnic Khmer [...] When you had the rebellions those differences became more accentuated”]; **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 15.05.53-15.06.54, EN 01217336 [“what I think happened over time is the consciousness of the Cham as a group became increasingly suspect. Eventually, they were viewed as a threat and targeted. So it didn’t stem from overt racism but, in fact, from their inability to sharpen their consciousness as a group by the fact they rebelled.”], 15.23.16-15.25.15, EN 01217346; **D219/792.1.8** Alexander Hinton T. 16 March 2016, 16.02.08-16.03.51, EN 01219571 [“In this case, it seems that after the rebellions, eventually Chams began to be targeted because they were Chams. Initially, there was an awareness of who they were but, again, as with other groups there’s the potential to sharpen the consciousness [...] eventually they were viewed as being less likely to do so and began, for that reason, to disappear in greater numbers”].

1286 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 14.22.47-14.23.42, EN 01218286-87.

1287 **D179/1.2.32** David Chandler, T. 20 July 2012, 15.56.13-15.57.27, EN 00827438-39.

1288 **D219/171** Nhim Kol alias Say Written Record of Interview, A23, EN 01076946-47. *See also* **D179.1.2.32** David Chandler, T. 20 July 2012, 15.46.39-15.48.38, EN 00827434 [“I think what angered the Khmer Rouge about the Cham and about their – was their stubbornness at holding on to their religion [...] they saw people who were refusing to abandon their religion, refusing to accept the ‘new religion’ of the Khmer Rouge.”].

1289 **D219/702.1.93** Him Man, T. 17 September 2015, 14.35.04-14.36.54, EN 01409274-75 [“I heard from others about the rebellion [...] And from that time onward, the situation was becoming worse for Cham people.”]; **D219/702.1.109** Him Man, T. 28 September 2015, 11.12.39-11.15.00, EN 01403667-68 [“I only heard about Kaoh Phal, and not about any other rebellions - rebellions elsewhere. And the situation in my village became even worse after we heard about what happened there.”]; **D219/792.1.8** Alexander Hinton, T. 16 March 2016, 16.02.08-16.03.51, EN 01219571 [“So, again, this is one modality and as I’ve stressed before, you need to look at temporal and spatial variation. I brought up the term ‘cumulative radicalization’ as well in relationship to the Cham case in contrast to the ethnic Vietnamese case which seemed to be somewhat different, where over time you sort of have a Plan A, a Plan B and a Plan C.”]; **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 14.27.53-14.28.59, EN 01218290 [“there were things taking place before 1975, but I think the rebellions themselves contributed to this process of cumulative radicalization by which they increasingly became targeted”]. **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.41.35-10.43.20, EN 01419043-44 [“Q: Based on your research, can you inform the Chamber when the religious practice and the religious school or study were completely shut down? A: It was completely closed after the event of rebellions in Svay Khleang and Kaoh Phal. By that time, the Cham people were evacuated from their community and dispersed along with the Khmer people in various locations. When they no longer form a big community and only a few families were allowed to live in each village or cooperative, they were subject of being monitored whether they forfeit their religion. And if not, they would be taken away for killing. So I would conclude that a complete shutdown took place after the rebellions in those two villages. The close-down actually started early. However, some people attempted to teach in smaller forms in covert -- that is, in -- within the Cham community. It was difficult for the Khmer Rouge to send a few people to control the entire community which consisted of thousands of people. But the complete shutdown took place after the rebellions.”]; **D6.1.180** Math Sor (Ahmad Sofiyah) Written Record of Interview, 8 July 2008, EN 00274707 [“They stopped us from going to school. We transplanted rice seedlings and harvested rice crops until they evacuated all the villagers out of the village. When they first came into the village they were not bad. We had to live and work as a team. Later we were not allowed to practise our religious belief. We had to have our hair cut short. Our living

conditions became increasingly difficult after the Cham had rebelled [against the Khmer Rouge] and after all the Cham villagers had been forced to flee from their village.”]; **D6.1.705** Meas Soeurn Written Record of Interview, 18 December 2009, A53, EN 00425891; **D277/1.7** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661480 [the rebellions were “repressed by massive retaliation that soon affected the Cham population of the whole country.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219126. Kae Noh Interview [“All of the women who had been steadfast and refused to cut their hair were now forced to do so, without exception.”], confirmed by **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340180.

1290 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 14.24.30-14.28.59, EN 01419083-84 [“But if we looked at the real situation after the rebellions took place, immediately the Khmer Rouge called all the Cham to meetings in each village. And during the meeting they threatened the Cham people. They told the Cham to relinquish their religion, stop speaking their languages and not to rise up against the Khmer Rouge, like the ones took place in Svay Khleang and Kaoh Phal villages. They called the meeting in every village. Not long after, these villagers were evacuated.”]; **D219/702.1.109** Him Man, T. 28 September 2015, 09.30.38-09.33.09, EN 01403640-41 [“I heard there was a meeting. I did not go to attend that meeting. I was digging up the dirt. I was in the village. I learned the information from Tam, the village chief, who was the one who made the announcement that Cham was the first enemy. The situation on Kaoh Phal was very bad. That was why at that time, we heard about Cham people being the first enemies. Why I heard about this? Because at that time, Kaoh Phal was referred to as Kaoh Phes because they were afraid that there would be rebellions in other places following the situation in Kaoh Phal, which was already tarnished with a bad reputation. That’s why they were very careful about all Cham people.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.07.33-14.08.56, EN 01405943-44; **D6.1.461** Sos Kamri DC-Cam, 10 October 1999, EN 01222008, *See also* **D219/702.1.78** Sos Ronly, T. 8 September 2016, 09.12.43-09.16.14, EN 01452518.

1291 **D219/702.1.93** Him Man, T. 17 September 2015, 10.39.46-10.51.22, EN 01409231-34 [“I am [currently] living in Sach Sou village, Peam Chi Kang commune, Kang Meas district, Kampong Cham province. [...] Q: Thank you. What about after 1975, after 17 April 1975, where did you live? A: I was still living in Sach Sou Village [in Sector 41]”].

1292 **D219/702.1.93** Him Man, T. 17 September 2015, 10.56.51-10.59.13, EN 01409236-37.

1293 *See, e.g.*, **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.41.12-09.49.40, EN 01246586-90 [forced transfer of 1,2450 Cham families, with only 50 allowed to remain in Spueu]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.50.20-09.52.25, EN 01216589 [“People on Kaoh Phal island had been sent away, and it was quiet on that island after the rebellion.”], 14.27.52-14.30.16, EN 01216649 [“And in 1979, there was no one remaining there. There were only trees.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 11.24.38-11.25.39, EN 01405926 [“the Cham people were evacuated from their villages and the Cham community were abolished, so the evacuation of the Cham people were different from the evacuation of the Khmer people.”]; **D219/702.1.79** It Sen, T. 8 September 2015, 09.39.42-09.41.50, EN 01433803-04 [“in 1975 Cham people were evacuated because of the rebellion.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 15.44.27-15.47.06, EN 01403711-12 [“We were told to leave and then we were informed over the loudspeaker that they wanted to search for enemies and we were informed over the loudspeaker that if we did not leave the villages, we would be considered enemies. At that time we had to leave, we laid down knives or any weapons and left the villages. At that time they shot, they fired bullets to all of us during the rebellion at Svay Khleang.”]; **D289.1** No Sates, T. 29 September 2015, 09.24.33-09.26.33, EN 01409362-63 [“So by that time, all the Cham people in Svay Khleang village had been cleansed and purged.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 15.01.53-15.04.45, EN 01452757-58 [“At that time, the Central Zone soldiers came to the village. Both of them would have been killed if the Eastern Zone soldiers had come to my village.”]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225496 [“The evacuation was conducted quietly. One day, in the morning, I saw many ox carts arriving in the village to transport people out. They kept only 53 Cham families. [...] At the beginning there were just 27 families, and about one month later 41 more families arrived; so there was a total of 68 families of the evacuees arriving [in my village]. After the evacuation there were many arrests”]; **D6.1.183** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00204441-42, It Sen Interview [“Ten days after the revolt at Koh Phal, my family and about half the others in Ampil village were sent away by boat by the subdistrict chief. He told us that we were going to live in Battambang, but the boat put us ashore at Stung Trang. There we were broken into smaller groups. Some of those groups were sent away in trucks, some in carts, and some had to walk.”];

D325/2.1.1 Telegram 15 from Sao Phim to Pol Pot, 30 November 1975, EN 00766762-63 [“In principle the zone must hand over fifty thousand [50,000] people to the North Zone. In this regard, the remaining Cham in the East Zone amount to more than one hundred thousand [100,000]. We have deported only the Cham from along the river and the border”]. *See generally* **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219174 [“After the uprisings in the Cham villages of Koh Phal and svay Khleang, the Khmer Rouge broke up Cham communities across Cambodia. They had evidently determined that allowing the Cham to continue to live together could lead to further uprisings, so they began to relocate the Cham from their ancestral homes.”]. EN 00219130, Chet Sman Interview [“On the final day they announced that all the villagers had to leave. [...] One week later the survivors from Koh Phal were divided into four groups. The first group was sent to Baray, the second to Karbei Kriek, the third to Charavak Dek and the fourth to Phkar Daung.”]; **D6.1.531** Math Ly Interview with Steve Heder, EN 00436856. *See also* that Koh Phal is also Romanized as “Kaoh Phal”.

1294 **D277/1.7** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661481.

1295 **D277/1.7** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661481.

1296 **D325/2.1.1** Telegram 15 from Sao Phim to Pol Pot, 30 November 1975, EN 00766763 [“The transfer is in principle designed to disperse the Cham as per our previous discussion.”]. *See also* **D219/702.1.82** Ysa Osman, T. 10 February 2016, 14.16.53-14.19.25, EN 01419079-80 [“So I believe that the figure and the information on this document to ease the tension in the Eastern Zone; was meant to deport the Cham people from their communities. If the Cham people were allowed to stay there might be other rebellions, so they should be evacuated to different locations. As I said again and again, the evacuation of 1,000 families of Cham people was not to place them in a group or a community in another area, the evacuation was meant to disperse or separate them to live in different places so that the Cham people would lose their identity.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 13.49.13-13.50.50, EN 01405936 [“So there were some young people who were born in 1979 or after 1979, they could not speak Cham language. Even my sister and I also have some problems in speaking Cham language because after I spent more than three years in the regime, I lost my memory of some of my languages. This happened to younger generation, but for elder people, they have no problem.”].

1297 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.20.58-11.22.42, EN 01419059-60 [“The suppression severely affected the Cham people. Children were no longer allowed to live with the parents, so they could not speak the Cham language. The children -- the Khmer Rouge labelled the children as the children of the Revolution [...] for the Cham children; they were not allowed to speak Cham and they lived separately from their parents, so they lost the opportunity to listen to the history of Cham from their parents and as a result, they lost their identity.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.08.56-14.11.24, EN 01405944-45 [“When they were relocated to new areas, the first thing for them is that they lost their sense of community and it would be easier for them to be supervised. Then they could be monitored whether these three families of Cham continued to speak their Cham language. If they were forced to eat the pork they had to follow that instruction.”]; **D219/792.1.11** Ysa Osman, T. 24 March 2016, 10.06.38-10.08.26, EN 01236629 [“And through my research, only the Cham people were evacuated at that stage, as they were involved in the rebellion. So the Khmer Rouge would not allow the Cham people to live in a -- as a community in order to avoid any further rebellion. For that reason, they were evacuated. And this does not mean that they were evacuated to an area where Cham people were living. In fact, they were evacuated and dispersed to various villages to live mingled with Khmer people [...] to abolish their identities”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237957 [“none of the Cham villages were allowed to remain intact. Chams were dispersed to predominantly ‘Khmer’ cooperatives and forced to integrate.”].

1298 *See, e.g.*, **D325/2.1.1** Telegram 15 from Sao Phim to Pol Pot, 30 November 1975, EN 00766762-63 [“In principle the Zone must hand over fifty thousand [50,000] people to the North Zone. In this regard, the remaining Cham in the East Zone amount to more than one hundred thousand [100,000].”]; **D219/792.1.1** Sos Romly, T. 6 January 2016, 15.29.15-15.31.40, EN 01449828-29; **D219/702.1.77** It Sen, T. 7 September 2015, 14.00.44-14.05.29, EN 01430678-79 [“There were around 100 boats loaded with people to Stueng Trang district. [...] there were no Khmer people [being transported] All were the Cham people who were moved.”]; **D6.1.185** Sos [Suf] Romly Written Record of Interview, 10 July 2008, EN 00223087 [“nearly all the Cham

were evacuated. Only 15 percent of the Cham population, including me, were kept there.”]; **D6.1.183** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, It Sen Interview, EN 00204442 [“I observed that there were only ten Cham families left in the village, out of the hundreds that used to live there.”]

1299 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.19.06-14.20.54, EN 01405947-48 [“We observed that the Cham people were evacuated regardless whether they were part of the rebellion or whether they live in Krouch Chhmar district. It happened elsewhere in Chhloung, in Krouch Chhmar, in Kang Meas and in Kampong Siem districts. They were all evacuated”].

1300 **D219/702.1.77** It Sen, T. 7 September 2015, 14.03.18-14.05.29, EN 01430679 [“No, there were no Khmer people. All were the Cham people who were moved. They were all Cham people, that is, when we were moved out of Krouch Chhmar.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.51.15-10.53.23, EN 01405914 [“Those who survived the ordeal were arrested and sent to Roka Khnaor commune, [...] they were all sent to detain differently in Chhuk commune, Krabei Kreak Village, Phka Doung village, Chravak Daek village, and Baray village as enemies were”]; **D219/702.1.7** Meas Layhuor, T. 25 May 2015, 14.29.18-14.31.43, EN 01500273-74 [“Yes, there were Cham people working with us. However, those Cham people had been evacuated from the East Zone -- that is, from Kampong Cham. And they were assigned to work in the mobile units together, working with us.”]; **D5/387/4.1** Meas Soeurn, T. 29 June 2016, 15.12.33-15.14.39, EN 01341137-38; **D6.1.440** Um Chi Written Record of Interview, 14 January 2009, EN 00282345 [“Yes, evacuees arrived at my village, probably 20 families, including some Cham as well. The Cham who were evacuated there came from Krauch Chhmar District, Kampong Cham Province.”]; **D6.1.111** Sa Nau Written Record of Interview, 17 August 2008, EN 00242061 [“In 1975, they evacuated me to live on the opposite river bank”]; **D6.1.387** Toulas Sma Written Record of Interview, 10 July 2009, EN 00353493 [“my family and I were evacuated to Sector 555 in Sambaur village, Sambaur commune, Sambaur district, Kratie province. Other people from my village were evacuated, but to different provinces like Kratie province, Battambang province, and other provinces.”]; **D6.1.705** Meas Soeun Written Record of Interview, 18 December 2009, A53, EN 00425891; **D6.1.705** Meas Soeun Written Record of Interview, 18 December 2009, A53, EN 00425891 [“Many more Cham people were evacuated from villages.”]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D6.1.1245** Srong Muhamed Interview, August 1984, EN 00053301; **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048831 [“Many of the Cham from Ibrahim’s subdistrict were evacuated to the Central Zone in late 1975, while the rest were sent to neighboring villages of Tbaung Khmum in groups of five families.”]; **D325/2.1.2** Telegram 15 from Sao Phim to Pol Pot, 30 November 1975, EN 00766762 [“the zone must hand over fifty thousand [50,000] people to the North Zone”].

1301 **D219/702.1.96** Or Ho, T. 19 May 2015, 14.07.11-14.09.03, EN 01503169-70; **D219/702.1.93** Him Man, T. 17 September 2015, 10.47.32-10.56.51, EN 01409234-35 [the Civil Party was evacuated along with half of the villagers from Sach Sou Village, around 200 or 300 Cham families]; **D6.1.414** Tay Koemhun Written Record of Interview, 24 November 2008, EN 00251014; **D219/702.1.105** Kong Uth, T. 25 June 2015, 09.34.05-09.37.09, EN 01503874-75; **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.11.10-15.12.07, EN 01430904 [“And during the period of the Democratic Kampuchea, Cham people were no longer allowed to live in villages One and Three respectively. And they had been evacuated elsewhere during that regime. But, I did not know when they were evacuated during the period between 1975 and 1979.”]; **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 10.33.20-10.36.12, EN 01409040-41 [discussing Peam Chi Kang commune: “Yes, that is correct. During the Khmer Rouge period, Cham families were brought to the village.”], 10.40.20-10.43.05, EN 01409043 [“Q: In 1979 when the Khmer Rouge were defeated, those Cham were no longer in your village. Is that what you’re saying? A: Yes, that is true.”]; **D219/82** Riel Neang Written Record of Interview, 21 November 2014, A4, EN 01067798-99; **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251306 [“They evacuated them here from Sach Saur Village. Sach Saur Village was a village where the Cham lived.”]; **D219/502** Muok Sengly Written Record of Interview, 14 September 2015, A26, EN 01152375 [“Initially those Cham families were brought from communes along the Mekong river [...] they placed all of them together at Trapeang Ruessei Village.”]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00667231 [“Q: Were you evacuated? If so, to where? When? A: From 1973 to KS, Down Village, Khum Rohteah/Srej Preyt Prosah Srok, Kratie Province.”]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, 9 June 1985, EN

- 00667234 [“they evacuated him and other the other Cham people at that area to live in Kampong Thom Province”].
- 1302 **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.16.51-09.18.47, EN 01452686-87 [“I was forced to evacuate my native village. Also, during the Khmer Rouge regime, I was forced to separate from my family members, from my relatives, from my native village as well.”], 09.53.41-09.59.04, EN 01457699-700 [“We were told to leave for different locations. [...] We were not allowed to live in one same place. My family was told to live in Tram Seh which was different location from others, so we were sent to different location for different work.”]; **D118/147.1.7** Meu Peou Civil Party Application, EN 01205012; **D219/702.1.48** Mak Katheet Transcript of Audio Interview, 13 September 1984, EN 00667211 [Mak Katheet transferred within Kandal province and then transferred to Preah Vihear province]; **D1.3.28.20** Zakreyah Transcript of Audio Interview, 22 January 1985, EN 00053154 [“In Cham Leu and other villages in Kathom, some Cham were moved out of their villages, and Khmer would be moved in, so as to get a mix.”]; **D1.3.28.16** Savcc Bin Kasim Transcript of Audio Interview, September 1984, EN 00053139 [“At that time all the villages were dispersed.”]; **D219/702.1.52** Sufeeyan Idres Transcript of Audio Interview, 25 December 1984, EN 00667254 [“Cham villages were dispersed. He knows of no Cham villages that remained intact. Cham were dispersed with 3-5 families going to Khmer village. This was an order from ‘high up’”]; **D219/702.1.49** Peang Romly Transcript of Audio Interview, August 1984-June 1985, EN 00667220; **D219/702.1.46** Abdullah Transcript of Audio Interview, EN 00667260; **D6.1.1241** Saleh Transcript of Audio Interview, September 1984, EN 00053279 [“In January 1977, the KR dispersed all the Cham in Tuol Sankeye, sending them to different villages.”]; **D1.3.17.5** Ben Kieman, *The Pol Pot Regime*, EN 00678643 [“They were evacuated from their homes for a second time. This time the ten Cham communities were dispersed over three subdistricts. [...] inhabitants were scattered among eight villages in Tralach subdistrict.”], EN 00678644 [“One hundred fifty Cham families from this area were evacuated to the North in 1975; only forty-three incomplete families survived. Others went to the Southwest and West. [...] The other large Cham community in the capital was Chruai Changvar, across the Sap river east of Phnom Penh. In 1940, Ner reported three hundred Cham households there. By 1975, when the village was evacuated, they may have numbered about nine hundred families.”].
- 1303 **D219/702.1.77** It Sen, T. 7 September 2015, 13.58.28-14.00.44, EN 01430677 [“They were the district committee, the commune committee, village chief and the village security guards who ordered all of us to leave our village by boats in order to be transferred to Battambang at that time.”]. *See also* **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275380 [“they evacuated us by boat to Banteay Chey. [...] In 1978, they evacuated us to the Chup Rubber Plantation. [...] Later they evacuated us to Stong District, Kampong Thom Province.”]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.49.53-09.52.23, EN 01452968 [“We were told to leave our native villages. We had to abandon our belongings, houses, lands that we owned.”].
- 1304 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.07.33-14.08.56, EN 01405943-44 [“in Kaoh Phal they were relocated immediately and in Svay Khleang they were detained for a few months before they were relocated and then the Cham people who lived in other villages were relocated in about -- at the same time. [...] That happened in around November 1975.”], 14.12.35-14.14.54, EN 01405945-46 [“Some of them were sent to the northern part while some remained in the East Zone.”]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.53.41-09.59.04, EN 01452699-701 [“What I knew is that my family members were forcibly transferred from our native to live in Tram Seh (phonetic) cooperative where there were no other Cham people. [...] My family was told to live in Tram Seh which was different location from others, so we were sent to different location for different work.”]; **D6.1.1050** Statement submitted by Amnesty International to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Allegations of Human Rights Violations in Democratic Kampuchea*, August 1978, EN 00271509-10 [“on 15 February they were taken away in 25 trucks driving towards Battambang. Half-way, at Pursat on 16 February, seven of the trucks took the road to Liaj, while the other 18 headed towards Mong Retsi.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 13.55.51-13.58.28, EN 01430677 [“My families together with other villagers throughout the village were evacuated at that time to Battambang province, some to Stueng Trang, and some others were transferred to Preaek Achi and to Kratie. For my villagers and my families, we were sent to Preaek Achi. Everyone was evacuated from the village at that time.”]; **D1.3.28.16** Hul Man Transcript of Audio Interview, September 1984, EN 00053146 [“Many families from Kam[p]jong Cham and Kampong Thom were brought to Battambang”]; **D5/1660/3.1** Hun Chhunly, T. 6 December 2012, 15.40.50-15.46.08, EN 00868999:

D6.1.1240 Rim Sarah Transcript of Audio Interview, EN 00053307 [“Cham were forced to live among Khmer people. She does not know specific villages because she was a new person in Battambang and unfamiliar with the area”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678642 [“In July 1975, 710 families were evacuated from Region 25 by boat across the country from south to north to Samrong in Preah Vihear. They included one hundred families of Chams [...] two-thirds of them perished after deportation to an inhospitable area.”]. See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.12.35-14.14.54, EN 01405945-46 [“For those who were considered to have weak tendencies and did not seem to oppose against the lines of the parties then they would be allowed to remain living in the village and the Khmer people were also relocated elsewhere to come and live in their villages.”]; **D6.1.531** Math Ly Transcript of Audio Interview, 1990, EN 00436856 [“Third, the evacuations: bringing in ethnic Khmer and placing the Cham in Khmer villages.”]; **D277/1.7** Steve Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661479 [“in some places they found Cham communities already broken up”]; **D219/702.1.93** Him Man, T. 17 September 2015, 10.53.49-10.56.51, EN 01409235-36 [“After the evacuation, there were only 30 Cham families remained living in the village”], 11.15.26-11.18.11, EN 01409242 [“The Khmer Rouge actually allotted Khmer people to live, mingle with the Cham people in that village: **D6.1.191** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00218503, Him Man Interview [“In 1975 they evacuated villagers once again, but on a much bigger scale this time. Only about thirty families were not evacuated.”]; **D6.1.403** Cheu Than Written Record of Interview, 23 October, 2008, EN 00235483 [“they moved the Khmer people to live in those Cham villages.”].

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D219/702.1.80 Ysa Osman, T. 9 February 2016, 14.12.35-14.14.54, EN 01405945-46 [“For Kaoh Phal villagers, they were relocated to four villages in Chhuk commune.”]; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 [“after two days they split us up and sent us to four separate locations”]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 09.48.55-09.52.25, EN 01216588-89 [“It was after the rebellion when I saw large number of military boats. Before that time, there was one or two military boats guarding or travelling. [...] They were not sent to Battambang province, but to Kampong Thom province. Villagers in Chumnik had been sent to Kampong Thom in 1996 (sic).”], 14.27.52-14.30.16, EN 01216648-49 [“The Pol Pot soldiers came to repress people in Kaoh Phal who rebelled against them and then they transported the wives and children of those people involved in the rebellion by boats, and I did not know where they were taken to. They went along Roka Khnaor creek near Chumnik village. And I heard the fishermen say that they saw villagers from Kaoh Phal being taken into the forest, but they did not know where they were taken to.”]; **D6.1.378** Chi Ly Written Record of Interview, 12 May 2009, EN 00340172 [“The people were herded to a place near the river bank, and then were transported by boat to a number of villages.”]; **D6.1.377** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219126, Kae Noh Interview [“all of the villagers of Koh Phal were evacuated. On the first day the Khmer Rouge [...] sent them to Phkar Daung. On the second and third days they selected those who had been active in supporting the first group, and sent them to Krabei Kriek and Charavak Dek. On the fourth day those remaining and thus considered loyal to Angkar were sent to Baray.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219127, Mat El Interview [“The Khmer Rouge penetrated the village [Koh Phal] and divided the people into four categories which they called ‘first-class enemies’ through ‘fourth-class enemies.’ Then they evacuated the villagers according to their assigned categories. First-class enemies were sent to Phkar Daung, the second class to Krabei Kriek, the third to Charavak Dek, and the fourth to Baray [all of these villages were in Dambe district at the time; today they are in Chhouk subdistrict, Kroch Chhmar district]. My family went to Krabei Kriek, since we had been designated as second-class enemies, as had about 25 other families.”], EN 00219131, Kaup Requiyyah Interview [200 Cham families from Koh Phal were sent to Phkar Daung], EN 00219212, Ismail Maisam Interview [“Because the Cham of Koh Phal were steadfast and refused to abandon Islam [...] they forcibly evacuated all the Cham throughout Kampuchea.”], EN 00219125, Chi Ly Interview [“The survivors [...] were then sent off to four other villages in Chhouk subdistrict: 36 families to Baray; 42 families to Charavak Del; 27 families to Krabei Kriek; and 60 families to Phkar Daung.”], confirmed by **D6.1.378** Chhi Ly Written Record of Interview, 12 May 2009, EN 00340170; **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340182 [“My group was sent to Baray. [...] We were transported by boat to Plum Ti Prampi village, Roka Khnaor commune, Krouch Chmar district, Kampong Cham province.”].

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D219/702.1.79 Sos Min, T. 8 September 2015, 14.12.02-14.14.10, EN 01433856-57 [“before 1975, I was living in Svay Khleang -- that is, in my home village. And after 1975, I was evacuated to Svay Kambet

village, Seda commune, Dambae district in Kampong Cham province.”], 15.18.30-15.20.35, EN 01433876-77 [“we were evacuated by boats to live elsewhere, including Stueng Trang, Baray, Dambae, and many more that I cannot recall, but not to return to our native village.”], 15.30.30-15.33.05, EN 01433880-81 [“I [was] involved in three evacuations to Suong and to Kampong Thom”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.10.39-10.12.56, EN 01405906-07 [“And some of them were evacuated to mingle with Cambodian people in the East Zone, and some were evacuated to the North.”], 14.07.33-14.08.56, 14.12.35-14.14.54; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 14.02.08-14.04.42, EN 01419074-75 [“We did not know when and how they were killed. My family, like other Cham people in Svay Khleang, were sent out and separated to be detained in separate places. At the beginning the small children were allowed to be with the mother or the parents. [...] It was so fortunate that a few families of Cham people including mine were sent from Svay Khleang to Kratie province.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 13.44.26-13.47.28, EN 01403676-77 [“In 1975, Cham people were evacuated. My villagers and I, within the Svay Khleang province”]; **D6.1.105** Mat Ysa Written Record of Interview, 14 August 2008, EN 00242077 [“After the rebellion, aside from making arrests, they sent a number of villagers away by boat to Koh Ta Sauy and to Kampong Thom Province. Almost all of the original villagers were evacuated away, and they told us that we had to relocate to different villages and subdistricts.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 13.50.36-13.54.04, EN 01452738 [“I felt a bit relieved 10 or 15 days later because I was allowed to get together with my family members and wife. And after we met, we were sent to live in Stueng Trang district, Soupheas village. My wife and I, together with the three-month infant, were together. For my mother and my three other siblings were sent to Roka Khnaor. We were not allowed to stay together. [...] Then I was sent to Soupheas village, Stueng Trang district with my wife and the infant. After we arrived, Angkar, at that place, asked our background; what I did in the past regime and in reply, I said I was a fisherman. My wife was sent to work in the field like other women and as for my infant, he or she was sent to stay with the grannies.”], 15.06.20-15.08.28, EN 01452758 [“They [the villagers] said my mother and siblings were sent to Stueng Trang district to be killed. They were taken on a motorboat and the killing happened at Boeng Kachaut (phonetic).”]; **D219/883.1.5** Man Sles Civil Party Application, EN 01089920 [“after the rebellion stopped, the Khmer Rouge soldiers began the evacuation of all the people from Svay Khleang village to the district town of Krouch Chhmar district.”]; **D6.1.102** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221859, Man [Zain] Sen Interview [“My family and about 100 others were moved in ten boats to Dambe district.”], confirmed by **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275163; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008, EN 00242073 [“they evacuated us by boat. We were transported day and night for 24 hours and finally the boats reached Chi Theang in Dambae district. Later, they had us walk to Svay Kambet village, Sida commune, Dambae district”]; **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275380 [“they evacuated us away by boat to Banteay Chey. [...] In 1978, they evacuated us to the Chup Rubber Plantation. [...] Later they evacuated us to Stong District, Kampong Thom Province.”]; **D6.1.104** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00221898, Teh [Zain] Sren Interview [“My family was then evacuated to Banteay Chey [...] with about ten other families.”]; **D6.1.179** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00204453, No Sates Interview [“After the revolt against the Khmer Rouge in 1975, they moved everyone away. My family was one of about thirty sent to Khsach Praches Leu in Kroch Chhmar subdistrict and district.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219144, EN 00219150, EN 00219157, EN 00219159, EN 00219161, Ly Hak Interview [“We were told us we were going to Battambang, but the trucks stopped at Saupheas Village.”], EN 00219163-64, Ly Touman Interview [“about thirty families, mine included, were sent by boat from Wat Daem Chrey to go off to the east. [...] The last stage of the journey took us to Tuol Sambat Village in Dambe district.”], EN 00219165, Msas No Interview [“My family was evacuated by boat, along with thirty other families, to Prek A-Chi village.”], EN 00219167, EN 00219168, EN 00219181, EN 00219186, EN 00219190, EN 00219201; **D219/883.1.2** Sos Min Civil Party Application, EN 00893530 [“all the villagers of Svay Khleang were sent by the Khmer Rouge leaders (names unknown) to Dambae district to be mixed with Cambodians in Stueng Trang District of Kampong Cham Province and in Kampong Thom Province’s Baray and Santuk Districts.”].

¹³⁰⁷ **D219/702.1.77** It Sen, T. 7 September 2015, 13.58.28-14.00.44, EN 01430677 [“They were the district committee, the commune committee, village chief and the village security guards who ordered all of us to leave our village by boats in order to be transferred to Battambang at that time.”]; **D219/792.1.5** Van Mat

alias Sales Ahmat, T. 9 March 2016, 09.31.55-09.34.37, EN 01216582 ["Q: Are you able to estimate how many Cham families there were in Chumnik before the arrival of the Khmer Rouge? A: It was -- there were more than 10,000 Cham living in that village. [...] there were around 10,000 villager in Chumnik commune -- village, rather."]; 09.55.42-09.56.55, EN 01216592 ["About 50 per cent of them had been sent to work."]; 11.04.22-11.05.40, EN 01216612-13 ["Because the evacuation policy actually took place earlier, so thousands of people had been evacuated. And usually, every four to ten days, there were between four to five motorboats used for the purpose of the evacuation. The evacuation never stopped."].

1308 **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.42.50-09.45.13, EN 01452528-29 ["I told him that the Cham were evacuated to Central Zone. And then he asked me if any Cham were still living in the village and then I told him that about only 80 to 85 per cent were evacuated. There were around 15 or 20 per cent left in the village."]; 14.40.06-14.42.35, EN 01452596-97 ["He asked me where the owners of those houses had gone and I told him that they had been evacuated to the Central Zone since late 1975."].

1309 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678733 (*emphasis omitted*). See also **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.19.06-14.20.54, EN 01405947-48 ["They were evacuated from their native villages to live mingled with the Khmer people, and family members were separated at the new areas."]; **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.35.46-13.31.57, EN 01216626 ["We were separated. We were not allowed to live together with our wives and children."]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.16.51-09.21.17, EN 01452686-87 ["I was forced to separate from my family members, from my relatives, from my native village as well. [...] was by myself without my parents or my family members. [...] We were separated from our family members to go and live in various battlefields and to work whatever was ordered by Angkar."], 10.54.34-10.56.22, EN 01452714-15 ["Khmer children were also separated from their parents, but we were different. The Khmer children, they were in the children unit with other Khmer children, but I was the only Cham boy in the unit. [...] During the Khmer Rouge regime, as long as they were the Cham, it did not matter whether they were adults, children or old people, they would be segregated from the group. The Cham people were not allowed to live together."]; **D219/702.1.79** Sos Min, T. 8 September 2015, 15.43.47-15.45.55, EN 01433885-86 ["I can say that after the crackdown, the Khmer Rouge gathered all the villagers and placed us in one location. Everyone was apprehended. Only later on were we separated, and transferred to various locations. And after the screening and taking of a specific number of us, the remaining people were further sent away to other villages, communes and districts as I mentioned earlier on."]; **D219/702.1.48** Mak Katheet Transcript of Audio Interview, EN 00667213 ["There was an organized attempt to prevent Cham from being relocated together. Only about 15 Cham were allowed on each truckload of 500. Then the Chamis would be separated as they got to Preah Vihear."]; **D6.1.387** Toulouas Sma Written Record of Interview, 10 July 2009, EN 00353493 ["Other people from my village were evacuated, but to different provinces like Kratie province, Battambang province, and other provinces."]; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275164 ["The villagers in those villages were all ethnic Khmer. Some had us live in rice storage huts. Some had us sleep underneath their houses. They did not permit us to observe our religion or traditions."]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219175-76 ["they were split into smaller groups of four to five families each. These groups were then sent to live with Khmer families in that district or in other locations, often in Kratie or Kampong Thom provinces."]; **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893530 ["After being released from the detention centre, all the villagers of Svay Khleang were sent by the Khmer Rouge Leaders (names unknown) to Dambae District to be mixed with Cambodians in Stueng Trang District of Kampong Cham Province and in Kampong Thom Province's Baray and Santuk Districts. Most of them were made to live in villages with Khmer populations."]; **D1.3.28.7** Loah Treh Transcript of Audio Interview, August 1984-June 1985, EN 00053440 ["They took all the Cham people from their own village to live among Khmer people and this happened in 1977."], EN 00053446 ["with Khmer people maybe 3-4 family in one village. All this villagers was dispersed in 1977 of March."]; **D1.3.28.2** Abraham Transcript of Audio Interview (August 1984-June 1985, EN 00053268 ["Cham villages were dispersed, forcing Cham to live in Khmer villages. He says about 5 Cham families to each village. In his village, about 5% were Cham."]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, 24 December 1984, EN 00053462 ["he was separated from his parents. He worked for a company of boys. From 1973 to 1975 he lived with his parents, from 1975-1978 he was separated. In 1978-1979 a new policy was instituted allowing for a visit home every 10 days."]; **D6.1.1241** Saleh Transcript of Audio Interview, August 1984- June 1985,

- EN 00053279 [“The Cham children in his company were not allowed to live together or speak together to prevent them from speaking Cham. These policies began in January 1977.”].
- 1310 **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222006 [“It was forbidden for two Chams to meet alone. If they discovered two or three people meeting alone they would conclude that something secret was going on or that plans were being made to rise up against Angkar.”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.28.28-09.30.30, EN 01246581 [“Besides the workplace, in the village, we could not gather in large numbers.”].
- 1311 **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.32.33-15.36.34, EN 01431682-84.
- 1312 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 14.08.56-14.11.24, EN 01405944-45 [“They had to live under the house of the Khmer families in those villages.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 14.05.29-14.08.22, EN 01430679-80 [“we were placed into various houses belonging to the Khmer people. And each Cham family was put to live mingled with each family of the local Base People who were Khmer there.”]; **D219/702.1.88** Seng [Sen] Srun, T. 14. September 2015, 09.27.52-09.30.05, EN 01406809 [“In 1976, the Cham people were separated and mixed with the Cambodian -- with the Khmer people in various villages. They were segregated to live among the Khmer people.”], 09.30.05-09.32.11, EN 01406809-10 [“In Sach Sou village, Cham people still lived there, not all of them were moved out. But, they were separated and spread out to live in various villages and not allowed to be concentrated.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219212, Ismail Maisam Interview [“The people of my village were sent to live in the open spaces under the raised houses of the Khmer people throughout Kang Meas district.”], confirmed by **D6.1.175** Ismael Maisam Written Record of Interview, 7 July 2008, EN 00242110; **D6.1.101** Man Sen Written Record of Interview, 13 August 2008, EN 00275164 [“The villagers in those villages were all ethnic Khmer. Some had us live in rice storage huts. Some had us sleep underneath their houses.”]; **D219/702.1.79** Sos Min, T. 8 September 2015, 16.10.37-16.12.28, EN 01433895 [“Q: Is it correct that some of the Cham people were required to sleep underneath the houses of Khmer families? A: That is correct from my understanding.”]; **D6.1.378** Chhi Ly Written Record of Interview, 21 May 2009, EN 00340173 [“They placed the people to live in the villagers’ houses, one or two families depending on the family size.”].
- 1313 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.51.15-10.53.23, EN 01405914 [“Among the four villages, all villagers from two villages died due to malaria and a small number of survivors from malaria were relocated to the north part of the river.”], 14.12.35-14.14.54, 14.19.06-14.20.54; **D219/702.1.81** Sos Min, T. 9 September 2015, 09.04.33-09.05.55, EN 01430812-13 [“Indeed it was a high-risk area for malaria.”]; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.16.51-09.21.17, EN 01452686-87 [“There was no proper form of living condition, no proper schooling, no religion. I was by myself without my parents or my family members. I was at the mercy of Angkar, and they did not provide me with sufficient food to eat, and I had to work according to the orders of Angkar. I had to work day and night, and I became so skinny and bony because of the lack of food and the hard labour. And if I could not finish the work schedule, then I would be deprived of very little gruel that I was given. Life was so miserable. [...] I had to live under a tree without proper accommodation. I slept in the open. Sometimes I suffered from rain and mosquito bites. Life was so miserable.”], 09.26.22-09.33.44, EN 01452690-92 [“During the entire period of Democratic Kampuchea regime, I did not see my parents. I only heard that they were forced to eat thin gruel and, later on, due to lack of food, my father died first. And I did not even know where he died. I did not see him during his last breath. Furthermore, I was imprisoned. At that time, I was very determined. I devoted everything to the Angkar. I had to eat pork, and whatsoever required by the Angkar because I was so scared. I had to force myself to eat pork so that I could survive. [...] My father refused to eat pork, and he only drank water. And he had to secretly find tree leaves in the forest to eat, and that was terrible for him, living in such a situation. I would think that it would be better if they were to kill him and not to allow him to suffer such a terrible circumstance. [...] That was the time that his body became so emaciated. He also was by himself, and he died alone without the presence of any family member. I did not even know where he was buried.”], 09.44.50-09.48.04, EN 01452696-97 [“As for food ration, there was only watery porridge for all of us. We received one ladle of watery porridge [...] I was so skinny and bony. And during that regime, I could not sleep well at night and I did not have time to take a rest during the daytime. So it was a misery for me, and particularly I was so pity on my families who had suffered the same experience. So it was a misery.”], 11.21.08-11.22.34, EN 01452724 [“Amongst the 17, some died from lack of food. Some died from malaria, while others were killed by cutting their bodies open and salted.”], 14.07.03-14.09.03, EN 01452743-44 [“When I first went to

- visit my mother, she told me that my younger siblings had already been sent to work at the worksite and that they became so emaciated and that I would hardly recognize them if I were to see them.”]. 14.17.00-14.18.34. EN 01452746-47 [“She was given the same food rations as the rest. It was not sufficient.”]; **D5/1660/3.1** Hun Chun Ly, T. 6 December 2012, 15.43.12-15.46.08, EN 00869000 [“by the end of 1976, a lot of people died. As for the Islam population who settled there, half of them died. And for the sick Cham people who could not go to work, their ration would be cut”]; **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275380 [“but others died from malaria and from using incorrect medicines.”]; Meu Peou Civil Party Application, 12 January 2008, EN 01205015 [“I was supposed to transplant three plauns of rice seedlings per day. If I failed to finish it, I would not be allowed to take any breaks and received no food rations to eat.”]; **D6.1.193** Sman At Written Record of Interview, 12 August 2008, EN 00242082 [“Baray was a strong malarial area. [...] Every single day, five to ten people died from malaria because there was no medicine to treat them. In total, about 40 people died there before they sent us to Taing Krasaing, Kampong Thom Province.”]; **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340182 [“They gave very little food. Many Chams were infected by malaria and died of this disease. At that time, there were no hospitals for medical treatment. I also had malaria and was forced to work even when I was sick. I believed that they wanted me to die, but I did not die.”]; **D6.1.378** Chhi Ly Written Record of Interview, 21 May 2009, EN 00340173 [“At that time, there was no medical treatment: they gave only home-made medicine to patients.[...] Only nine people in my group died of malaria in Krabei Kreak village, but in Phkar Daung village, seventy percent of the village died of malaria.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219125. Chi Ly Interview [“People who were the former villagers of Koh Phal would die all the time in these four villages, falling victim to malaria. At Phkar Daung the death rate from malaria was the highest. Out of the 60 families who went there, almost none survived.”], EN 00219127, Mat El Interview [“My family went to Krabei Krick, since we had been designated as second-class enemies, as had about 25 other families. At this new place, we began falling ill with malaria. As I recall, 42 people from Koh Phal had died from malaria in one year there. After 1979, 15 families survived to return home to Koh Phal.”]. EN 00219131, Kaup Requiyyah Interview [after 200 Cham families from Koh Phal were sent to Phkar Daung: “almost all of the people from Koh Phal got malaria and hundreds died. A day did not pass without from one to four or five deaths. By the end of that one year at Phkar Daung, there were very few still alive.”]; **D6.1.531** Math Ly Transcript of Audio Interview, 1990, EN 00436857; **D6.1.458** Math Ly DC-Cam Statement, 27 March 2000, EN 00441578 [“There, there were many people dying of malaria.”]; **D277/1.7** Steve Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661480.
- ¹³¹⁴ **D277/1.7** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661481.
- ¹³¹⁵ **D219/702.1.81** Sos Min, T. 9 September 2015, 09.08.40-09.10.26, EN 01430814-15 [“I know the truth because I was living there amongst those families, and some of the families died. I took care of some people there as well, and I was also involved in the burial of some of those people.”]. See also **D325/2.1.7** Sos Min Civil Party Application, 25 October 2007, EN 00893530 [“Svay Kambet Village, Seda Commune, and Dambae District of Kam[plong Cham Province were in a malaria-prone mountainous area. As far as I know, in Svay Kambet Village, 50 per cent of the 20 families from my village died of malnutrition and malaria.”]; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008, EN 00242073 [“We did not have enough to eat. They provided us with rice gruel which was a bit better than the ones we had in the prison. As a result, the villagers still died of starvation.”].
- ¹³¹⁶ **D219/702.1.78** Sos Romly, T. 8 January 2016, 11.17.28-11.18.25, EN 01452560 [“Let me first ask you a question about something you said to the investigators, document E3/5196. The very first question you answer that the Khmer Rouge arrived in your village in 1970; is that correct? A: Yes, that’s correct.”], confirmed by **D6.1.185** Sos [Suf] Romly Written Record of Interview, 10 July 2008, EN 00223086 [“I was born in Trea Ti Py village, and I have lived there until now. The Khmer Rouge arrived here in 1970.”]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225495 [“I started school in 1962 in Or-mauk village (called Speu), Chor-yo sub-district, Chamkar Leu district, Kompong Cham province until 1970 at which time the [situation at the] school became chaotic as a result of a 3-day demonstration and the coup d’etat by the Lon Nol regime. [...] The Khmer Rouge liberated the village at the end of 1970 or the beginning of 1971.”]; **D6.1.461** Sos Kamri DC-Cam Statement, 10 October 1999, EN 01222003 [“But, in 1972, the Khmer Rouge took control of my village.”]. See also **D219/792.1.12** Sos Kamri, T. 6 April 2016,

- 09.20.52-09.22.32. EN 01246578 [“Khmer Rouge entered Akmok village prior to 1975. [...] by 1973, I taught young children at their houses. Q: Okay. So when the Khmer Rouge arrived, were you working on the plantation or were you teaching Cham children? A: I was teaching the children”].
- 1317 **D277/1.7** Steve Heder. *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661480. *See also* **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678641 [“They were mixed with base people there. but they were no longer recognized as base people themselves.”].
- 1318 **D219/702.1.80** Ysa Osman. T. 9 February 2016, 14.17.30-14.19.06. EN 01405947 [“The Cham people were also relocated and they were also labelled as New People as they left their home towns to go and live elsewhere with other people.”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 14.10.37-14.12.52. EN 01503171-72 [“those who were transferred from Phnom Penh or Cham people, they were considered the deposittee people. [...] People who had been transferred from Phnom Penh were considered 17 April People, all of them would be considered that way.”]; **D6.1.444** Khiev Sokh Written Record of Interview, 15 January 2009, EN 00282328 [“The Cham were considered to be the same as the 17 April people.”]; **D219/702.1.81** Sos Min, T. 9 September 2015, 10.15.34-10.34.39. EN 01430841-42 [“However, after 1975, we were referred to as New People because we were evacuated from our villages to another area [...] But we were called by that title by their chiefs and their people. They called us like that.”]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, August 1984-June 1985. EN 00667235 [“He has put more pressure to Cham people and Islamic religion, all the Cham customs and traditions.”]; **D6.1.1235** Mat Sman Transcript of Audio Interview, September 1984. EN 00053218 [“All Cham were treated as ‘new’ people, even if they were actually old people. By virtue of the fact that they were Cham they were treated as new people. If the Cham lived in a base village, they would be moved to live with the new people.”].
- 1319 **D219/702.1.96** Or Ho, T. 19 May 2015, 09.21.05-09.26.48. EN 01503118-20 [“I became the village chief of Prey Srangac in 1975. [...] I continued working until July 1978.”].
- 1320 **D6.1.407** Or Ho Written Record of Interview, 18 November 2008, EN 00250047; **D219/702.1.96** Or Ho, T. 19 May 2015, 10.04.42-10.09.56. EN 01503131-32 *confirming* **D6.1.407** Or Ho Written Record of Interview, 18 November 2008, EN 00250047. *See also* **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.53.41-09.57.33, EN 01452699-700 [“Like other Cham families, my family, during the Khmer Rouge regime, was put in a group below the 17 April People group.”].
- 1321 *See e.g.* **D219/702.1.80** Ysa Osman, T. 9 February 2016, 16.04.57-16.05.51. EN 01405983 [“In Krouch Chhmar village the Cham people were sent to be killed in Trea village. They were killed at a pit there or they were killed and dropped off into the Mekong River.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.38.30-09.41.04. EN 01419026-27 [“In fact, the corpses floating in the Mekong River at Krouch Chhmar, it is correct, as stated by Ke Pich Vannak because in 1977, the Cham people were gathered for the purpose of purging. As I told you earlier, it was a purge which was indiscriminate. Any Cham would be the target. Previously, they would bury the corpses along the river in Trea village, but later, as the killing occurred many times, and the burial site was not good enough for all the corpses, so they changed their method of disposal of the corpses. They dropped the corpses into the Mekong river.”], 09.38.30-09.42.58, EN 01419026-28 [“The victims were tied up from 20 up to 30 people and they used the end of the string and tied up to a motorboat and on the other side to the last victim in the line, and therefore, those 10 or 20 or 30 people who were tied up could not escape or could flip from that incident. And the motorboats were driven across the river, and the victims were drowned to death in the river. And after that ordeal and the Khmer Rouge would untie them and drop them into the water as the Mekong river flows from Kratie to Kampong Cham and then to Phnom Penh.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 14.18.50-14.21.11, EN 01430685 [“It was their policy to seriously mistreat us, the Cham people. We were absolutely prohibited from engaging in any prayer or worship after their arrival. If we were to make even a smallest mistake we would be arrested and killed. In fact, they were even stricter than their predecessors. The village chiefs or the commune chiefs in succession were arrested and killed after the arrival of the Southwest Zone cadres. Village chiefs and commune chiefs kept disappearing one after another.”], 15.17.05-15.19.45, EN 01430699 [“I noticed that people with blindfold were taken out of the houses, and led to the river. They then used a big rope to attach some 30 people together one after another, while the other end of the rope was attached to the back of a motor boat. And so when the boat got to the middle of the river, they released the rope with people attached to it into the river to drown those people.”], 16.03.20-16.05.20. EN 01430718 [“The wives were killed separately. The single grown-up girls were killed separately. The husbands were killed separately. The small children were killed along with their mothers. They killed the Cham people in these three different -- separate groups.”];

D219/702.1.86 Math Sor alias Ahmad Sofiyah, T. 13 January 2016, 10.09.37-10.11.16, EN 01414995-96 ["After I returned from the mobile unit, my brothers and my father were called to build model houses, and that was the first batch sent on the first day. And on the second day, women were informed that the male group had already built houses thus, the women had to move in and live there."], 10.45.45-10.47.11, EN 01415004-05 ["they were taken to a big pit about eight metres from the house and Cham people were killed in that pit."], 10.53.30-10.54.55, EN 01415007-08 ["No, I did not see them again because they were killed into the pits. [...] There was a window, and I could see outside through the holes of the window. I peeped through the holes because I was scared. I wanted to know what they did to those who were taken away. They put wooden planks on top of the pit and they ordered those people to bend down and then they smashed them down into the pits. That is what I witnessed."], 15.18.00-15.19.58, EN 01415056 ["It was a pretty large -- there was one large pit and there were about a few smaller pits."], 11.02.35-11.04.51, EN 01415011-12 ["There were eight family members, I lost six siblings, then my father and my mother, so there were eight of them. And among them, two of my elder sisters were pregnant."], 11.29.44-11.32.42, EN 01415020-21 ["The pit was pretty large and they placed a wooden plank near the pit and the people were asked to bend their head, then they hit them and they fell into the pit."]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 09.31.57-09.33.45, EN 01452524-25 ["Later on, I saw about 20 pits near the district office. They were large and small pits."], 14.27.31-14.28.35, EN 01452591 ["Regarding the pits, before there were neither pits nor graves and the land belonged to the villagers. The grave-pits started to be dug in mid-1978, and only after the liberation did I see the existence of the pits. But before that there were no such pits."]; **D219/702.1.109** No Sates, T. 28 September 2015, 14.07.16-14.10.30, EN 01403684 ["I was in Khsach Prachheh for about a fortnight then the Southwest group gathered all the Cham people and took them away. They told us that we were being relocated to the other side of the river that is to Stueng Trang as that area was abundant with food [...] my mother and the rest of my families got on a ferry"], 15.54.44-15.55.43, EN 01403715 ["People who were sent to Stueng Trang never returned"], 16.00.41-16.03.09, EN 01403717-18 ["All of them were gathered up including male, female, my two younger brothers, my sister, my grandmother, my mother, all of them were gathered up in groups, together with other villagers and they were sent away. Q: Did you ever see them again after that? A: No. They have disappeared ever since"]; **D1.3.17.53** Ben Kiernan, *The Pol Pot Regime*, EN 00678716 ["The killings continued there. Over the next six months twelve families of Chams were executed, thirty people in all. [...] 1978 was the worst year for the killing of Chams, whom southwesterners singled out for execution. [...] Toward the end of the year, they killed thirteen families in the village."]; **D6.1.415** Pen Sot Written Record of Interview, 25 November 2008, EN 00251070 ["There were some Cham at Office 3. But there were many Cham at Office 2 and 1."]; **D6.1.1245** Srong Muhamed Transcript of Audio Interview, August 1984, EN 00053302 ["1978 was the worst year. All though there was killing from 1975-1977, 1978 saw the worst the spate of killing."]; **D6.1.85** Nayan Chanda, *Brother Enemy*, EN 00192435 ["Over sixty thousand Cham minority people- mostly in the Kampong Cham area- were massacred for their Islamic faith."]; **D117/36.1.30** Trea Village Security Centre Site Identification Report, 30 June 2009, EN 00364803 [describes the security centre and witness statements of its use as an execution site]; **D117/35** Ban Seak Written Record of Interview, 24 March 2014, A45, EN 00984878 ["The security forces that conducted the purges were the soldiers of the Center- meaning those of Son Sen and the district military."]; **D219/702.1.86** Math Sor alias Ahmad Sofiyah, T. 13 January 2016, 09.50.45-09.52.12, EN 01414987 ["we were all evacuated to Trea 2. That was the place where they had a plan to kill us."]; **D6.1.185** Sos [Suf] Romly Written Record of Interview, 10 August 2008, EN 00223088; **D219/702.1.75** Ban Seak, T. 5 October 2015, 14.15.25-14.17.55, EN 01409582-83 ["Q: [...] During the time period that you were Krouch Chhmar district secretary, did you have authority yourself to make decisions on people to be executed and if not, who had authority to make such decisions? A: I did not have any authority to make such a decision and as I said from the outset, authorities and orders came from the upper echelon to smash all the so-called KGB or CIA agents."]; **D6.1.181** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00204415, Math Sor alias Ahmad Sofiyah Interview ["I saw a cadre walking one girl to a pit only 8 meters from the house. A plank stretched across the pit. The cadre laid the girl face down on the board and cut her throat from behind with a skinny blade and dropped the body into the pit."]; **D6.1.110** Sos Romly Written Record of Interview, 17 August 2008, EN 00242064 ["Today I pointed out to the investigator of the Khmer Rouge Tribunal the 1975 site of the Khmer Rouge Commune Office at Trea 2 Village [...] In May 1978, they took that site for use as their District Office instead. [...] All the houses surrounding the District Office were used to detain prisoners, and the area south of the District Office was used as a killing and burial site. In 1979, they

discovered hundreds of bodies in pits there.”]; **D117/36.1.31** Sleh Toat Written Record of Interview, EN 00348097 [“About one month after the fall of Pol Pot’s regime [...] at a region near the river bank [...] we dug into the ground, we found more than 20 pits. The biggest pit was about three metres in square, in which it contained from 20 to 30 corpses”]; **D1.3.10.5** Report on CGP Mapping Team Visit to Kampong Cham Province, 17 October 1995, EN 00208307 [“At Tria II we were shown the bones from two of five mass graves sticking out from the river bank. The other three mass graves which are located under a grove of lemon trees nearby have not been excavated.”].

1322 **D6.1.105** Mat Ysa Written Record of Interview, 14 August 2008, EN 00242077 [“Many arrests occurred in 1975 after the rebellion of the ethnic Cham at Koh Phal. After that rebellion the arrests in this village increased, both day and night. Those prisoners, Cham villagers, both men and women, had their arms tied behind their backs and were walked along the road in lines and taken to Krauch Chhmar Security Office.”].

1323 See e.g. **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.51.54-13.52.56, EN 01217310 [“And then there was a second -- according to someone who worked there, there was a second person, who came from Kampong Cham city and was in charge of the security centre -- I believe his name was Phal: I'd have to check to be sure -- who brought people from the East Zone to be killed there, so that was the same place. But there were also, at all the different levels, as part of the organization, right there in terms of the zones had security forces, security centres and it went all the way down to the district level.”]; **D219/792.1.4** Man Sles, T. 29 February 2016, 14.02.35-14.07.03, EN 0145274243 [“I went to visit them again and I didn’t see them, so I asked the villagers and I was told that my mother and three younger siblings had been sent away and killed. [...] First of all, I lost my father and later on, I lost my mother and three younger siblings, so this was a compounded effect on top of the loss of my father.”], 15.06.20-15.08.28, EN 01452758-59; **D219/702.1.93** Him Man, T. 17 September 2015, 10.59.13-11.02.49, EN 01409237 [“People started to disappear, either individually or as a whole family and that happened continually. People kept disappearing”]; **D219/702.1.109** Him Man, T. 28 September 2015, 10.55.50-10.58.44, EN 01403661 [“Some Cham people were sent to that worksite. They never returned afterwards. Some villagers were sent to work in a worksite along National Road Number 6. They never came back after they were sent”]; **D219/702.1.7** Meas Layhuor, T. 25 May 2015, 15.45.41-15.49.03, EN 01123212 [“I knew through the village chief. He told me that these people were put at Baray Choan Dek and they never came out of this security site again. I was in a mobile unit, the people who were transported in trucks and in ox carts at night-time”]; **D6.1.410** Meas Layhuor Written Record of Interview, 20 November 2008, EN 00244165 [“At that time they were playing a loudspeaker there. I knew they were killing people, because I saw them transporting people by ox-carts into that site. I saw them transport people into that site many times: during the day they were transported by trucks, and at night they were transported by oxcarts. Most of those transported into that security site were new people or Cham. [...] No one is still alive. Those who entered that site never survived.”]; **D219/702.1.72** Uth Seng, T. 3 June 2015, 09.48.40-09.52.08, EN 01498928-29 [“In Kang Sau village, there were Cham families, ten families perhaps. I do not remember the statistics. One day I saw scarves, clothing and Cham sarongs and these kind of material were given to each house in the village and I knew they were Cham belongings. When I went to eat a meal the next day I did not see any Cham anymore. Amongst the ten Cham families, there was only one Cham individual survived the period because she was sent to work in the sector mobile unit at the 1st January Dam worksite.”]; **D6.1.443** Uth Seng Written Record of Interview, 14 January 2009, EN 00282357 [“The Cham people were also killed during that era. One day when I was awakening, all the Cham in my village suddenly disappeared. There were ten Cham families in my village, and of the ten families, just one person was still alive, at the time, she was [away] working in the district mobile unit.”]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.49.40-09.52.05, EN 01246590 [“All of us, including I, myself, used to see the dead body because the killings were widespread”], 10.43.40-10.44.26, EN 01246605 [“Yes, I saw the pits where dead bodies were buried. [...] I saw that they were called out and then disappeared”], 11.27.21-11.28.42, EN 01246622 [“On my side, about 30 per cent of my relatives disappeared; however, on my wife’s side, there were 80 per cent of those who disappeared”], 15.08.43-15.09.56, EN 01246654 [amongst 53 Cham families, 14 were killed]; **D6.1.120** Sos Kamri Written Record of Interview, 10 September 2008, EN 00225497 [“I used to see them arresting many people day and night. [...] Those corpses were Cham and Khmer [...] In my village the majority of the victims were Cham”]; **D6.1.388** Kang Ut Written Record of Interview, 8 October 2008, EN 00233533 [“Cham people were among those who disappeared.”]; **D6.1.986** Mat Toulloh Written Record of Interview, 7 April 2010, A33, EN 00506032 [“In my village, all Cham people were killed.”]; **D219/289** Penh Va Written Record of Interview, 25 April 2015, A13, EN 01111782 [“About 25 Cham were killed in front of

my house on the Mekong River.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A6-7, EN 01057759-60 [“I knew that they were Cham because they lived nearby. Small children were the ones who tied up those people. [...] They had sent that Cham man to work in a different village at the time; but one day and one night after his family was arrested, they allowed him to return from the worksite. I saw him walking to the Commune Office [...] I never saw him again after that.”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678642 [“He said that the Chams were not to be spared. ... In three days we were to be rounded up and got rid of, he said. [...] In July 1977 in Kravar subdistrict, twenty families of Chams were loaded onto security trucks from Kam[p]long Thmar and Svay Tong and driven off, never to return.”]. See also **D219/702.1.105** Kong Uth, T. 25 June 2015, 10.34.26-10.37.02, EN 01503887-88.

1324 See e.g. **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678717 [“Later in the year [1978] Mok arrived in the area [...] He ordered many killings, of truckloads of people. [...] Back in Mok’s native Southwest, 1978 saw the execution of former Cham cadres in Treang district (Region 13) who had earlier been dismissed from their posts.”], EN 00678644; **D219/792.1.4** Meu Peou, T. 29 February 2016, 09.33.44-09.35.50, EN 01452693 [“My uncle was accused of having betrayed Angkar. He was arrested as a result and, later on, he was killed. He was chopped into pieces alive, and his body was salted. The child of my great-uncle, Torm Malei (phonetic), knew about his death. My uncle used to take care of me. Torture was inflicted on him. He was suffering from a great deal of misery before he died.”], 10.06.24-10.43.51, EN 01452703-10 [“In Tram Seh cooperative, I only knew that Cham people who came from other locations, possibly from Phnom Penh, to live in Tram Seh cooperative, the entire family of that Cham was killed. [...] I accidentally witnessed the execution at Tuol Sleng, or Sleng Hill. [...] I did not witness when they were dressing or the clothes that they were wearing. I only saw their bags of clothes scattered all over that place. I saw their white caps, scarves and krama. That’s why I came to the conclusion that they were Muslim. [...] There were around four or five dead bodies, and I was not clear about how many more dead bodies were there. I heard from other children that the people who were killed were Cham brought from the neighbouring houses of my house. [...] I saw the dead bodies near Tuol Sleng where people were brought for execution [...] Tuol Sleng had a paddy field nearby. Those family members were taken to the paddy field, and executed there.”], 11.06.45-11.14.17, EN 01452719-21 [“I knew not because I was told by other children. However, I witnessed the dead bodies myself after they had been executed. And then a child running to me and told me that the Cham family had just been executed there and asked me whether I had seen the bodies. [...] Actually, the bodies passed the stage of decomposition. They were shriveled, and I noticed their identities when I saw bags of clothing scattered in the area, including sarong. Usually, a Cham or Muslim religious people would go with a bag of their traditional attire. [...] I refer first to the attires on their dead bodies as well as, secondly, a bag of clothes and their white caps like the one I am wearing and their long shirts and sarongs. And I also saw head scarves for Cham women. [...] I knew that they were a group of Cham people who were killed in the forest at Tuol Sleng. I did not stand there and witness the entire execution, and I knew that they were Cham from my observation of the scattered objects and clothing.”], 11.21.08-11.22.34, EN 01452724-25 [“Amongst the 17, some died from lack of food. Some died from malaria, while others were killed by cutting their bodies open and salted.”]; **D219/336** Toam Cheah Written Record of Interview, 24 May 2015, A67, EN 01117992 [“In Trach Kraol I saw the Khmer Rouge taking two women to be killed. They used bamboo stick to push into their anus up to their mouth. Both women were Khmer Muslim.”].

1325 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678639 [“An ethnic Chinese in Region 24 recalls Chams living near his village until the Southwest takeover: ‘They were killed in 1977, a family of eight people. I saw it. The Khmer Rouge said the Chams were not of Khmer nationality; they were an enemy nationality, because they had rebelled in 1975.’”]. See also **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048884 [“But in 1977 the net was cast wider, and ‘middle class’ people were taken away for execution. ‘They questioned me three times in one month about my background.’ Further, a family of eight ethnic Chams from a nearby village was executed for belonging to ‘an enemy nationality’. ‘I saw this’, Heng claims.”].

1326 **D219/702.1.109** Him Man, T. 28 September 2015, 09.30.38-9.33.09, EN 01403640-41.

1327 **D219/702.1.109** Him Man, T. 28 September 2015, 10.09.24-10.12.01, EN 01403652-53.

1328 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678637 (internal ellipses omitted). See also **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.06.30-10.07.54, EN 01246596 [“During every meeting held by the Khmer Rouge, the subject of enemies was raised. [...] Cham people were also one type of enemies”], 10.12.50-10.14.15, EN 01246599 [“Yes, I recall that. I think during the first meeting in Bos Khnaor, they

- only mentioned about the enemies. They did not specify the types of the enemies. However, regarding the Cham people, that was at a later stage of the meeting, and that was the account in that book”, 10.12.50-10.14.15, EN 01246599, 14.03.05-14.06.03, EN 01246637 [witness attended multiple meetings where the topic of Cham as enemies was raised], 15.40.15-15.42.17, EN 01246667.
- 1329 *See generally*, **D6.1.943** Alexander Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide*, EN 00431653-65 [“Genocidal regimes manufacture difference in a number of important and interrelated ways, including the crystallization, marking, organization, bodily inscription, and mimetics of difference. [...] In many contexts [...] difference is institutionalized at centers of death like the Nazi concentrations camps and Tuol Sleng. [...] A analogous process [to that carried out in Nazi Germany] of manufacturing difference may be seen in most modern genocides, including the one that took place in Cambodia.”]; **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 11.27.56-11.31.55, EN 01217298 [“I think at different historical periods in Cambodia, attacks on Vietnamese -- ethnic Vietnamese have been linked to political context of upheaval even before and after the DK period, as an example, in this local context.”]. *See also* **D6.1.549** Minute of Divisional and Independent Regiment Secretary-Under Secretary’s Meeting, 16 September 1976, EN 00184338; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219176.
- 1330 **D277/1.7** Steve Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661479.
- 1331 **D219/702.1.93** Him Man, T. 17 September 2015, 14.36.54-14.39.40, EN 01409275-76; **D6.1.191** Ysa Osman, *The Cham Rebellion*, EN 00218503, Him Man Interview [“They announced regularly, ‘There are no more Cham, we are all now one nation, a nation of Khmer. We all eat the same food and eat together.’”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678643 [“There are no Vietnamese, Chinese, Javanese – only the Khmer race. Everyone is the same.”].
- 1332 **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048830 [“the policy was clearly one of assimilation of the Chams, who were no longer to be recognised or tolerated as a distinct national minority. This was a relatively early manifestation of the racist ideology which was to lead to such tremendous violence”].
- 1333 **D219/702.1.97** Or Ho, T. 20 May 2015, 14.02.21-14.04.14, EN 01100022.
- 1334 **D325/2.1.4** Ben Kiernan, *Orphans of Genocide: The Cham Muslims of Kampuchea Under The Pol Pot Regime*, EN 01199575 [internal ellipses omitted]. *See also* **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048830 [“the policy was clearly one of assimilation of the Chams, who were no longer to be recognised or tolerated as a distinct national minority. This was a relatively early manifestation of the racist ideology which was to lead to such tremendous violence, for instance in 1978 when it was directed at the entire Eastern Zone population accused of having ‘Khmer bodies but Vietnamese minds.’”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237948 [“The Khmer Rouge confused the idea of race with that of culture, creed, language, and nation, as had the Nazis. They arbitrarily decided that Cambodia’s minorities — the Chinese, the Chams, the ethnic Thais, and, on occasion, even the hill tribespeople — were a threat to the health and vitality of the Kampuchean nation. Their solution was to decree the assimilation of all people into a super-race of Kampuchean worker-peasants.”]; **D219/702.1.47** Kob Math Transcript of Audio Interview, 5 June 1985, EN 00667272 [“The reason why they did not allow to do that because they want to have only one nation and language [...] this order was said from higher organisation.”]; **D219/702.1.2** Zakreyah Transcript of Audio Interview, EN 00855135 [“Q: Were you able to talk Cham language? If not, who said? Why? A: No. According to the village leader, reason, only one nation, Khmer, and the Chinese and Cham would be able to plot against the state.”].
- 1335 **D219/702.1.93** Him Man, T. 17 September 2015, 14.36.54-14.39.40, EN 01409275-76 [“They wanted to make all of us into one flesh and one spirit. They wanted to convert the Cham into Khmer”]. *See also* **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.09.49-15.11.10, EN 01430903-04 [“During the Pol Pot regime, which was led by the Khmer Rouge group, they only wanted to have one pure race. They even killed their own Khmer people, so they would not spare any other ethnicity, including the Cham race.”], 13.59.28-14.01.32, EN 01430883-84 [“after Khmer Rouge had taken control of the area, Cham people were merged with Khmer people. Traditional clothes, religions, were abolished at the time and they were turned into Khmer people.”].
- 1336 **D6.1.742** *Revolutionary Flag*, April 1978, EN 00519842.

- 1337 **D219/792.1.4** Man Sles, T. 29 February 2016, 15.18.16-15.20.55, EN 01452762-63 [“eradicate Cham race from Cambodia.”]. See also **D6.1.742** *Revolutionary Flag*, April 1978, EN 00519842.
- 1338 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.11.36-09.13.50, EN 01419016-17, 14.43.28-15.03.33, EN 01419090-91 [“And the killing of the Cham people and their race was almost wiped out, and that happened in around 1977 and ’78.”]. See also **D277/1.7** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes*, EN 00661484 [“top leadership [had] concluded that Cham were beyond reeducation, and therefore must be totally exterminated, as such.”].
- 1339 **D219/702.1.81** Sos Min, T. 9 September 2015, 09.21.12-09.23.13, EN 01430819-20 [“As I have just said, I know it because I lived through it. I lived under their control and that’s what I saw while I was living through it. And I witnessed what happened under their short-lived administration at the time.”]; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008, EN 00242073 [“The cadres from the Central Zone were cruel people and they imposed very harsh measure against us. Then they started indiscriminate killing against the East Zone people, including the Cham and Chinese on an accusation of being a person with ‘Vietnamese head on Cambodian body’.”]. See also **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.28.52-11.30.00, EN 01216623 [“And there were successive replacements of these people. And the situation became stricter after each successive replacement. At the end, they were killing everyone.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 13.56.53-13.58.18, EN 01403680 [“I was sent to live in Khsach Prachheh Leu and I was there until the arrival of Southwest Zone cadres. The Southwest cadres attacked the East Zone. Upon their arrival, we were gathered; I lived in Khsach Prachheh Leu for a period of over two years, nearly three years. I was living there in 1975, 1976 and perhaps 1977 during which the situation was becoming tense.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219177 [“The Khmer Rouge forces of the Southwest and Central Zones attacked the Khmer Rouge forces that were in the East Zone in 1977 [...] In 1978 there was an announcement that the Cham were now ‘liberated’ from oppression in the region of Kampong Cham [...] Cham Muslims returned to Kroch Chhmar in 1978 as they were told to do, many in fact believing that their situation would now improve. Right after this, however, waves of killings of Cham Muslims began, as if according to a plan that had already been set in place.”]. See also **D117/71** Prak Yut Written Record of Interview, 19 June 2013 A38, EN 01056227 [“Approximately in February 1977, the Southwest Zone sent their cadres to replace the old cadres in Kampong Siem district”]; **D219/702.1.86** Math Sor alias Ahmad Sofiyah, T. 13 January 2016, 09.54.30-09.58.12, EN 01414988-90 [describing events after the Southwest cadre arrived: “At that time, we were evacuated to Trea Pir, and they asked us who were Cham, who were Khmer.”].
- 1340 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.17.38-09.20.57, EN 01419018-19 [“Between 1977 to ’78, there was no plan by the Cham or the Cham who lived in the area, to rise up against the regime. As I said, by that year, the Cham were not allowed to live as a community. They were dispersed into various areas to live, mingled with the Khmer people. There was no longer mosques or Cham communities. They therefore did not have the forces to coordinate any plan or to initiate any rebellious activity at all.”], 10.51.54-10.54.00, EN 01419048 [“after the Cham actually forfeited their religion, their identity and adopted themselves to live the way the Khmer Rouge wanted and they were still killed.”]; **D219/792.1.11** Ysa Osman, T. 24 March 2016, 13.42.10-13.43.13, EN 01236661-62 [“In 1977 [...] specific target was noted, Cham people, although they followed the revolution and stopped believing or practicing their religion and living in different parts from their families, communities”].
- 1341 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 09.46.25-09.48.20, EN 01405896 [“And based on what I heard what was really happened to Cham people, and I found that Cham people were gathered and brought for execution”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.51.08-09.53.38, EN 01419031-32 [“The Khmer Rouge policies saying that when you dig out the grass, you had to dig all the roots, so when the parents were considered enemies, their children would have no chance of survival unless those children were living in hiding anywhere in a Cambodian family or they changed their identities that they were not Cham children. So the killing of children happened not only at Au Trakuon. This had happened in other places like Krouch Chhmar and other places during the DK period.”], 10.50.05-10.51.54, 01419047-48 [“And between 1977 to ’78, the Cham people were not the subject to be arrest and detained, but they would be rounded up at each location. Hundreds of Cham in groups were sent to be detained provisionally for a day or two before the previous batches were all killed. Then their turn would come.”].
- 1342 **D216/702.1.89** Samrit Muy, T. 15 September 2015, 14.18.40-14.20.12, EN 01431140-41. See also **D219/702.1.109** No Sates, T. 28 September 2015, 15.54.44-15.55.43, EN 01403715 [“What I can recall is

that upon their arrival, they had bad treatments on people, even one committed a minor mistake he or she would be taken away. They came to purge Cham people, all Cham people had to be collected and we were told that we had to relocate to live at Stueng Trang for instance, because at Stueng Trang there were sufficient food, rice to eat and there was abundant of work at Stueng Trang. People who were sent to Stueng Trang never returned”]; **D219/290** Sor Chheang Written Record of Interview, 28 April 2015, EN 01111787 [“Before I was taken to be detained at that temple, around 20 prisoners who were the ethnic Cham were taken to be killed. They were told that they were taken to other places. Those prisoners were both male and female, including children who were all ethnic Cham.”]; **D6.1.414** Tay Kimhuon Written Record of Interview, 24 November 2008, EN 00251021 [“Q: What did they do to the prisoners they took inside the pagoda? A: They killed them in front of the pagoda.”]; **D1.3.28.14** Ruin Him Transcript of Audio Interview, December 24 1984, EN 00053463 [“Many Cham were killed in these two districts during 1977. Many cousins and nephews were killed as well, at least 50, in Angkor Bahn village and Khom Miha District. People were taken to a village named Wat oh Takooin. He saw 4 mass graves in this village after HS. Khmer and Cham were brought here.”]. See also **D219/702.1.85** Say Doeun, T. 12 January 2016, 10.39.38-10.41.30, EN 01474928 [“What had happened was that there were arrests. They arrested people [...] The New People were arrested, and also the Cham.”], 13.59.57-14.02.09, EN 01474960-61 [“Q: to your knowledge, were there any Cham people left in Peam Chi Kang commune by the end of the Khmer Rouge regime? A: No, there was none.”], 14.09.24-14.11.04, EN 01474964-65 [“I made arrests for Cham people for one time only.”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, EN 01044617 [“The arrests of ethnic Cham people were a little bit different - all the people in each family were arrested at the same time and immediately they were sent to Wat Ou Trakuon Pagoda; **D1.3.11.6** Chea Maly OCP Statement, 6 August 2008, EN 00210435 [“The Cham were killed between mid-1977 and mid-1978. Most of them were brought to O Trau Kuon.”].

1343 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A9, EN 01151271

1344 **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A30, EN 01152376.

1345 **D219/702.1.85** Say Doeun, T. 12 January 2016, 14.07.50-14.09.24, EN 01474963-64 [“Yes, I heard of the plan that no Cham, no single Cham shall be spared.”].

1346 **D219/702.1.83** Seng Kuy, T. 10 September 2015, 10.17.48-10.19.46, EN 01431038-39 [“when Run arrested those Cham people they said, ‘We will kill all the Cham people and will not spare anyone.’”]. On the scale of the killings in Kang Meas District. See **VI. Crimes and Crime Sites – H. Wat Au Trakuon Security Centre – 4. Crimes – Genocide and Persecution on Religious Grounds – Cham Muslims** section above.

1347 **D219/702.1.78** Sos Romly, T. 8 January 2016, 14.40.06-14.42.35, EN 01452596-97 [“It was in 1977. I did not personally discuss with him in the meeting. He asked me where the owners of those houses had gone and I told him that they had been evacuated to the Central Zone since late 1975. And at the time he added that in the future those Cham people would be smashed until no one was left.”]. See also **D6.1.185** Sos [Suf] Romly Written Record of Interview, 10 July 2008, EN 00223089 [“in 1977, a regional security cadre from region 21, East zone, told me, without knowing I was Cham, that the remaining Cham people would be soon killed.”].

1348 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.32.30-14.35.38, EN 01456528-29 [“I heard from those people who were working in the Pagoda”].

1349 **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.26.04-14.28.50, EN 01456525-26. See also **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.51.32-13.53.30, EN 01456508 [“I heard people say that there was a plan to round up the Cham people”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A43 and A66, EN 01035847 and EN 01035849.

1350 **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 10.33.38-10.35.23, EN 01216600 [“At that time, Chumnik commune chief told the chiefs of the mobile units that they needed to go to join the meeting in the Central Zone with the zone leader, Ke Pauk.”], 10.37.16-10.39.02, EN 01216601 [“I was waiting outside, and I heard on the microphone that every sector had to attend the meeting about the East Zone. After the purge, they would appoint different people to be in charge of the East Zone. They were all from the Central Zone. That was all.”], 10.43.15-10.45.40, EN 01216604 [“I heard from the loudspeaker that the new chiefs assigned to the East Zone needed to implement the policy of the Angkar regarding the smashing of the Cham [...] because Angkar gave the instruction to smash 100 per cent of the Cham and the targeted group that needed to be smashed needed to be the ones who betray the Angkar, regardless of their ethnicity, whether Cham or Khmer.”], 10.45.40-10.47.40, EN 01216605 [“I only heard that when the attendees returned to their bases, they needed to implement and achieve a hundred per cent of the Angkar’s policy.”], 13.31.57-13.36.35, EN 01216627 [“The zone chief, Ke Pauk was presiding over that meeting.”], EN 01216630-31 [“The questions

were asked about Cham, Khmer and the plan was to purge East Zone cadres. [...] all traitors needed to be smashed.”], 13.35.14-13.36.35, EN 01216628 [“The -- in principle, all of the East Zone, including the Old and Base People, Cham and Khmer, had to be purged”]; **D6.1.106** Van Mat alias Sales Ahmat Written Record of Interview, 15 August 2008, EN 00242068 [“The evacuation began in 1976 and continued until 1978 before the liberation. Such meeting was conducted to evaluate the implementation of Cham race cleansing plan in order to assess a degree of their outcomes.”]; **D40** Van Mat Van Mat alias Sales Ahmat Written Record of Interview, 15 July 2011, EN 00722240 [“The meeting was attended by commune, district and sector level [cadres], asking how much percentage the party’s plans had been implemented, especially by mobile brigades. [...] I heard through a loudspeaker the name of Ke Pauk being introduced. [...] They were speaking about enemies in general, regardless of Cham or Khmer or Chinese descent. Shortly after the meeting no incidents occurred, but about two or three days later, activities kicked off. The meeting reminded the low echelon to implement policies set by the upper echelon. [...] [The meeting] didn’t give specifications, but it only spoke of ‘smashing’ and there were boatloads of people shipped away, most of whom were Cham. Generally speaking, regardless of any race, as long as a person was accused of being a traitor [...] I just knew that it was ordered by the upper echelon. [...] Some sectors replied that they had completed 50 percent while some other said they had completed 80 percent.”]. See also **D179/1.2.4** Prak Yut, T. 25 January 2012, 14.41.25-14.43.21, EN 00774126 [“Q: When you were holding the position as the Secretary of the District of Kampong Siem, had you ever attended meetings with the zone committee or secretaries? A: I attended meetings with them. Q: Do you remember the head of the zone? A: Ke Pauk. He already deceased”]; **D179/1.2.5** Prak Yut, T. 26 January 2012, 14.04.14-14.06.08, EN 00774570 [“They were secretary committees, for example Sector 41, Sector 42, and he was the chief because he was the zone committee.”], 15.44.07-15.45.15, EN 00774598 [“At the beginning, I was called to a meeting chaired by the zone committee. Later on, he also called another meeting in Kampong Siem, and I was asked to execute his plans and instructions.”]; **D179/1.2.6** Prak Yut, T. 30 January 2012, 13.44.00-13.45.52, EN 00998847 [“I participated in the meeting in the Central Zone”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.55.40-09.57.24, EN 01441029 [“The meetings were held at the office of Ta Pauk (phonetic) in Kampong Cham. The sector committee and the zone committee were there to attend to the meetings, and that is to review the work plans, namely, the dry season rice production or the building dykes. And the meetings were held there at the zone’s office. And that happened every three month.”]; **D6.1.730** Prak Yut Written Record of Interview, 21 July 2009, EN 00364081 [“I attended a meeting once a month like in Kampot with Ke Pauk, the Central Zone com.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A56-60, EN 01056230 [“I attended the zone level meeting at the office of *Grandfather* Pauk in Kampong Cham province; the meeting was held once in every three months. The meeting was chaired by Ke Pauk. [...] Ke Pauk chaired the meeting, and the secretaries of the sectors and the districts made a report about general situation in the districts and the sectors.”].

1351 **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 10.45.40-10.47.40, EN 01216605. See also **D179/1.2.5** Prak Yut, T. 26 January 2012, 14.06.08-14.08.04, EN 00774570 [“the zone committees could devise solutions for the problems, for all types of problems.”], 15.44.07-15.45.15, EN 00774598 [“I was asked to execute [the zone secretary’s] plans and instructions.”], 14.02.41-14.04.14, EN 00774569 [“I was the secretary of Kampong Siem district. I reported to the sector, and my report was in writing. I did that once a month. It was about the plan implementation within the district. I also reported on the situations.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A1, EN 01059272 [“I reported to Prak Yut every single week. I produced the reports myself and took them to Prak Yut at the Kampong Siem District Office. Other communes in the Kampong Siem District did the same thing I did.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A6, EN 00966997 [“We gathered together at the district office of Kampong Siem. [...] I always participated in meetings with her at the commune and district level and took notes for her.”].

1352 **D6.1.120** Sos Kamrei Written Record of Interview, 10 September 2008, EN 00225497. See also **D219/792.1.12** Sos Kamrei, T. 6 April 2016, 10.34.32-10.36.11, EN 01246602 [“I can recall one document, one document which states about the situation of enemy, and the enemies included Cham as well”], 14.07.12-14.13.52, EN 01246638 [“I was given that book which discussed about the enemy situation”] confirmed by **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219177; **D6.1.461** Sos Kamrei DC-Cam Interview, 10 October 1999, EN 01222005.

1353 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678642.

- 1354 **D179/1.2.32** David Chandler, T. 20 July 2012, 16.02.14-16.03.42, EN 00827441.
- 1355 **D179/1.2.32** David Chandler, T. 20 July 2012, 16.03.42-16.04.58, EN 00827442. *See also* **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048830 [“This was a relatively early manifestation of the racialist ideology which was to lead to such tremendous violence”].
- 1356 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 14.28.59-14.30.35, EN 01218290-91.
- 1357 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 09.42.58-09.44.40, EN 01419028-29, *confirming* **D1.3.17.2** DK Ministry of Foreign Affairs, *Black Paper*, EN 00082514-15 [DK Government statement, September 1978: “In 1693, the Vietnamese ‘swallowed’ the whole Champa by annexing the region of Phan Thiel. The Cham race was totally exterminated by the Vietnamese [...] The Cham race was totally exterminated by the Vietnamese”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678633 [“The Cham race was exterminated by the Vietnamese.” This appears to be Democratic Kampuchea’s *only* official statement about them”], EN 00678641 [“Ya Mat [...] claims that ‘In 1975 there was a phrase that they used to instruct us’: ‘there was a document saying that now, if we did not eat [pork], they would not let us ‘live in the revolution.’ They would abolish us (*romleay caol*). There was no Cham race or Cham country. [...] In Vietnam they had all been abolished. In Champa they had all been abolished too. We had come to live in Kampuchea, but there were (to be) no Chams, no Chinese, no nothing. People who obey [...] survive.”].
- 1358 **D219/702.1.109** No Sates, T. 28 September 2015, 14.14.56-14.16.35, EN 01403686-87, 15.11.12-15.16.50, EN 01403699 [“They were asked whether they were Cham, and if the response was yes, then they were taken off the house to the ground. And for us, when we said that we were Khmer, then we were allowed to stay on that house”], 14.16.35-14.18.51, EN 01403687 [“After they tied me up, they questioned me and asking whether I was Cham or Khmer and I said I was Khmer, then they used a torch to light up my face and asking me whether I was a Yuon or Vietnamese daughter, I protested that, ‘no’, and I still insisted that I was a Khmer person and after a few rounds of back and forth, they believed that I was a Khmer girl”], 14.21.20-14.23.22, EN 01403688 [“There were about 30 of us remained [...] I was detained there with other women for nine days. Then they released us and before that they had a party in which they killed a pig and cooked it in a curry soup for us. That day I had to force myself to eat pork”], 14.34.18-14.36.29, EN 01403693 [“The reason that I said I was Khmer is that if I had not said I was Khmer I would have been killed because Cham people were taken away and killed.”], 15.20.23-15.21.54, EN 01403703 [“Yes, that is correct. Those women were taken away and I never saw them returned. Those who said that they were Cham were taken off the house and away”]; **D289.1** No Sates, T. 29 September 2015, 11.19.49-11.22.23, EN 01409399 [“It was the district chief who went up to the house and questioned us. The soldiers actually escorted the district chief and held the hammock ropes to tie us up. There were three of them together, two soldiers and the district chief. And his purpose was to make sure that there was no mistake in bringing along Khmer women, and that’s why he questioned each one of us.”]; **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.45.59-10.46.55, EN 01419045-46 [“And for the youth who lived -- assimilated with the Khmer people and whose parents had been killed, those youth were gathered by the Khmer Rouge together with the Khmer youth and then they asked who were Khmer and who were Cham, and then they had to raise their hand. And after they answered whether they were Cham, they were half-blood or they were Khmer, they would be separated and, later on, the Cham and half-blood Cham were taken away and killed. And that happened in Trea village, and I learned of this account from a survivor who was there. In order to survive, that person told the Khmer Rouge a lie that she/he was a Khmer child.”]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219198-99, Mao Maisam Interview [“Hor asked each of us, ‘What is your race?’”], EN 00219202, Saleh Saros Interview [Hor questioned the witness and other girls, separating the Cham from the mixed race and the Khmer]; **D219/702.1.86** Math Sor, T. 5 January 2016, 10.33.16-10.35.22, EN 01414998-99 [“After they had tied us up, they asked us how many of us were Cham and how many Khmer, and how many of us were children of mixed marriage. If anyone answered that they were children of mixed marriage, they would be placed into one group, and another group for those who said they were Khmer and a separate group for those who said they were Cham.”], 10.35.22-10.37.02, EN 01414999-5000 [“Those who gave the answer that they were children of mixed marriage, they were taken away. So about 20 -- of 30 people in the house, 20 were taken away to be killed”], 10.51.18-10.53.30, EN 01415006-07 [“As I told you that the situation was -- at that time was scary, so I was so fearful and I just tried to give the answer in a way that I can save my life because those who gave the answer that they were Cham or children of mixed marriage were taken away, so I gave the answer that I was Khmer in order to save my life.”], 11.25.19-11.28.13, EN 01415019-20 [“They actually asked how many Cham were in our group and how many Khmer were or

whether there was mix blood. These were the questions that they asked us and, after that, they took those people, one or two at a time, of the house, as I testified earlier.”], 15.03.38-15.05.35, EN 01415050-51 [“They came to call me and then later on when we were on the house they went up to the house with Ho.”], 15.09.05-15.11.00, EN 01415052-53 [“when we were in the house we were arrested by Ho’s subordinates. Ho was there watching the event. He did not make the arrest himself.”], 15.40.58-15.43.50, EN 01415064-65 [“Ho sat down and interrogated all of us who remained. So we were all sitting together.”]; **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 10.51.02-10.53.58, EN 01409046-47 [“At that time, they thought I was a Cham person. They pointed the weapons to my neck and at that time, they realized I was Khmer and they left, they went away.”].

1359 **D219/792.1.5** Van Mat alias Sales Ahmat, T. 9 March 2016, 11.28.52-11.30.00, EN 01216623 [“The previous Angkar knew that I was Cham, but the later group did not know that I was Cham.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 16.03.20-16.04.57, EN 01405982 [“So in ’77 and ’78, it was very difficult for the Khmer Rouge to identify who was Cham and who was Khmer since they mingled among the Khmer people. The children belonged to the children’s unit, they already forgot Cham language. The youth belonged to the mobile units, men with men and women with women, and the old people lived with the Khmer old people.”].

1360 **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219177 [“Cham Muslims were now instructed to return to their home villages from the locations to which they had been evacuated in 1975, just after the rebellions at Koh Phal and Svay Khleang.”]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 16.02.20-16.03.20, EN 01405981-82 [“In 1977, it was difficult for the Khmer Rouge to distinguish the Cham from the Khmer people, by late 1975, the Cham people had been evacuated to live, mingle, with the Khmer people, and that started after the rebellions.”]; **D219/702.1.77** It Sen, T. 7 September 2015, 14.15.01-14.16.48, EN 01430683 [“It was not long after we arrived at Ampil village. It was only about a fortnight. And actually, we had stayed at Preack Achi village for about three years. And when it was announced that we could return to our native village, we then returned to Ampil village, and about a fortnight later, Comrade Seng made an announcement that we were to be relocated to Trea village, and people were taken to be killed there.”], 15.59.42-16.02.01, EN01430716; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219205, It Sen Interview [“In 1978 the cadres of the Central Zone came in and set up a new administration structure. [...] They announced that those people who had come from far away should now go back home to their places of birth.”], confirmed by **D6.1.182** It Sen Written Record of Interview, 9 July 2008, EN 00242095 [“We all knew that we would be killed. However, we could not return to our village; women and children were not allowed to go with us.”]; **D219/702.1.50** Sann YuSof Transcript of Audio Interview, 9 June 1985, EN 00667237 [“They had made a big meeting where his father lived after. They asked who want to go back and live in their own nature village at that time there are approximately 11 families of Cham people [...] After two days that they was sent all that people away, there was one old women her name is Mah who was sent also with his father [...] she say all the people was sent away they not send to anywhere but took to be killed”]. See also **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678641 [“In early 1977, Ibrahim was working in a mobile fishing detail in Stung Trang on the mekong, opposite Krauchmar. A second roundup of Chams from both sides of the river began when officials ‘spread the rumour that Malaysia was exchanging gasoline for Chams.”].

1361 **D219/702.1.87** You Vann, T. 14 January 2016, 14.59.16-15.00.23, EN 01438505 [“They actually made a list of those people”]; **D117/65** Sok Meng Ly Written Record of Interview, 26 August 2014, A12, EN 01044617 [“Doeun, the Long Sword Group chairman, received namelists of people to be arrested from the Commune Committee, who received them from the District Committee. At first, only the new people who had made mistakes were arrested. Ethnic Cham people were also arrested.”]; **D219/702.1.109** No Sates, T. 28 September 2015, 15.55.43-15.56.59, EN 01403716 [“The Southwest cadres ordered the village chiefs or other people who were working in the district or villages to identify who were Chams and who were not Cham and the list or the reports would be sent to the Southwest cadres. They wrote down lists of Cham people to be sent to Southwest cadres”]; **D219/702.1.86** Math Sor, T. 5 January 2016, 10.00.44-10.02.51, EN 01414991-92, confirming **D219/702.1.109** Him Man, T. 28 September 2015, 15.55.43-15.56.59, EN 01403715-16 [“The southwest cadres ordered the village chiefs or other people who were working in the district or villages to identify who were Cham and who were not Cham and the list or the reports would be sent to the Southwest cadres. They wrote down lists of Cham people to be sent to Southwest cadres.”].

- 1362 **D219/702.1.87** You Vann, T. 14 January 2016, 15.25.57-15.28.23, EN 01438515 ["Because they did not believe thus they wanted us to go to the village directly to record who were bad people and good people"], EN 01194256 ["Because they did not believe so they – thus they want us to go to the villages directly to record who were bad people and good people"].
- 1363 **D219/702.1.109** No Sates, T. 28 September 2015, 14.14.56-14.18.51, EN 01403686-87 ["There were about 300 or 400 of us in that house altogether. After they tied and lined us up, they questioned us, asking whether we were Cham or Khmer. Then if somebody answered that she was Cham, then she would be taken out from the line, escorted by an armed person either with a weapon or with a knife and they left [...] I said I was Khmer, then they used a torch to light up my face and asking me whether I was a Yuon or Vietnamese daughter, I protested that, 'no', and I still insisted that I was a Khmer person and after a few rounds of back and forth, they believed that I was a Khmer girl. So then they took away all those people who answered that they were Cham and there were about only 30 of us and then they untied us and they said that we were lucky as he was there to question us and that we were Khmer"]; **D289.1** No Sates, T. 29 September 2015, 11.19.49-11.22.32, EN 01409400 ["We told him lies. But, he believed it. We told him that we were Khmer, although we were not a Khmer. But at that time, we spoke the Khmer language without any accent at all."]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219199, No Sates Interview ["The eight members of my family were all killed. I was the sole exception because I disguised myself as being of another race."]; **D219/702.1.86** Math Sor, T. 5 January 2016, 10.33.16-10.35.22, EN 01414998-99; **D6.1.181** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00204414, Math Sor alias Ahmad Sofiyah Interview ["The cadre asked, 'What race are you?' I lied, 'I am Khmer.' The cadre recorded my answers in his book. Then the prisoner next to me was asked the same questions."].
- 1364 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 15.59.23-16.00.20, EN 01405980. *See also* **D219/792.1.8** Alexander Hinton, T. 16 March 2016, 16.03.51-16.05.18, EN 01219571.
- 1365 *See, e.g.,* **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678638-39 ["Several more Muslims were executed in 1976 or 1977 for stating that they would not eat pork, as many more in 1978."]; **D6.1.595** Michael Vickery, *Cambodia 1975-1982*, EN 00397049.
- 1366 **D6.1.54** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, EN S 00048852.
- 1367 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.45.07-10.45.59, EN 01419045 ["whether they were women, whether they were children or whether they agreed to eat pork or whether they could no longer speak Cham."].
- 1368 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 16.02.20-16.03.20, EN 01405981.
- 1369 **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 10.51.02-10.53.58, EN 01409046-47 ["At that time, they thought I was a Cham person. They pointed the weapons to my neck and at that time, they realized I was Khmer and they left, they went away."].
- 1370 **D219/702.1.91** Tay Koemhun, T. 16 September 2015, 13.50.02-13.51.42, EN 01409070 ["If they mistook me for a Cham person and arrested me I would have been killed. I would be killed if they thought I was Cham."].
- 1371 **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 14.03.34-14.04.25, EN 01217316 ["And they would mention people getting killed. I would say, 'How many families?' and they would say, 'Oh, they took all the Cham.'"].
- 1372 **D219/702.1.48** Mak Katheet Transcript of Audio Interview, August 1984-June 1985, EN 00667213 ["Kratie was a good place. Preah Vihear was a good place. Beside these two, all other provinces were bad. [...] 1978 was also worst for killing"]; **D1.3.28.20** Zakreyah Transcript of Audio Interview, 22 January 1985, EN 00053155 ["1978 - worst for killing."].
- 1373 **D342/1.1.13** Henri Locard, T. 28 July 2016, 15.22.40-15.25.03, EN 01346884 ["they were arrested not to be brought to prison but to be executed without any further ado"]. *See also* **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.50.05-10.51.54, EN 01419047-48 ["the Cham people were not the subject to be arrest and detained [...] They were sent to be detained provisionally for a day or two before the previous batch were all killed."].
- 1374 *See para. 9 above.*
- 1375 **D219/59** Mom Sroeurng Written Record of Interview, 18 November 2014, A5, A7, and A8, EN 01053868-69 ["The Southwest group lied to the village and the unit chairmen saying that they were being transferred to work at another place, but in fact they took them to be killed. After that the deputy village chairman called the people to a meeting and falsely stated that the Cham brothers and sisters and the new people had to be transferred to work in another village, but in fact they were all taken to be killed [...] The new people and

Cham people were killed after the Southwest group arrived. [...] They all were taken to be killed. They were arrested when it was dark. They were transported by horse cart. [...] The next day I saw the clothes of those who had been taken to be killed at the cooperative dining hall kept to be distributed to the people. The arrests were made many times, once every three to four days, from three to four families at a time, until all were gone.”: **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.43.40-10.44.26, EN 01246605 [“I saw that they were called out and then disappeared”]; **D6.1.363** Leav Loas Written Record of Interview, 9 April 2009, EN 00339936-37 [“There were Cham people in my commune. The Cham people rarely survived because both those who had made mistakes and those who had not, the Cham people were killed. I did not see the killings, just saw the Khmer Rouge coming to call one family away at time and the Cham population became less and less. Later on they gathered them all. The Cham people were arrested in 1978.” Stating that about 100 families were arrested in this way]; **D117/37** Leng Ra Written Record of Interview, 23 April 2014, A12, EN 01072507 [“I saw the people under arrest. [...] They escorted those arrestees during the day. They escorted those people to an undisclosed place. [...] Once Loeung arrived, he ordered the arrests of those Cham and Vietnamese people”]; **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A8, EN 01034899 [“I used to see the arrests of about 30 ethnic Cham each time until no ethnic Cham remained around the end of 1977.”]; **D219/702.1.50** Sann Yu Sof Transcript of Audio Interview, August 1984-June 1985, EN 00667237 [“This one is a big village and there is a lot of Cham people live there, there are about 10 families (60 persons) were killed and this happened in 1977 in February or March.”].

1376 **D219/792.1.12** Sos Kamri, T. 6 April 2016, 10.44.26-10.46.15, EN 01246606 [“during 1977, arrests and detention happened very -- in a larger -- in a massive scale, rather”]; **D219/702.1.84** Muy Vanny, T. 11 January 2016, 13.51.32-13.53.30, EN 01456508 [“Sometimes there were many of them [prisoners transported to Wat au Trakuon] but on some other occasions there were a few of them. [...] If they came by boat, 50 people or 100 people at a time by boat.”]; **D219/702.1.89** Samrit Muy, T. 15 September 2015, 10.06.02-10.10.12, EN 01431096-98 [“In late 1976 or early ’77, I was resent to live in the cooperative, and that was the tie that the arrest of the Cham people started. [...] All the Cham people were arrested except one family”]; **D219/82** Riel Neang Written Record of Interview, 21 November 2014, A19; **D219/59** Mom Sroeurng Written Record of Interview, 18 November 2014, A8, EN 01053869 [“They all were taken to be killed. [...] they all had been arrested long before the Vietnamese arrived. Children and elders were among those arrested. The cooperative rulers did not explain why all them were arrested.”]; **D6.1.461** Sos Kamri DC-Cam Statement, EN 01222006. *See also* **D219/702.1.84** Muy Vanny, T. 11 January 2016, 14.00.58-14.03.36, EN 01456512-13 [“Q: Were all the Cham who arrived at the pagoda executed? A: Yes, it’s true.”], 14.06.20-14.07.05, EN 01456515 [“But I took a quick look and found it very cruel because hundreds of people I had seen suddenly disappeared in the next morning and I did know how they were treated or what happened to them.”], 14.12.48-14.16.20, EN 01456518-20 [“I assumed that those people were taken out to be killed, not sent to anywhere else. [...] Then I asked where the people were sent and then they told me that the people were all sent to be killed.”], 14.25.06-14.28.50, EN 01456524-26 [“I only saw that the main temple was full of people. And of course I was only a teenager and not responsible for that area so I could not tell you the exact number. However, I could only say there were many people there. [...] The majority of them were Cham people”]; **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A79, EN 01035851 [“No. There was no interrogation of the Cham prisoners. They were taken to be killed after they had been detained for three or four days.”]; **D1.3.11.31** Moeng Pang Hao OCP Statement, 7 August 2008, EN 00210472 [“Cham people were not detained for long. They were just brought up and then sent to the killing pits.”].

1377 **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.51.54-13.52.56, EN 01217310 (*emphasis added*).

1378 **D219/702.1.90** Yean Lon, T. 16 June 2015, 14.09.00-14.10.29, EN 01430493 **D6.1.370** Yean Lun Written Record of Interview, 23 April 2009, EN 00330719 [“The orders to arrest people were given from the district and provincial levels. They sent a letter to Thlang, and Thlang orally gave me the order.”].

1379 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.47.13-14.49.42, EN 01431668-69; **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A2, EN 01151268 [“There were many Cham families living there but I cannot provide you with the exact number of Cham people there.”]. *See also* **D219/702.1.87** You Vann, T. 14 January 2016, 14.57.17-14.59.16, EN 01438504.

1380 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.14.17-09.17.03, EN 01441015-16 [“It did not start yet when I arrived, so it happened at around late -- at a later part of that year.”], 09.39.03-09.41.05, EN 01441023-24 [“In 1977, the year that I went to Kampong Cham, I took her along with me. And after I was there for about half a year and then there was the incident of purging Cham”]; **D219/120** Prak Yut Written Record of

Interview, A22, EN 01063610 ["I received the orders during monthly meetings of the Sector with participation of all the district committees.": **D117/70** Prak Yut Written Record of Interview, 28 May 2013, A45, EN 01056219 ["Grandfather An gave the orders during the monthly meetings. During the meetings, Grandfather An gave the same orders to the other district secretaries.": A29, EN 01056217 ["The meeting was held once a month every month in Prey Chhor District.": **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A25, EN 01056225 ["Grandfather An told us to attend a monthly meeting on situation in our districts"]. A48, EN 01056228 ["During a monthly meeting, Grandfather An ordered me to identify Cham people and Lon Nol soldiers in each commune.": **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.50.42-15.55.03, EN 01431689-91 ["The meeting with Ta An happened at his place in Sector 41, and the decision regarding the treatment of the Cham [...] he told us during the meeting [...] Regarding the receiving of the order at the meeting, so there were the four district committees -- attended that meeting.": **D219/138** You Vann Written Record of Interview, 8 January 2015, A100, EN 01059298 ["Regarding the arrests of the Cham, former Lon Nol soldiers, and former village and commune chiefs, that was a special case. That was why Ta An gave a direct order to Prak Yut.": *See also* **D219/702.1.87** You Vann, T. 14 January 2016, 14.26.31-14.30.23, EN 01438498 [meetings were held at Prey Chhor with Ta An, Prak Yut and Ta Mok]; **D117/31** You Vann Written Record of Interview, 11 November 2012, A28, EN 00966992 ["She came to attend the meetings in Prey Chhor two to three times per month.":

1381 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.43.10-14.45.30, EN 01431667 ["There was an order from the sector level to us to purge the Cham.": *See also* **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A1, EN 01151268 ["I would like to confirm that I received this order from Ta An. I would also like to confirm that the order I received was from the upper level, for instance zone level.": **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A13, EN 01063608 ["I attended a meeting at the Sector level which decided arrests of Cham people. I also knew that Cham people were arrested after that meeting.": A21, EN 01063610 ["Yes, it was the order to make arrests and smash at the same time, but we carried out execution of all the Cham people after we had already arrested people of other elements.": **D117/72** Prak Yut Written Record of Interview, 21 June 2013, A6, EN 01056235 ["Grandfather An did not tell me any reason. He just told me to target Cham people and former Lon Nol soldiers and arrested them.":

1382 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.22.59-09.25.42, EN 01441018-19.

1383 **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.52.45-15.56.42, EN 01431690-91; **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.29.22-09.31.43, EN 01441020-21 ["Referring to the meeting convened by the sector where all the district heads were called to attend, indeed, I attended the meeting. [...] So indeed, we all attended that meeting"].

1384 *See, e.g.*, **D219/702.1.94** Prak Yut, T. 18 January 2016, 15.56.42-15.58.45, EN 01431691-92 ["His name was Kan of Kang Meas district.": **D219/702.1.84** Muy Vanny, T. 11 January 2016, 11.31.02-11.33.40, EN 01456499-500 ["At that time, the - the person was known as the district chief and his name was Kan.": **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 09.51.35-09.54.40, EN 01406817-18 [I would like to tell the Chamber that during the time that the previous cadres were all arrested, the Southwest cadres came to take control. First, at the sector level, it was Comrade An. But, I do not know his surname. He was known by the name, An. He was the chief of Sector 30. And within Kang Meas district, Kan had overall supervision of Kang Meas, and his wife's name was Pheap, who was the deputy.": **D117/58** Muy Vanny Written Record of Interview, 3 July 2014, A10, EN 01035843 ["Yes, I remember Kan. He was the chairman of Kang Meas.": **D1.3.11.46** Seng Khuy OCP Statement, 7 August 2008, EN 00210483.

1385 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.49.42-14.50.24, EN 01431669 ["The upper echelon instructed me to identify all Cham people within that commune.": 15.41.04-15.43.34, EN 01431685-86; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A25, EN 01056225 ["Grandfather An told us to attend a monthly meeting on situation in our districts"]; **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A4, EN 01056238 ["One day, Ta An came to meet me, and gossiped to me that the Centre Committee had begun to arrest Cham people, and he ordered me to list the names of all Cham people in my district.": *See also* **D6.1.413** Hok Hoeun Written Record of Interview, 23 November 2008, EN 00251306 ["The orders came from the upper level.": Regarding Ke Pauk's instructions to identify and purge the Cham: **D219/792.1.5** Van Mat alias Sales Almat, T. 9 March 2016, 10.45.40-10.47.40, EN 01216605 ["I only heard that when the attendees returned to their bases, they needed to implement and achieve a hundred per cent of the Angkar's policy.": 13.31.57-13.33.09, EN 01216627 ["The zone chief, Ke Pauk was presiding over that meeting.": 13.41.00-13.42.45, EN 01216630-31 ["The questions were asked about Cham,

- Khmer and the plan was to purge East Zone cadres. [...] all traitors needed to be smashed.”], 10.37.16-10.39.02, EN 01216601 [“And at the meeting, Ke Pauk spoke on the microphone. [...] I was waiting outside, and I heard on the microphone that every sector had to attend the meeting about the East Zone. After the Purge, they would appoint different people to be in charge of the East Zone. They were all from the Central Zone. That was all.”]; **D40** Van Mat alias Sales Ahmat Written Record of Interview, 15 July 2011, EN 00722240 [“The meeting was attended by commune, district and sector level [cadres], asking how much percentage the party’s plans had been implemented, especially by mobile brigades. [...] I heard through a loudspeaker the name of Ke Pauk being introduced. [...] They were speaking about enemies in general, regardless of Cham or Khmer or Chinese descent. Shortly after the meeting no incidents occurred, but about two or three days later, activities kicked off. The meeting reminded the low echelon to implement policies set by the upper echelon. [...] [The meeting] didn’t give specifications, but it only spoke of ‘smashing’ and there were boatloads of people shipped away, most of whom were Cham. Generally speaking, regardless of any race, as long as a person was accused of being a traitor [...] I just knew that it was ordered by the upper echelon [...] Some sectors replied that they had completed 50 percent while some other said they had completed 80 percent.”]. *See also* **D6.1.106** Sales Ahmat Written Record of Interview, EN 00242068.
- 1386 **D219/702.1.87** You Vann, T. 14 January 2016, 15.00.23-15.03.27, EN 01438498. *See also* **D117/31** You Van Written Record of Interview, 11 November 2013, A29-A30, EN 00966992; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A20, EN 01076946.
- 1387 **D219/702.1.87** You Vann, T. 14 January 2016, 15.04.43-15.07.35, EN 01438507 [“The list was made based on the reports from village chiefs that [were] sent to us so that reports indicated how many people that we belonged to the three groups I mentioned earlier”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A19, EN 009677000. *See also* **D6.1.702** Man Heang Written Record of Interview, 10 December 2009, A5, EN 00421084; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219210, Ismail bin Abu Samas Interview [“their cadres came and wrote down the names of every single Cham in the subdistrict”].
- 1388 **D219/702.1.87** You Vann, T. 14 January 2016, 14.59.16-15.00.23, EN 01438505 [“I actually used a typewriter to sum up the names on the list”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A49 and A51, EN 01059284-85 [“Yesterday I talked about the 300 person name list that I made and gave to Prak Yut. [...] Based on those lists, I created a list of the names of the Cham, the former Lon Nol soldiers, and those former village and commune chiefs.”].
- 1389 **D219/702.1.87** You Vann, T. 14 January 2016, 15.49.39-15.51.19, EN 01438525.
- 1390 **D219/792.1.8** Alexander Hinton, T. 16 March 2016, 16.05.18-16.06.12, EN 01219572-73 [“the case of the Kampong Siem district where their names were marked in ledgers and everyone knew exactly who the ethnic Cham were and orders came down and then they were taken away.”]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A19, EN 00967000 [“I know that the commune chief asked the village chief to write down the names of all people in the village in two notebooks. The village chief was required to provide detailed information about them such as their race and biography. One notebook would be kept in the village [office] and the other in the commune [office]. I know that those people whose names were listed down were falsely told that they would be taken to work at the Rubber Plantation Union. But actually they were taken away and killed.”] *See also* **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A22-23, EN 01076946 [“I heard Prak Yuth tell Rom to check to see if any Cham remained or not, and if any Cham remained, Rom had to report that to Prak Yuth. I heard them talking when Yeay Yuth arrived at the commune office. [...] In district meetings, they said that the Cham were from a different religion and were not considered Khmer, so the Khmer Rouge feared that they would rebel later.”]; **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A4, EN 00967004 [“For example he, [Nan] ordered me to make a detailed list of the population in Krala Commune such as males, females, young, old, ethnic groups, ‘new people’ or former Lon Nol’s soldiers. [...] I wrote all those names in a book and handed the book over to Nan. [...] A man, Say, helped me make a list of all the population.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A37, EN 01098554 [“In Kampong Siem [...] Prak Yuth said to me that I should go to Krala Commune. [...] Then I went to Krala Commune where I carried soil with the elderly there. I was assigned to prepare the lists of names of people in the commune.”], A56-58, EN 01098556 [“I prepared this list of names. It contained the names of men, women, and children. [...] it contained their names which include their villages, their ages and gender. [...] I asked the village chiefs to bring me this information.”], A59 and A61, EN 01098556 [“They recorded the

population of each village in a notebook which they brought to me. I never examined the book. I never prepared the lists myself. I asked another to prepare them for me. [...] The village chiefs brought the notebook to us. I asked Say to make a copy of the list from the book. The list was then sent to the district cadres.”]. A66, EN 01098557 [“I prepared these lists twice. After I left the district, Uncle Nan asked me to prepare a list. Two or three months later he asked me to prepare a second list. That was the last list I was asked to prepare before I left the district in August 1978.”]. *But see* **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A64, EN 01098557 [“I was not ordered to identify the Cham people”].

1391 **D219/702.1.88** Seng [Sen] Srun, T. 14 September 2015, 10.38.40-10.41.47, EN 01406829-30 [“In fact in the mobile unit, they had already identified as to who were the Cham people and who were Khmer people. [...] They actually had a list of how many Cham people were working in that mobile unit and we were living together with the Cham people and they knew who were Cham and who were not.”], 11.45.32-11.47.05, EN 01406854 [“he only asked me to make the statistics and to list the number of the Cham people in the mobile unit, but I never saw the letter, I only heard that such list was compiled.”], 11.49.12-11.51.40, EN 01406855-56 [“Regarding the letter for the compilation of the statistics of the Cham people, I know about the compilation but I did not read the letter and as I said, in the mobile unit there were people who were close to Nauy and who were close to me and I learnt of that information from them. And the person who actually read the letter to Nauy told me that the instruction was to compile lists of Cham men and Cham women and I did not know what they would do to the Cham people. Although I say that I did not read the letter myself but the person who read it to Nauy was very close to me. We were his favourite people and I learnt the information from him.”]; **D6.1.700** Seng [Sen] Srun Written Record of Interview, 9 December 2009, A8, EN 00423723 [“In 1976 unit chairman Nauy made a list of the Cham who worked in the Cheung Prey work site. About two or three months later, the Cham minority were arrested at once.”], A12, EN 00423724 [“The letter said to compile the names of the Cham minority, detailing how many males and how many females there were.”].

1392 **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A4-6, EN 00967004-05 [“For example, [Kampong Siem District Committee Member Nan] ordered me to make a detailed list of the population in Krala Commune such as males, females, young, old, ethnic groups, ‘new people’ or former Lon Nol’s soldiers. [...] I wrote all those names in a book and handed the book over to Nan. Q: Did someone help you with making that book? A: A man, Say, helped me make a list of all the population. Say was from Kampong Siem. He was crippled in one leg.”]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A37, A55-60, and A73, EN 0109855457 [“In Kampong Siem, less than a month after I gave birth to my child, Prak Yuth said to me that I should go to Krala Commune. She told me that I should not stay at the district office as we were under surveillance. Then I went to Krala Commune where I carried soil with the elderly there. I was assigned to prepare the lists of names of people in the commune. [...] My elder cousin had me work at Krala Commune and I received orders from Nan. The latter had me work with people in a section of the commune while they were responsible for the other section. I knew they were committee members of Krala Commune. I was ordered to prepare a list of names of those in the commune. [...] I prepared this list of names. It contained the names of men, women, and children. Q: How did you prepare it? A: I made this list so it contained their names which include their villages, their ages and gender. Q: To collect this information, did you travel from village to village and go from door to door? A: No, didn’t. I asked the village chiefs to bring me this information. Q: How did they bring this information to you? Did they transcribe it or did they report it to you orally? In what form did they provide you with the information? A: They recorded the population of each village in a notebook which they brought to me. I never examined the book. I never prepared the lists myself. I asked another to prepare them for me. Q: What was the name of the person who prepared the list for you? A: His name is Say. [...] When Nan asked me to prepare a list of names I met the village chiefs, and ask them to prepare it for me.”].

1393 **D117/33** Peau [Pov] Sarom alias Rom Written Record of Interview, 14 November 2013, A7, EN 00967005 [“Q: After you gave that book to Nan, did you observe any arrests of people? A: Sometimes I saw many people being arrested, but I was not formally informed about those arrests.”].

1394 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A19, EN 00967000 [“I know that the commune chief asked the village chief to write down the names of all people in the village in two notebooks. The village chief was required to provide detailed information about them such as their race and biography. One notebook would be kept in the village [office] and the other in the commune [office]. I know

- that those people whose names were listed down were falsely told that they would be taken to work at the Rubber Plantation Union. But actually they were taken away and killed.”]
- 1395 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.40.10-14.43.10, EN 01431666-67 [“I was not involving myself in the killings that it came from the order from the upper echelon to me.”]
- 1396 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.40.10-14.43.10, EN 01431666-67 [“The order came from Ta An. [...] I simply relayed the order to my subordinates [...] And after people at the lower levels would carry out the order they reported to me that now those people have already been purged and then I reported back to Ta An.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A55, EN 01059286 [“I heard from Phen that he had reported to Prak Yut, and then Prak Yut reported to Ta An on her own. He said this only in reference to the 300 people whose names were on the list. For those who had been arrested and reeducated at their bases, I did not know whether or not Prak Yut had to report about them to Ta An.”]
- 1397 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.14.17-09.17.03, EN 01441015-16 [“The list of the names of Cham people was prepared by Si, the deputy district chief. I, myself, did not draw up the list. However, the deputy went to the lower chain of command to carry out the order. [...] Si came from Takeo province.”]; 09.18.14-09.20.45, EN 01441016-17 [“because of my limited knowledge in literature, I assigned [Si] to be the chief to help report about all matters within the district.”]; **D117/71** Prak Yut Written Record of Interview, 19 June 2013, A52, EN 01056229 [“After I reported to Grandfather An, he gave an order to me, and I ordered Sy to organize the arrests.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“For example, we had a meeting at the Sector level, and the Sector level gave an order to smash Cham people. I was the district chief, and I received that order. Then I delegated the work to Si, my deputy chairman, to implement. Si was the one who contacted the villages and communes to compile the names and count the number of all the Cham people and took them to be killed at Tuol Beng. After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where at Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the Sector level accordingly.”], A26, EN 01063611 [“when the orders were fully carried out, all the commune chiefs reported personally to me. Then I discussed this with Grandfather Si and made a report to be sent to Grandfather An at the sector level.”]; **D117/73** Prak Yut Written Record of Interview, 7 October 2013, A10, EN 01056239 [“I would delegate this task to my deputy, Sy. [...] Sy cooperated with the chief of Vihear Thom commune whose name was Ta Chea.”], A12, EN 01056240 [“I received orders from the Sector Committee to identify, for example, former Lon Nol soldiers and Cham people in my district. Then, I delegated this task to my deputies, namely, Nan and Sy. After they listed the names of those people, I sent the names to the Sector Level.”]. See also **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A8, EN 00966998 [“I remember that Ta Si was Prak Yut’s deputy, [...] Nan was the third in command”]; **D219/702.1.87** You Vann, T. 14 January 2016, 14.24.23-14.26.31, EN 01438498 [passed on messages from Prak Yut to Ta An “once in a while”]. See also **D219/702.1.94** You Vann, T. 18 January 2016, 09.17.45-09.20.05, EN 01431592-93 [“There was a mechanism in place for me to make such a report.”]
- 1398 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.49.16-09.51.39, EN 01441026-27 [“After we carried out our instructions, in fact, Si made a report to me, and I further relayed the report to the sector secretary. That is how it worked.”]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A14, EN 01063608-09 [“After I delegated the work to Si, my deputy chairman, I was not interested and did not follow up to look at where Tuol Beng those Cham people were taken to be killed. Si just reported to me that the orders had been carried out, and I reported to the sector level accordingly.”], A26, EN 01063611 [“[I] made a report to be sent to Grandfather An at the sector level.”]; **D219/792.1.2** Prak Yut, T. 20 January 2016, 09.37.34-09.39.58, EN 01438619 [“The subordinates implemented the order and, after the implementation, I submitted the report up the line to Ta An”].
- 1399 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A8, EN 01151270 *confirmed by* **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.51.39-09.55.40, EN 01441027-29 [“I made the reports to be sent to the sector level. There were no telegrams used. In fact, messengers rode bicycles to deliver the report to him. No telegram was used.”].
- 1400 **D219/138** You Vann Written Record of Interview, 8 January 2015, A106, EN 01059299 [“Yes, they followed his orders, so they had to report back to him after they carried out the orders. [...] Sometimes they detailed the names of those killed, and sometimes they wrote only the number. They wrote names of those killed, and they also detailed ethnicity or composition”].

- 1401 **D219/702.1.87** You Vann, T. 14 January 2016, 15.07.35-15.09.00, EN 01438508, 15.10.50-15.12.25, EN
01438509 [“those whose names were on the list had disappeared”].
- 1402 **D219/702.1.87** You Vann, T. 14 January 2016, 15.16.38-15.18.42, EN 01438511 [“Q [...] Are you saying
that all of the people mentioned on the list disappeared? A: Yes”].
- 1403 **D219/138** You Vann Written Record of Interview, 8 January 2015, A18, EN 01059275-76 [“I noticed many
disappearances, especially the Cham.”].
- 1404 **D219/702.1.87** You Vann, T. 14 January 2016, 15.14.55-15.16.38, EN 01438510 [“Q: So for example, in a
situation where two Cham parents were on the list, would only they disappear, or would their children
disappear as well? A: In some cases, the whole family disappeared”].
- 1405 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A33, EN 01076949 [“Only
individual persons were sent to Wat Angkuonh Dei Pagoda, but when they arrested entire families such as the
Cham or the 17-April group, they killed them at the base.”].
- 1406 *See* **D219/492** Written Record of Acts of Investigations, 7 September 2015, EN 01138987 [Trean Commune]
[“For Trean Commune, with an average of 25 families in each of the 12 villages, at least 6 members for each
family, we are close to 1800 victims.”].
- 1407 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.49.42-14.50.24, EN 01431669.
- 1408 **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.47.13-14.49.42, EN 01431668-69 [“During the purge, I only
knew that Cham people had been taken away and killed. I was told by him, based on the instructions from the
upper echelon.”].
- 1409 **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A20, EN 01063610 [“This order was
carried out not only in other communes in Kampong Siem District but also in other four districts.”];
D219/484 Prak Yut Written Record of Interview, 21 August 2015, A8, EN 01151270 [“I would like to clarify
that I received orders from the sector level to arrest and kill all of those Cham. The orders I received were
very clear about killing those Cham. After that, I sent those orders on to the commune level and my deputies
at district level. I do not know how or where those Cham were killed. After the killings of the Cham people
were completed, I received a report from my or the militia chief about the number of Cham they had killed.”].
A13, EN 01151272 [“Q: Could you confirm that similar arrests and killings of Cham also happened in other
communes and districts? A: Yes.”].
- 1410 **D219/484** Prak Yut Written Record of Interview, 21 August 2015, A9, EN 01151271 [“I would like to clarify
once again that the orders I received were very clear: they stated that we must kill all the Cham. I had no
choice other than to carry out orders.”]. *See also* **D219/702.1.85** Say Doeun, T. 12 January 2016, 13.57.15-
13.59.02, EN 01474959 [“He told us that the order came from the upper echelon.”], 14.09.24-14.12.13, EN
01474964-65 [“She said the orders came from the upper echelon to the commune level and then she relayed
those orders to us.”], 15.24.09-15.25.23, EN 01474983-84 [“She told us by herself that she went to have a
meeting at the upper level and she relayed the order to us. [...] She simply told us that it came from the upper
level.”].
- 1411 **D219/702.1.87** You Vann, T. 14 January 2016, 14.13.30-14.16.44, EN 01438493-94 [“Q: As far as you
know, was the district military ever involved in making arrests? A: They did, from what I knew. [...] I was a
messenger delivering messages to Prak Yut and that’s what Prak Yut had told me”].
- 1412 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A22, EN 01076946.
- 1413 **D219/502** Muok Sengly Written Record of Interview, 14 September 2015, A26, EN 01152375 [“They did not
transport them all in one day. They transported them a few at a time over a period of many days using the
cooperative’s ox cart.”], A30-31, EN 01152376 [“Yeay Yuth, who was the District Committee, said, ‘The
Cham are the enemy of *Angkar* because they plan to rebel, so *Angkar* has to smash them.’ She said, ‘If any
Cham remain, this must be reported so they can be swept clean, because this is the plan of the upper-echelon.’
[...] Q: Did any Cham still live in your village after that? [...] A: No, there were not. No Cham remained.”];
D117/46 Iem Channy Written Record of Interview, 9 May 2014, A22-23, EN 01032982 [“one night, the
chairperson of Trapeang Ruessei Village, Ret, threw a huge party [...] They invited all villagers, especially
hundreds of Cham ethnics [...] The next morning I observed that it was quiet in Trapeang Ruessei Village,
and all Cham ethnics, the old and the young, disappeared [...] Q: Do you remember when that party was
thrown? A: That party was thrown in 1978, but I do not remember the season, or month clearly.”]. *See also*
D219/119.1.2 Phlong Han Written Record of Interview, 23 March 2012, EN 00797011 [“It is true that in the
village there were Cham families. A messenger brought an order saying that all of the families, men, women,
and children, had to be put on to ox carts and taken elsewhere [...] These families disappeared forever.”].

- ¹⁴¹⁴ **D219/502** Muok Sengly Written Record of Interview, 14 September 2015, A30, EN 01152376.
- ¹⁴¹⁵ **D219/702.1.87** You Vann, T. 14 January 2016, 15.12.25-15.14.55, EN 01438510 ["I knew that the military from the district level and the sector level joined hand together in the arrest."]; **D219/702.1.94** You Vann, T. 18 January 2016, 11.06.14-11.07.34, EN 01431628 ["I did not hear anything about that. That was up to the joint cooperation between the district army and the sector army."].
- ¹⁴¹⁶ **D219/702.1.87** You Vann T. 14 January 2016, 14.16.44-14.20.45, EN 01438496 ["Q: And do you know whether the district security forces had an office? A: Yes, they did: it was located in Chamkar Beng village. Q: And do you know whether there was a detention facility at that office or elsewhere that belonged to district security? A: The security office was at the Chamkar Beng (phonetic); people were detained there."]; **D117/31** You Vann Written Record of Interview, 11 November 2013, A20, EN 00966991 ["Well, there was one security office located in Chamkar Robeng Village, Krala Commune, Kampong Siem District. It was located to the west of Angkuonh Dei pagoda and Ny was its chief."]; **D219/120** Prak Yut Written Record of Interview, 30 September 2014, A1-3, EN 01063605-06 ["Kampong Siem Security Office was located at Tuol Beng. [...] There were two buildings at the security office. One building was for sleeping [...] Another building was a kitchen."]; **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A9, EN 00966998 ["The then old District Security Centre was located to the west of the pagoda, which was located at Tuol Beng Village, Krala Commune, Kampong Siem District. It was an execution site."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A16, EN 01059275 ["Ni, like me, was from Takeo. We attended monthly meetings at the District Office together, but Prak Yut had separate meetings with the military and the Security Office. I do not know how many prisoners were at Tuol Beng."], A98, EN 01059297 ["District Military went to various villages to arrest three or four people from this or that village and took them to the Tuol Beng Security Office."], A105, EN 01059299 ["Ni was responsible for Tuol Beng Security Office, but he was stationed at the District Military Office. A few days later, I heard Ni say that sector soldiers had come to kill two or three people."]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A18, EN 01076945 ["Tuol Beng used to be a security office."], A20, EN 01076946 ["When they relocated the security office from Tuol Beng to Wat Angkuonh Dei Pagoda, they took remaining prisoners who were former Lon Nol soldiers along. The Cham were taken to be killed at the same time with the Lon Nol soldiers and officials."]; **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A9, EN 01034900 ["To my knowledge, Wat Angkuonh Dei was a medicine manufacturing site, whilst the security office was at Tuol Beng where people were killed."]; **D117/47** Aok Chanty Written Record of Interview, 10 May 2014, A8, EN 01032989-90 ["They had already used Tuol Beng security office as a killing field before the Southwest cadres arrived, and they had already begun to kill the people one by one. It became a huge and dreadful killing field after the Southwest cadres arrived."]. See also **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A14, EN 01034078 ["Q: Did Prak Yut know about the security office and killing site at Tuol Beng? A: Definitely, it was under her management in which she was on the committee of Kampong Siem District."].
- ¹⁴¹⁷ **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A8, EN 01034899.
- ¹⁴¹⁸ **D219/702.1.87** You Vann, T. 14 January 2016, 14.19.31-14.20.45, EN 01438496 ["I only knew that former soldiers, the Cham people, and the Vietnamese people were detained there, but I did not know how many of them were detained and a period after their detention, they disappeared."]. See also **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 13.51.54-13.52.56, EN 01217310 ["then there was someone who was related to her named Rom, in this area -- anyways, ran a centre and they -- the -- a number of people were taken away who belonged to the categories that we talked about."].
- ¹⁴¹⁹ **D117/43** Sbond Yann Written Record of Interview, 7 May 2014, A14-15, EN 01034900-01 ["I went there after the Khmer Regime collapsed. I saw them digging up many pits including a three-square-metre one where 50 bodies were found. There were two large pits in Tuol Beng Village. [...] As I remember, there were two large pits and around 20 smaller and larger pits than these."].
- ¹⁴²⁰ **D117/31** You Vann Written Record of Interview, 11 November 2012, A32, EN 00966992 ["Phon, chief of the district army, was the person responsible for arresting them. I was not involved in the arrest."].
- ¹⁴²¹ **D219/702.1.87** You Vann, T. 14 January 2016, 14.57.17-14.59.16, EN 01438504-05 ["I did not know what happened to them, but I heard that they were purged. Q: And who told you that they were purged? Who did you hear that from? A: I heard it from the military commander of the district army. Q: Was that Phon, or Phaen? A: It was Phon"].

- 1422 **D219/792.1.6** Alexander Hinton, T. 14 March 2016, 14.02.58-14.03.34, EN 01217316 ["In addition I interviewed some local cadre, including someone who worked at Rom's office. And he is the one who in the book talks about getting the order to take ethnic Vietnamese and Chams."]; **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 09.39.38-09.44.08, EN 01218212-14 [expert testified to interviewing Khmer Rouge cadre Teap who had worked at the sub-district office in Krala and had become aware of a letter from Prak Yut to arrest all Cham to smash them]; **D6.1.943** Alexander Hinton. *Why Did They Kill? Cambodia in the Shadow of Genocide*. EN 00431596 ["Teap, a cadre who worked at Rom's subdistrict office, described a letter the office had received from Grandmother Yit's district headquarters in mid 1977"].
- 1423 **D6.1.943** Alexander Hinton. *Why Did They Kill? Cambodia in the Shadow of Genocide*. EN 00431596.
- 1424 **D219/792.1.7** Alexander Hinton, T. 15 March 2016, 09.43.15-09.44.08, EN 01218213-14 ["In my interviews with villagers, ethnic Vietnamese were saying, 'Oh, there was maybe one in our village, and that person was taken away' versus the Cham families that were much larger numbers"]; 10.00.08-10.02.04, EN 01218222 ["I went through and did this survey and people talked about the number of families who were killed [...] large numbers of Cham families"]; 15.48.51-15.50.04, EN 01218321 ["I went through and I talked to the villagers. I went to every household in the village [...] and they would mention explicitly over and over again that the Chams were taken"].
- 1425 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078 ["I saw many ethnic Cham being arrested and walked in queues."].
- 1426 **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A13, EN 01034078.
- 1427 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999.
- 1428 **D219/702.1.83** Seng Kuy, T. 10 September 2015, 10.15.33-10.17.48, EN 01431037-38 ["They did not want any Cham people or other ethnicities to live in the country."].
- 1429 **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.09.49-15.11.10, EN 01430903-04
- 1430 **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87 ["At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting."]. confirmed by **D219/702.1.87** You Vann, T. 14 January 2016, 15.19.48-15.24.56, EN 01438512-13, 15.32.34-15.34.53, EN 01438517 ["They selected all the commune chiefs within the sector to attend that meeting and then that announcement was made during that meeting."].
- 1431 **D219/702.1.87** You Vann, T. 14 January 2016, 15.19.48-15.22.45, EN 01194253-54, confirming **D219/138** You Vann Written Record of Interview, 8 January 2015, A58, EN 01059286-87 ["At the time, persons responsible for lists and documentation in each district were summoned to take part in that meeting. He explained points to be recorded and emphasized the composition of the people, for example, Cham, Chinese, Yvon, former first and second lieutenants and so on"]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A102, EN 01059298 ["they planned the preparation of the next lists by classifying the backgrounds as before."].
- 1432 **D219/702.1.87** You Vann, T. 14 January 2016, 15.25.57-15.28.23, EN 01438515 ["Because they did not believe thus they us to go to the villages directly to record who were bad people and good people."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A102, EN 01059298 ["During that meeting, Ta An said we had to go to villages directly, compile the names, and make the list"].
- 1433 **D219/702.1.87** You Vann, T. 14 January 2016, 15.24.56-15.25.57, EN 01438515 ["He only instructed us to make the lists and send the lists to the sector level"].
- 1434 **D219/702.1.87** You Vann, T. 14 January 2016, 15.25.57-15.28.23, EN 01438515. See also **D219/138** You Vann Written Record of Interview, 8 January 2015, A60-61, EN 01059287 ["I regularly saw Ta Mok visit Sector 41. [...] He went to Prey Chhor once or twice a month."].
- 1435 **D219/702.1.87** You Vann, T. 14 January 2016, 15.21.40-15.22.45, EN 01438513 ["the list was not generated yet because the Vietnamese arrived"].
- 1436 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.33.53-09.34.53, EN 01441021-22 ["Regarding the arrest of Cham people, whether we need to kill them or not [...] I reported that some Cham people needed to be smashed and some who were good element needed to be kept. [...] it doesn't mean that the killing took place for all Cham. Those who were good, did not oppose or not sabotage in the district were spared. So we - we purge only the bad elements that cause problem."]. See also **D219/792.1.2** Prak Yut, 20 January 2016, 09.13.48-09.15.44, EN 01438609-10 ["among those Cham people [...] the bad elements caused troubles in the villages and commune [...] they expressed their opposition and they were considered difficult"].

- 1437 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.22.59-09.25.42, EN 01441018-19 ["on the issue of purging the Cham people, I, myself, alone, did not have the discretion to carry out the purge without the order from the upper echelon. [...] I, myself, did not have the authority to make any arbitrary arrests without allowing the upper echelon to know about this."].
- 1438 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.36.30-09.39.03, EN 01441022-23. *See also* **D219/702.1.94** Prak Yut, T. 18 January 2016, 14.45.30-14.47.13, EN 01431668 ["I myself was also wondering why the Cham – the name of the Cham people were wanted to be purged. But the order came from the upper echelon, so I simply implemented it."], 15.50.42-15.52.45, EN 01431689-90 ["regarding the decision toward the Cham people, I simply followed the order because he was my superior."].
- 1439 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.39.03-09.41.05, EN 01441023-24 ["there was an order from the upper echelon to purge Cham people."].
- 1440 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.41.05-09.43.09, EN 01441024-25 ["I said we should all keep quiet on this matter"]. *See also* **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A6, EN 01034075 ["I remember that Phea whose original name was Deu Maroun was Cham."].
- 1441 **D117/73** Prak Yut Written Record of Interview, 27 October 2013, A5, EN 01056238 ["When I saw the letter, I was shocked to spot Phea's name in it. I contacted Uncle An, and he said that Phea was like my biological daughter because I promised to her parents that I would take care of her. Uncle An agreed not to have Phea listed because she was the only Cham who worked and lived with me. But he ordered me to list other Cham people."] (*emphasis added*); **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.43.09-09.47.48, EN 01441025-26 ["And what I said here may be I was individualistic that I only thought of one person. [...] I knew that [asking An to make an exception for Pheap] was not a proper act to do because I could not save all the Cham people within the district. However, that's what I did."].
- 1442 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.41.05-09.43.09, EN 01441024-25 ["I decided to keep Pheap alive till today."].
- 1443 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.47.48-09.49.16, EN 01441026 (*emphasis added*).
- 1444 **D219/702.1.95** Prak Yut, T. 19 January 2016, 09.44.57-09.47.48, EN 01441025-26 ["I could not save all the Cham people within the district."].
- 1445 **D219/702.1.95** Prak Yut, T. 19 January 2016, 10.38.49-10.41.22, EN 01441038 ["Only Pheap was spared and – concerning the remaining Cham, I do not know who else was spared"].
- 1446 **D117/32** Nhim Kol alias Say Written Record of Interview, 12 November 2013, A11, EN 00966999; **D117/27** Deu Raun alias Phea Written Record of Interview, 26 September 2013, EN 00977415 ["I heard Prak Yut talking to some people whose ranks were similar to hers, saying that she had received a letter from the upper level ordering her to arrest me because I was Cham. [...] About one month later, she called and told me that I had only two choices – first, being sent to jail in Battambang, or second, being killed there. [...] The letter was sent from the sector level, and only my name was mentioned: everyone knew I was Cham."], EN 00977413 ["[In Kampot] Prak Yut asked why we had been arrested. The reason was that we had been suspected of not following the policies of *Angkar*. So, Prak Yut objected to our arrest and proposed that we work for her at the sewing office."]; **D219/284** Peau [Pov] Sarom alias Rom Written Record of Interview, 9 April 2015, A51, EN 01098555 ["I was advised not to stay in one place for too long. I asked her what would happen. She told me that we lived with uncertainty on a daily basis. There was no stability in our living. We might be imprisoned or killed some day. "], A103 and A105, EN 01098560 ["There was a Cham woman living with my elder cousin. She asked me to take her to live near my place and help hide her. This Cham woman had sewing skills. [...] An elder woman told me that the Cham people would not be spared. She told me to take this Cham woman named Phea to live with me. She was in tears while telling me this. The Cham people were seriously mistreated during that time."].
- 1447 *See, e.g.*, **D219/702.1.81** Seng Kuy, T. 9 September 2015, 15.29.31-15.31.48, EN 01430912-13 ["After the Pol Pot regime was toppled in 1979, in Angkor Ban villages One and Three, no Cham people came to live yet. There were no Cham people at all."]; **D219/792.1.12** Sos Kamri, T. 6 April 2016, 09.41.12-09.56.42, EN 01246586-89 [of 1,2500 only 20-25% survived the regime]; **D219/702.1.78** Sos Romly, T. 8 January 2016, 11.16.11-11.17.28, EN 01452559-60 ["Q: You responded that in your Trea village, there were approximately 200 families of Cham ethnics and the total population in the eight village were nearly 1,000 families. So after the liberation day of 7 January 1979, for those Cham who I returned back to the village, surviving the regime, could you estimate how many families were there at that time? A: After 7 January 1979, one month after that, I returned to my village and I saw about 500 families coming back."]; **D219/702.1.79** Sos Min, T. 8

September 2015, 15.09.16-15.11.42, EN 01433873 ["Before 1975, there were 1,242 families living in Village 5."]; 15.39.35-15.41.15, EN 01433883 ["Later on I learnt very well that only 170 families remained in Svay Khleang village. Among the original figure of 1,242 families, only 175 families remained in that Svay Khleang village; and if those new families who came to live in those empty houses in Svay Khleang were to be included, there could be a total of 195 families in the village by then."]; **D219/702.1.80** Ysa Osman, T. 9 February 2016, 10.12.56-10.36.05, EN 01405907 ["We did not know the total number of people. However, we had the figure of families. To my recollection, there were over 1,240 families, and I think this figure is mentioned somewhere in my book."]; 15.38.30-15.46.32, EN 01405973-75 ["My family returned to our home village. [...] It's only very few families who returned to the home village. I was young then but older people did the count and asked each other how many families of us survived and we did the counting and then we found only 120 families. And in 1975 there were 1,240 families. So the loss is not 1,220, it is 1,120. [...] There are 10 Cham villages as stated on page 121, and these villages are located in Kampong Cham, Kampong Thom, and Kandal provinces. Previously, there were a lot of Cham people who lived in these large villages although I did not have the exact figures for the Cham people. However, after the Khmer Rouge collapsed, none of the villagers returned to these villages. [...] And after that, these 10 villages no longer were called the Cham villages. In reality, these villages had been historically the Cham villages since they fled Champa, but with the total loss of their community members, they abandoned their villages and currently they are also known as the villages where the Khmer people reside and not the Cham people."]; **D219/792.1.4** Man Sles, T. 29 February 2016, 14.20.11-14.22.39, EN 01452747 ["There were about 800 to 1,000 Cham families living in Svay Khleang at the time. This is my personal conclusion only as I did not have any statistics or real figures but from what I learned from Haji and Hakim, there were about 1,000 Cham families."]; **D219/702.1.81** Sos Min, T. 9 September 2015, 11.34.34-11.36.10, EN 01430865-66 ["Q: [...] You refer to the total number of the Cham families living in Villages 5 and 6, maybe plus those Cham people living in Village 7. And in the same document, you said, 'There were 1,242 Cham families. And that figure was in 1970.' Are you still standing by your statement that this figure was in 1970 or after 1970? A: It is my understanding that that is a correct figure."]; 11.45.16-11.50.18, EN 01430869-70 ["After the liberation, I stand by the number of families in Village 5. However, I must say that the figure might not be as precise as it was. It could be 70 families living in a village and - rather, 170 families living in one village plus 25 more families living in Svay Khleang, so the figure could be 195 families."]; **D219/702.1.47** Kob Math Transcript of Audio Interview, EN 00667273 ["Q: How many Cham in your village before Pol Pot? A: [...] There are approximately 1000 people before Pol pot [...] After Pol Pot there are only 400-500 left"]; **D1.3.10.23** Report on OCP Mission to Sector 41 (Operation Riverland), 8 August 2008, EN 00211169, Him Srin Interview ["He tells us that before he left for the East Zone there were 300 Cham families in Sach So village and that when he returned only Kae Man and Him Chea were left."]; **D6.1.108** Sos Min Written Record of Interview, 16 August 2008, EN 00242074 ["In 1972 and before the liberation, I was asked to prepare population statistics of villages 5 and 6 of Svay Kleang commune. I know that there were 1242 families in total but after the liberation [in 1979] there were only 170 families of people"]; **D6.1.103** Teh Sren Written Record of Interview, 13 August 2008, EN 00275381 ["In my village before the rebellion, there had been a total of more than one thousand families. After the rebellion, almost all the adult males in the village had been killed."]; **D1.3.3.3** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*, EN 00219114 ["Prior to the Democratic Kampuchea regime, Koh Phal held 1,864 residents. After the regime fell and the surviving residents came back home, it held only 183 people [there are significant differences in the figures that former villagers have given for the populations of Koh Phal before 1975 and after 1979. The author uses the estimate given by Res Tort on the assumption that he, as the former village chairman, would have the most accurate recollection"]. EN 00219124-25, Chi Ly Interview ["I was a member of the [Koh Phal] village committee at that time [1976]. I [still] have the documentary statistics to prove that there had been 267 families [once living there], totaling 1,306 persons."]; **confirmed by D6.1.378** Chhi Ly Written Record of Interview, 21 May 2009, EN 00340170-71 ["Q: In the interview with Mr. Ysa Osman, you said that you had the statistical document showing that there were 267 families with the total number of 1306 people living in Koh Phal at that time. Do you still have this statistical document? A: I lost this statistical document. In my work as the village committee, I made a record of the population statistics. The figure I gave in the interview in 2001 is correct. During my interview in 2001, I had the statistical document. Q: After the Khmer Rouge regime fell, how many families returned to Koh Phal village? A: There were ninety-six families returning to Koh Phal village. Other families died and were killed. More than half of the population died and were killed during the

- Khmer Rouge regime”]; **D6.1.377** Ysa Osman, *The Cham Rebellion: Survivors’ Stories from the Villages*, EN 00219126, Kae Noh Interview [“By 1979, villagers of Koh Phal who had been scattered all over had returned to come home. They totaled 70 families then. Before, there had been 400 to 500 families”], confirmed by **D6.1.376** Kae Noh Written Record of Interview, 20 May 2009, EN 00340180; **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078568-69 [chart depicting number of Cham who disappeared in selected villages, 1975-1979]; **D219/702.1.52** Sufeeyan Idres Transcript of Audio Interview, EN 00667255 [“Q: Do you know how many Cham lived in Kampuchea before Pol Pot? A: More than 100,000[.] Q: Do you know how many Cham lived in Kampuchea after Pol Pot? A: 60,000 or 40% died.”]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678640 [“By 1975, the Cham population had reached two thousand families, in seven villages. ‘All have perished,’ the new PRK government claimed in 1983. It has not been possible to confirm this assertion, but the one independent account available from Kompong Siem district is suggestive”], EN 00678644; **D219/492** Written Record of Acts of Investigations, 7 September 2015, EN 01138989 [“I know that 3720 persons were killed there. Chams and New people”].
- 1448 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678640 [footnote 98 indicates these five villages were Antong Sot, Angkor Ban, Khsach Sor, Svay Taken Krau, and Svay Taken Khnong].
- 1449 **D219/792.1.12** Sos Kamri, T. 6 April 2016, 15.09.56-15.12.11, EN 01246655. See also **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678496 [“One local peasant recalls: ‘Some Cham villages completely disappeared, only two or three people remained.’”]. EN 00678638 [“The Democratic Kampuchea death toll in [Khmer] Islam seems to have been 40 to 50 percent of its population or about 300 out of 650.”].
- 1450 **D219/492** Written Record of Acts of Investigations, 7 September 2015, EN 01138987.
- 1451 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078568.
- 1452 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078569.
- 1453 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 15.35.13-15.37.00, EN 01405971 [“The number of families that lost, in total, is about 99 percent of family died of execution, of illness and starvation”].
- 1454 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 15.35.13-15.37.00, EN 01405971-72 [“So traditionally, the Cham people would come back to their community or their villages in order to know whether their family members and community villager are living and return.”].
- 1455 **D1.3.17.8** Ysa Osman, *Oukoubah: Justice for the Cham Muslim under the Democratic Kampuchea Regime*, EN 00078567 [chart listing the number of Cham killed during DK, including their name, position, and duty]; **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678637 [chart depicting death numbers of Cham leaders]. See also **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.06.00-10.08.40, EN 01419037-38 [“The Cham people lived as a community as a minority, not as the majority. That’s why we needed a leader. We needed a knowledgeable person, and we needed mosques for prayers. So when we lost the religious leaders, we lost someone who knew about religion. This impacted on the young people who could not study religion in an in-depth way. We could gain good knowledge only when we had good, knowledgeable teachers, so when we lost these good teachers, we were affected. During the Khmer Rouge, the Khmer Rouge killed knowledgeable religious scholars and teachers, and, as a result, the Cham people lost the basis that they could gain knowledge and they became -- they became weak and they lost someone who could guide or teach them about religion, so they became -- the Cham people became illiterate, and low educated. This has had an impact on the younger generation up to now.”].
- 1456 **D6.1.197** Ewa Tabeau, *Demographic Expert Report*, EN 00385311-12 [“We might accept Kiernan’s opinions as the most convincing”].
- 1457 **D1.3.17.5** Ben Kiernan, *The Pol Pot Regime*, EN 00678731 [depicted in table of Approximate Death Tolls in Democratic Kampuchea 1975-1979”]. See also **D325/2.1.8** Ben Kiernan, *Genocide and Resistance in Southeast Asia*, EN 01199611-16; **D6.1.85** Nayan Chanda, *Brother Enemy*, EN 00192435 [“Over sixty thousand Cham minority people — mostly in the Kompong Cham area — were massacred for their Islamic faith”].
- 1458 **D6.1.197** Ewa Tabeau, *Demographic Expert Report*, EN 00385311.
- 1459 **D6.1.595** Michael Vickery, *Cambodia 1975-1982*, EN 00397109 [“Cham were viewed with ‘awe and fear’ by the Khmer majority”].

- 1460 **D219/702.1.80** Ysa Osman, T. 9 February 2016, 09.42.11-09.44.36, EN 01405894 ["In order to indicate the figure for you, based on my research, I don't have the documentation that recorded the figure or indicate the exact number of Cham people at all."], 09.55.52-09.57.20, EN 01405900 ["Through the sources of my research, it indicates that the Cham people who survived the killing is approximately 200,000."], 14.23.28-14.25.14, EN 01405949-50 ["But based on my findings, witness gave the estimated figure, there were 700,000 Cham people before the Khmer Rouge or in Lon Nol period. The scholars, Ben Kiernan and Vickery, would base on their documents -- the document they found. However, if you would like him to prove based on his document, it will be hard for them to prove."]; **D219/879.1.2** The Phnom Penh Post, *How many Cham killed important genocide evidence*, 10 March 2006, EN 01199557-58 [analysis and evidence presented by Ysa Osman as to Cham numbers being greater than that demonstrated by Ben Kiernan]. See also **D6.1.531** Mat Ly Interview by Steve Heder, EN 00436875 ["I tell you frankly that as for the Cham, previously there were more than 700,000 according to the documentation"].
- 1461 **D219/792.1.12** Sos Kamri, T. 6 April 2016, 13.59.41-14.01.40, EN 01246635.
- 1462 **D219/702.1.82** Ysa Osman, T. 10 February 2016, 10.54.00-10.55.45, EN 01419048-49 ["even for the survivors, they were under severe trauma and depression, and this kind of feeling remains with them till today."]. See also **D219/702.1.82** Ysa Osman, T. 10 February 2016, 11.20.58-11.22.42, EN 01419059-60 ["The suppression severely affected the Cham people. Children were no longer allowed to live with the parents, so they could not speak the Cham language. The children -- the Khmer Rouge labelled the children as the children of the Revolution [...] or the Cham children: they were not allowed to speak Cham and they lived separately from their parents, so they lost the opportunity to listen to the history of Cham from their parents and as a result, they lost their identity."].
- 1463 **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037042 [quoting Laura McGrew from "Cambodian Women and Year Zero", *On the Record: Women of Southeast Asia Fight Violence*, Issue 5, 1999: "If, in a Cambodian village of 1,000, there was an average of two group marriages during the four years that the Khmer Rouge were in power, with 15 women involved in each ceremony - this would mean that as many as 210,000 women could have been forced into marriage out of a population of seven million."]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 59:52 ["It is estimated that at least 250 000 women were forced to marry during the Khmer Rouge regime."].
- 1464 See, e.g., **D310/1.1.4** Bridgette Toy-Cronin, *"I Want to Tell You": Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449489 ["The consistency of the description of the ceremonies across geographical areas indicates a top level policy of forced marriage. There were some variations in how strictly the local administration applied the policy. [...] Even in this area however, it is clear the policy existed, the variation was only in the implementation."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 ["Mass forced marriage procedures (involving three to hundreds of couples) were organized, systematic and widespread, as described by case study respondents."]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045709 ["Previous research and the Khmer Rouge's own documentation show that the regime forced many single or widowed people to marry for 'Angkar'. [...] In order to subordinate the role of family and religion in people's lives, the regime assumed complete control over the selection of spouses to be married, arrangements for marriage, where couples would live and consummation of the marriage. Through these practices, the Khmer Rouge exerted widespread and systematic control over the population."]; **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 15.00.49-15.04.24, EN 01361813-14 ["Q: So my question is, in light of what you've told us today, in light of the studies you have done and the studies you are doing, the studies of these others, other authors, in your opinion, were forced marriages occurring in Democratic Kampuchea in most provinces during that period of time? A: Yes, that's correct."].
- 1465 **D303** Written Record of Further Appearance, EN 01213489.
- 1466 See **XI, Charges**.
- 1467 **D310/1.1.1** CPK Publication, *Revolutionary and Non-Revolutionary World Views Regarding the Matter of Family Building*, reprinted from 2 February 1974 on 2 June 1975 ("Family Building policy document").
- 1468 **D179/1.2.8** Kaing Guek Eav alias Duch, T. 20 March 2012, 11.13.29-11.16.30, EN 00792999 ["I think this ideology was already written in a song [...]. They say that parents could only create you, but Angkar would be the one who controlled you and who owned you."]; **D219/702.1.140** Kaing Guek Eav alias Duch, T. 2

September 2009, 14.27.58-14.31.18, EN 00374564 [“They regarded children, or the children of the cadres or the peasants, as the property of Angkar and Angkar were their parents.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 15.13.40-15.16.17, EN 01370017 [the Civil Party attended a meeting in Phnom Penh in 1975 at which Khieu Samphan instructed “that we should not have any feelings towards our parents and that we should detach ourselves from our parents”], 15.16.17-15.19.38, EN 01370017 [“As for the parents and siblings, we were completely detached from one another [...] Angkar said [...] we were under the supervision of Angkar, and that we should not look for the parents because Angkar was the parents.”]; **D219/883.1.83** Him Huy, T. 4 May 2016, 09.23.50-09.25.50, EN 01302834 [the witness was a guard at S-21: “During the study sessions [at S-21], there were many participants, including myself, [who were instructed] that we were the children of Angkar and not the children of our parents, although our mothers were the ones who bore [...] us, but it was Angkar who were our real parents and that we had to implement any instruction or activity imposed by Angkar.”]; **D6.1.358** Ma Sa Em Written Record of Interview, 28 March 2009, EN 00322024 [in Phnom Srok District, Banteay Meanchey Province, Northwest Zone: “In the meeting [a Phnom Srok district member] said that ‘[...] We are the children of Angkar.’”]; **D219/370.1.5** Henri Locard, *Pol Pot's Little Red Book: The Sayings of Angkar*, EN 00394900-01 [“in this revolutionary society, the very nature of the nuclear family was transformed. [...] The only social relation—and equally, emotional relation—that counted was the vertical relation of filial affection toward—in truth, submission to—the *Angkar*. At the same time, the Khmer Rouge kept other words of kinship (‘uncle,’ ‘aunt,’ ‘brother,’ etc.) in order that the revolutionary society be seen as ‘one big family,’ with the *Angkar* at its head, at once tutor and parent of an entire people that they had infantilized. All affection and love that a son or daughter had for his or her mother and father, and that parents had for their children, had to be transferred to the *Angkar*.”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237930-31 [“As in many societies relatively untouched by modernity, Cambodians are extremely attached to their families. That was the primary loyalty, certainly the most threatening to Angka. Nearly all directives of the Khmer Rouge led somehow toward the dissolution of the family.”]; **D117/36.1.23** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533 [“The family continued to exist but [...] [t]ies between individual family members were diluted within the larger community. ‘Mothers should not get too entangled with their offspring.’ Pol told the Central Committee.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891 [“One of the policies of the *Angkar* was to destroy traditional Cambodian family structure. For centuries, Cambodian people had established the close ties among family members with extended members and their livelihood was agriculture based. There was mutual trust between family members, and the community was strongly unified. The KR regime tried to destroy that traditional structure for the rapid achievement of the revolution”]; **D6.1.595** Michael Vickery, *Cambodia 1975-1982*, EN 00397102 [“DK policy was immeasurably more strict than the pre-revolutionary norms it mirrored, and it served to modify, not destroy, the family through transferring parental authority over adults to the state and breaking down the extended family into nuclear units. The latter was the DK family ideal, and the destruction of large extended families as cohesive groups probably was an element of deliberate policy.”].

1469 **D310/1.1.1** Family Building policy document, EN 00417942-43 [“we consider matters of family as being inseparable from matters of the entire nation and people. [...] So, building our revolutionary families is not just for our personal interests or happiness or to have children and grandchildren to continue the family line. Importantly, it is so that the revolution may achieve its highest mission, to liberate the nation, the people, and the poor class and then advance toward socialism and communism, which are societies in which people no longer exploit other people.”]; **D342/1.1.8** Elizabeth Becker, T. 9 February 2015, 13.35.32-13.37.45, EN 01453629 [“except for in the model co-ops, I didn’t see [traditional] family groupings and there was no disguising that it was by and large discouraged so they would be working, working, working, as they kept saying, ‘Work is their major resource’.”]; **D219/370.1.5** Henri Locard, *Pol Pot's Little Red Book: The Sayings of Angkar*, EN 00394900 [“The *Angkar* willed that all family ties be more utilitarian and less emotional. It was a matter of producing children.”]; **D117/36.1.23** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533 [“Marriage - not merely between Party members [...] but between any two people - was a Party, not an individual affair”].

1470 **D342/1.1.8** Elizabeth Becker, T. 9 February 2015, 13.35.32-13.37.45, EN 01453629 [“children were no longer living with their families by and large -- they were sent on [...] to] what they called Children’s Brigade. And, at one point I saw a row of very young children gathering firewood and that was called the Children’s

Brigade. Other times, you'd see a truckload of what looked like, sort of, pre-teens, teenagers, and by gender, they would be either young girls or boys, and they would be in brigades.”]; **D315.1.4** Ry Pov, T. 12 February 2015, 11.28.55-11.29.54, EN 01452130 [in Tram Kak District, Takeo Province, Southwest Zone: “At that time men were separated from women, and we were put into different groups according to our age. For example, children will be grouped into the children’s unit and for the adults would be put into the adults group, and we could not live or mingle together”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 14.24.54-14.29.35, EN 01385299-300 [in Siem Reap Province, North Zone: “During Khmer Rouge regime, husbands and wives and children were all separated from each other. The children were in the children’s mobile unit. The mothers were in the female units and the husbands were in the male units and for the very small ones and infants they were with elderly women. [...] They put us to work in different locations and even our children, they were not allowed to come back home. They stayed at their worksites.”]; **D6.1.670** Khim Pang Written Record of Interview, 27 October 2009, A16, EN 00411492 [in Sre Praing, Takeo Province, Southwest Zone: “I was married and had 4 children. My wife and children were not allowed to live with me in Sre Praing. They lived in another house in Ta Pthem village.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891 [“each family member was separated from each other to contribute to the revolutionary cause. Children were separated from their parents to work in mobile groups or as child soldiers.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322866 [“After the wedding ceremony, most couples were separated for forced labor in different areas and they were not allowed to live together. [...] In many cases, a wife was allowed to stay in her own village, while her husband was sent away from his wife and children. [...] Therefore, they could not have a marriage life per se.”]; **D310/1.1.5** Katrina Natale, *“I Could Feel My Soul Flying Away From My Body”: A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces*, EN 00992134 [“Husbands, wives, parents and children were often separated into distinct work units or even moved to different geographic locations.”].

1471 **D219/888.1.3** Kasumi Nakagawa, T. 14 September 2016, 09.43.49-09.45.27, EN 01361858-59 [“When the mothers were breastfeeding a child, a child was allowed to stay with the mother in the night and mostly over the lunch time, but except those time[s], mothers were forced to work in the field or in the farm away from even a very small baby. When the mother stopped breastfeeding, [the] mother was not allowed to see a child even during the lunch time. There was an old woman [...] taking care of a group of small children who were not yet able to work, and those were small, small kids.”]; **D342/1.1.9** Elizabeth Becker, T. 10 February 2015, 10.43.49-10.45.56, EN 01446919 [“Children were divided from their parents often at very young ages. That children were discouraged from seeing their parents as their authority figures, that it would be the Khmer Rouge, the cadre who would be the authority figure.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 14.08.13-14.09.33, EN 01385292 [in Siem Reap Province, North Zone: “After I delivered my baby I spent time, only one month and a half with my baby. But during that one month and a half, I did not stay close to my baby at home because I was assigned to grind rice at the cooperative.”], 15.11.46-15.14.03, EN 01385309 [“my children were not considered as my children anymore because they were separated away from me. They were managed by Angkar. For the children aged two or three years old were looked after by elderly women. I had no children with me.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891 [“Children were separated from their parents to work in mobile groups or as child soldiers. The Angkar educated child soldiers to spy [on] what their parents were saying against the Angkar to dissolve the tie between children and parents.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322875 [“Mostly women were not allowed to rest for weeks at a time [after childbirth], and the shortest rest was three days. Ms. Cham Saroum, Ms. Lann Kimhuan and Ms. Nheak Nen were all ordered to go back to work only after 3 days after childbirth. [...] Basically, the KR needed as many laborers as possible for the revolution, so any person who could work should work.”], EN 01322878 [“During the KR regime, children were commonly removed from their parents and stayed in a group with the KR. Ms. Eng Lim, 63 years old recalled, ‘I was allowed to take care of my baby only at night after I came back from work. Nighttime for me was a time to breastfeed my baby.’ Ms. Savorn also recalls, ‘At the regular nightly meeting the KR soldiers told us [...] that they wanted to brainwash children about the KR policy since children were small.’”]; **D310/1.1.5** Katrina Natale, *“I Could Feel My Soul Flying Away From My Body”: A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces*, EN

- 00992134 [“Frequently, shortly after birth, newborns were given to others to be nursed and cared for, while their mothers returned to labor with work units during the day. Children were taught that *Angkar*, rather than their family, was the entity to which they owed respect and allegiance.”]; **D1.3.31.1** David Chandler *et al.*, *Pol Pot Plans the Future*, EN 00104076 [Pol Pot delivered before the Party Centre an explanation of the Party’s plan for 1977-1980, stating, *inter alia*: “mothers must not get too entangled with their children; there should be time (for the mothers) to go and work”].
- 1472 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237929 [“they thought sex should be restricted because it took up too much time and detracted from the chores at hand, overnight industrialization and glorification of the motherland. [...] Young people were segregated by sex and expected to work, learn utter devotion to Angka, and forget about the opposite sex.”]; **D310/1.1.4** Bridgette Toy-Cronin, “*I Want to Tell You*”: *Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449489 [“love and family relationships [...] were considered a distraction to the goals of the revolution.”].
- 1473 **D6.1.753** *Revolutionary Flag*, September-October 1976, EN 00450538 [“manifestations [of private ownership]: [...] organizing by one’s personal sentiments, by one’s family, by one’s clique, and not standing upon the political, ideological, and organizational line of the Party. So then, that is wrong.”]; **D310/1.1.1** Family Building policy document, EN 00417942 [“many youths have absorbed the world views of the oppressor class. They search out spouses or build families only out of personal material greed. That is to say, they seek out family interests or happiness by completely breaking from the interests and the fate of the entire nation and people.”]; **D322/8.1.14** CPK Publication, *Sharpen the Ideology of the Proletarian Class*, EN 00743806-07 [“Starting from the beginning of our struggle and, subsequently, during our political struggle and during the war, the private possession affected the revolution’s interest. For example, any ones who are concerned about their family’s interest too much always deviate from the revolution. They leave the revolution to live separately, seeking happiness in their family but not in the Party. Then, in one day, their quality is changed, and they have the conflict with the Party.”]; **D322/8.1.12** *Revolutionary Youth*, November 1975, EN 00522461 [“Sentiment possession: Only care about, sympathize with, and love their own family, friends, relatives and parents. [...] These are the wrong activities stemming from the individual possession stance, which is the ideology of the oppressive classes includ[ing] the imperialist, feudalist and capitalist.”]; **D1.3.22.1** *Revolutionary Youth*, October 1975, EN 00357909-10 [“There is still the ideology of personalism, seeing and thinking only [of] one’s personal surroundings, only one’s family and clique surroundings, not yet seeing far away and broadly all over the country, [...] and thinking even less of the interests of the entire nation”]; **D117/36.1.23** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533 [“Similarly, if a man felt a sentimental attachment developing with a woman, he should ‘take a collectivist stand, and resolve it ... To do otherwise is to have a strong private stance.’”]; **D219/370.1.5** Henri Locard, *Pol Pot’s Little Red Book: The Sayings of Angkar*, EN 00394900 [“Let us all live as one huge new family and think only of the interest of the collective. [...] Give up all personal belongings: renounce your father, your mother, all your family.’ Here is one of [the] fundamental commandments of the society created by the Khmer Rouge, although it broke all the country’s traditions.”].
- 1474 **D6.1.753** *Revolutionary Flag*, September-October 1976, EN 00450539 [“No aspect of private ownership is good. [...] private ownership has always had a negative impact on the revolution. For example, anyone who thinks a lot about family interests always deceives the revolution, renounces the revolution, and lives separately seeking family happiness, not seeking happiness inside the Party.”].
- 1475 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237929. See also **D310/1.1.6** Kasumi Nakagawa, Gender-Based Violence during the Khmer Rouge Regime. *Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891.
- 1476 See, e.g., **D5/1704/3** Yos Phal, T. 27 May 2013, 15.34.58-15.39.19, EN 00916580-81 [in Takeo Province, Southwest Zone: “My fiancée was a woman whom I understood her well and she understood me well and we were ready to get married. [...] Then the unit chief said [that because] the older brother of the woman was smashed by Angkar, that Angkar would prohibit me from marrying her”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.24.56-14.26.27, EN 01362145 [in Mondulhiri Province, Northeast Zone, 1977: “I [already] had a fiancée at my village. [...] I agreed to the arrangement for [a different] marriage despite my unsettling feeling”]; **D342/1.1.18** Seng Soeun, T. 29 August 2016, 15.06.45-15.08.32, EN 01369899 [the Civil Party was in charge of organising weddings in S’Dang District, Kandal Province, Southwest Zone: “I witnessed one case where a civilian youth fell in love with a soldier secretly, they violated the morality and they were

arrested and shot dead”]; **D219/36** Chhuom Savoeun Written Record of Interview, 15 October 2014, A18-19, EN 01053603 [in Battambang Province, Northwest Zone, 1976: “two women [and two Khmer Rouge soldiers] were arrested, charged with a moral offense. [...] They said only husband and wife could have intimacy, and that intimacy outside of wedlock was a crime of immorality [...] *Ta Chham* said they could not be pardoned. After that *Ta Chham* said they had to be smashed. Then they had the four wrongdoers kneel in front of all the people, and Khmer Rouge soldiers beat those four wrongdoers to death”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A222-224, EN 01111848 [the witness was a soldier in Kaoh Andaet District, Takeo Province, Southwest Zone: “Even I could not choose some[one] I loved to get married. Q: Were you in love with a relative of a Lon Nol soldier? A: Yes, I was. She was related to the Lon Nol soldier. Q: Were you prohibited from marrying her because her background was not cleared? A: Yes, I was.”]; **D119/131** Thang Thoeuy Written Record of Interview, 16 June 2014, A57, EN 1025296 [in Banteay Meanchey Province, Northwest Zone: “Q: Did you know why those 10 people were taken for execution? A: Because they were accused of committing moral offences.”]; **D6.1.591** Mour SETHA Written Record of Interview, 19 August 2009, EN 00373370 [in Pursat Province, Northwest Zone: “While I was in the mobile unit in Bak Chuncheon Village, Bakan District, the Khmer Rouge arrested a man and a woman, tied them together and transported them for execution. The two persons were accused by the Khmer Rouge of loving each other which was considered as a moral offense at that time.”]; **D5/1050/3** Nap Somaly Written Record of Interview, 22 January 2015, A159-61, EN 01069373-74 [in Kampong Som Province: “Committing moral offenses meant having sex with someone secretly. [...] I could be taken to be killed if I made such a mistake.”]; **D6.1.688** Bun Thien Written Record of Interview, 17 August 2009, EN 00384409 [the witness attended a sector level meeting in Phnom Penh, 1977: “‘They’ talked about a one-husband-one-wife policy. Anyone committed moral offence would be smashed.”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237858 [“Gaiety was suspect. Flirting was banned and punished as severely as gambling.”], EN 00237929 [“Any sex before marriage was punishable by death in many cooperatives and zones.”], EN 00237962 [“In Democratic Kampuchea a couple could marry only with the approval of cooperative elders: in practice that meant marriages were generally arranged by the party.”]; **D6.1.595** Michael Vickery, *Cambodia 1975-1982*, EN 00397102 [“Marriages in DK could be contracted only after securing the permission of the authorities”], EN 00397104 [“family relationships were subject to the same suffocating authority as all other aspects of life.”]; **D219/370.1.7** Gina Chon and Thet Sambath, *Behind the Killing Fields: A Khmer Rouge Leader and One of His Victims*, EN 00757496 [“The institution of marriage was also twisted under the Khmer Rouge to fit party needs. [...] The opinions of the prospective groom and bride did not matter. Marriage became a government policy and an institution that served the revolutionary cause.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891 [“Another policy was the prohibition of ‘moral offence’. The crime of ‘moral offence’ included the relationship between men and women without the benefit of marriage. The punishment [...] depended on the degree of the relationship such as showing love towards the opposite sex. Also, a pregnancy without a marriage was a moral offence and regardless of the reason why a woman got pregnant, both man and woman were punished. Even a victim of [rape] was punished for committing a ‘moral offence’. As long as the relationship was not acknowledged by the *Angkar*, the perpetrators and victims were punished.”], EN 00421892 [“No marriage was carried out without an instruction by the *Angkar*. A slogan of the *Angkar* said, ‘*Angkar* endorses (your partner). If you do not obey *Angkar*’s discipline, you will be sent to a study session for a time’.”], EN 00421893 [“People were not allowed to make any objection to the decision of the *Angkar* and a marriage order was no exception. Refusal to marry could have resulted in torture, imprisonment or death.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449476 [“The Government officially prohibited sexual relationships outside marriage as sexual relationships were a distraction to the aims of the revolution. If the *Angkar* discovered anyone breaking this rule, the *Angkar* could punish or kill both the man and the woman. The policy applied regardless of whether the sex was consensual or non-consensual; the *Angkar* would punish or kill both a victim and a rapist if it discovered the rape.”]; **D117/36.1.23** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533 [“‘Free choice of spouses’ was explicitly condemned.”].

¹⁴⁷⁷ **D310/1.1.1** Family Building policy document, EN 00417943. See also **D342/1.1.19** Chea Dieb, T. 30 August 2016, 15.19.38-15.23.29, EN 01370018 [referring to the above passage from the Family Building policy document: “The content of the document is consistent with what I experienced during the regime. We had to

respect the opinion of the collective and that could not be changed.”]; **D310/1.1.1** Family Building policy document, EN 00417945 [“Only by handing over the family for the Organization, for the collective, to help educate and build and by having them go down into the fray inside the mass movement can our families prosper well in the direction of the Party.”].

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D6.1.739 *Revolutionary Flag*, September 1977, EN 00486263 [“We must double our efforts and rapidly raise the standard of living of our people [...] so the Kampuchean population can increase in number rapidly enough to effectively defend and build our Kampuchea into a prosperous and developed country by leaps and bounds.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.48.56-13.51.10, EN 01369990 [the Civil Party attended a meeting in Phnom Penh in 1975 at which Khieu Samphan spoke: “Q: When [Khieu Samphan] said that older male and female youths should be arranged to get married, did he explain the reason why they should get married? A: He said that they should [...] get married so that they would produce children to – and [...] when they produce children, we will have more forces to defend our territory.”]; **D342/1.1.24** Say Naroeun, T. 25 October 2016, 11.06.54-11.08.48, EN 01371183-84 [at the Civil Party’s marriage in Chamkar Leu District, Sector 42, North Zone, 1975: “The announcement was made for me, and I was asked to repeat the words, that is, to bear as many children as possible since Angkar needed people to defend the motherland.”]; **D219/370.1.10** Nuon Chea Written Record of Adversarial Hearing, 19 September 2007, EN 00148699 [“Making revolution requires people, and building the nation also requires people.”]; **D117/36.1.3** Chhun Thi Written Record of Interview, 2 March 2010, A4, EN 00513314 [at a meeting of leaders and cadres in Kampong Chhnang Province, West Zone, June 1978, Pol Pot stated that “within 10 to 20 years we must increase number of population up to between 20 and 30 million in order to have enough forces to protect our country.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A188, EN 01139573 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone from 1977: “Q: Do you recall what Ta Tith said during the meetings? A: I recall that he told people to get married, have children, create new families, and create new soldiers.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“As part of the [Khmer Rouge] wedding ceremony, which took little more than five minutes, assigned husbands and wives [publicly] promised to have a child within one year. [...] The main purpose of the marriages was not to form privatized families as in a traditional context, but to ‘produce children to serve the revolution.’”].

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D6.1.755 *Revolutionary Flag*, December 1976-January 1977, EN 00491435 [“So then, the essence of socialist revolution and building socialism is the goal of building the country well, defending the country well, and sorting out the livelihood of the people quickly. We need from 15 to 20 million people to meet the needs of our land.”]. *See also* **D6.1.739** *Revolutionary Flag*, September 1977, EN 00486262-63 [“we need to increase our Kampuchean population to 15 to 20 million over the next 10 years. [...] Today, our population, which is nearly eight million, falls short of the country’s potential need, which is for more than 20 million people. Therefore, our aim is to increase the population as quickly as possible.”]; **D6.1.1257** Ieng Sary Statement to the UN General Assembly, 11 October 1977, EN 00079815, paras 60 and 63 [“We are endeavouring very rapidly to improve the living conditions and the health of our people because we need a population of 15 to 20 million in 10 years’ time. [...] We have no reason to reduce the size of our population or to maintain it at its present level for, with close to 8 million inhabitants, our population is still far short of our country’s capacity, which has a need of more than 20 million people. This is why our objective is to bring about a very rapid increase in our population.”]; **D257/1/3.11** Pol Pot Statement at Meeting of CPK Central Committee Discussion with the Belgium-Cambodian Association Delegation, 5 August 1978, EN 00574566 [“The Communist Party of Kampuchea and the Government of Democratic Kampuchea plan to increase the number of its population from 15 to 20 [million] within 10 to 15 years.”]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 51:24-52:28 [audio footage of Pol Pot stating: “Today, our country is small and sparsely populated. The country has only eight million inhabitants. We’re still far from the potential of our country. In the coming ten years, we will need twenty million Cambodians. We have no reason to reduce the number of our people or to maintain it. Our goal is to increase the number of people as soon as possible.”]; **D6.1.745** *Revolutionary Flag*, September 1978, EN 00488637 [“Our policy to increase the population is receiving good results in its initial steps. [...] Presently, the birth rate is less tha[n] 13 per thousand since the numbers of infants and children dying has been greatly reduced. Thus, our population has increased beyond what it was before the coup. But this speed is not yet sufficient when compared to the objective of the Party, the aim to increase the population to 15 to 20 million within ten to 15 years.”]; **D219/370.1.10** Nuon Chea Written Record of

Adversarial Hearing, 19 September 2007, EN 00148699 [“The Five Year Plan of the Party was to increase the population to 15 million”]; **D219/370.1.11** Summary of World Broadcasts, *Interviews with DK Leader (Nuon Chea) on Population Policy and Struggle against Vietnam*, 27 October 1981, EN S 00030349 [“Since 1975 Democratic Kampuchea has always required a rapid increase in its population. Thus, the four-year plan of 1977-1980 aimed at increasing our population to at least 15,000,000 within five to 10 years.”]; **D6.1.532** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498284 [“Philip Short was correct when he wrote: ‘Pol Pot did not intend to reduce the population. To the contrary, his aim was to increase the population by a factor of two or three. Specifically, he wanted the population of Kampuchea to rise to ‘15 to 20 million within ten years,’ the number that was required to accomplish the various plans that would bring strength and prosperity to the country.”].

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D117/36.1.3 Chuon Thi Written Record of Interview, 2 March 2010, A4, EN 00513314 [the witness attended a meeting of leaders and cadres in Kampong Chhnang Province, West Zone, June 1978: Pol Pot stated that “within 10 to 20 years we must increase number of population up to between 20 and 30 million in order to have enough forces to protect our country.” Pol Pot added that he “required arrangement for marriage to increase number of population by instructing lower echelons to arrange the wedding for people.”]. *See also* **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.47.14-13.51.10, EN 01369989-90 [in Phnom Penh, 1975: “[During the meeting at Ounalom Pagoda, Khieu Samphan] said that all female cadres needed to work for the state and those with the age above 19 from all ministries needed to be arranged to get married. [...] He asked all ministries to arrange marriage for all male and female youths. We should not [keep] them all without marriage, only those who were still young should be kept unmarried. [...] Not long after he said that, my forces were arranged to get married during the DK regime.”], 15.04.52-15.06.55, EN 01370012-13 [“Q: [...] Khieu Samphan said that the purpose of getting married [...] was to produce children? A: That’s what he said and [it was] not only him who said that. During all meetings that I attended they talked about the same thing, all cadres raised the same point during the study sessions or meetings.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A188, EN 01139573 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Q: Do you recall what Ta Tith said during the meetings? A: I recall that he told people to get married, have children, create new families, and create new soldiers.”], A191-192 and 195, EN 01139574 [“Q: During the previously mentioned meetings, [you said] Ta Tith spoke of the necessity for people to get married. How many times did he say that? A: Frequently, many times. Q: When were those meetings held? A: Every single year. [...] Q: Who attended the meetings? A: The commune and district committees, village chiefs, ordinary people, the male and female youth.”]; **D219/398** Ruos Suy Written Record of Interview, 7 July 2015, A87-88, EN 01147811 [the witness was a cadre at the State Warehouse Ministry in Phnom Penh (*see* A23-24 and A30-31): he recalled two ministry leaders speaking about the need to increase the population through organised marriages]; **D219/370.1.7** Gina Chon and Thet Sambath, *Behind the Killing Fields: A Khmer Rouge Leader and One of His Victims*, EN 00757496 [“Because they wanted to double the population, the Khmer Rouge wanted to increase the number of marriages. [...] Marriage became a government policy”].

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D301/2.1.21 Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037079 [“Case studies suggest a spike in forced marriage in the second half of 1978.”]. *See also* **D219/398** Ruos Suy Written Record of Interview, 7 July 2015, A77-78, EN 01147809 [the witness was a cadre at the State Warehouse Ministry in Phnom Penh (*see* A23-24 and A30-31): “The marriages began in 1976, but strict measures were implemented from 1977. However, I am not sure of the dates. Q: What do you mean by ‘strict measures’? A: I mean that 100 couples per month had to get married.”], A84 and A90-91, EN 01147810-11 [“Q: Where did the order to marry 100 couples per month come from? A: I think that it was issued by the ministry chairman. [...] I just know that [warehouse ministry chairperson] Rith alias Roeung ordered my chief, and my chief ordered me to prepare vehicles [to transport people to the ceremonies]. Marrying 100 couples a month did not mean those 100 couples had to get married at once. The wedding ceremonies could be held three times a month.”]; **D219/243** Van Sang Written Record of Interview, 28 March 2015, A64, EN 01092992-93 [in Bakan District, Pursat Province, Northwest Zone (*see* A3-A4): “Forced marriages occurred in late 1977 and in late 1978. In late 1977, people were forced to get married once. By late 1978, the forced marriages happened again. However the number of people forced to get married in late 1978 was larger than that in late 1977. The forced marriages happened in my cooperative, yet I do not know about what happened regarding such marriages in other cooperatives.”]; **D118/212** Meas Nakry Written Record of Interview, 1 April 2014, A113, EN 00985165 [in Sector 1,

- Northwest Zone: “[Forced Q:marriage] happened from 1977 to 1978. *Angkar* said that they needed the next generation of people.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482541 [“In keeping with what seems to have been a shift in Democratic Kampuchea in 1978 onwards solidifying Khmer Rouge wedding and post-wedding protocol, respondents spoke of a range of Khmer Rouge huts being built specific for wedding nights.”].
- 1482 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.26.47-14.28.40, EN 01361808 [“Q: Did the couples that were forcibly married -- did you hear accounts that said they were being monitored by the Khmer Rouge local authorities to ensure that the marriage was consummated? Did you hear accounts of that nature? A: Yes, I heard those stories, particularly by the people who were forced to marry against their will.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449490 [“The coercion was not limited to forcing people to marry but continued after the wedding ceremony. Newlyweds were required to spend the first and often three or more nights together. For couples who had never seen each other before, the first night of their marriage was difficult. Almost all the informants reported that they believed that the *Angkar* required that they had sex with their new spouse. *Chhlop* would come and observe under the ‘honeymoon’ houses arranged by the *Angkar* to see if the newlyweds were fighting and if they were having sex.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Married couples stayed with each other a few days following the wedding, often with Khmer Rouge spies, or *chhlob*, making sure they consummated the marriage with sexual relations.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045677 [“Those forced to marry were also required by the Khmer Rouge to consummate the marriage. Almost all the ethnic minority respondents forced to be married reported being watched by the Khmer Rouge at night to ensure consummation.”], EN 01045714 [“Because the purpose of forced marriage was to produce children for *Angkar*, newly wed couples were almost universally pressured to engage in sex under the watchful eye of the Khmer Rouge.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421896 [one interviewee stated: ‘After the ceremony the soldiers came to observe us, ensuring that we loved each other and had sex, if not they would kill us. [...] My husband asked me first whether I loved him or not. I said, love or not, I had to follow *Angkar* or we would be killed. He thought this too.’].
- 1483 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.53.00-13.54.26, EN 01361793 [“after, maybe, three months or if he’s lucky, one month, [the husband] came back to see the wife.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045714 [“After [the initial phase of the marriage] some couples lived separately and were only allowed to come together every couple of months.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Then, the pair went back to their respective workgroups, meeting for conjugal visits every seven to ten days—or as long as months apart”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237962 [“The puritanism of the regime restricted many newlyweds from living together and provided for conjugal visits a few times a month when the wife believed herself fertile.”].
- 1484 **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237929.
- 1485 **A259** Ta An’s Application to Seise the Pre-Trial Chamber with a View to Annulment of Investigative Action Concerning Forced Marriage, 19 December 2014, para. 48, EN 01051826-27.
- 1486 **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037039 [quoting from May Ebihara’s 1968 dissertation (Svay, a Khmer Village in Cambodia): “Marriages were largely arranged by parents, primarily mothers, and ‘in most cases, the child’s own inclinations and desires [were] taken into consideration and he/she [was] not forced into doing something distasteful.’ In return, parents generally received ‘obedience, deference, and devotion from their children.’ Marriage relationships ranged from those of necessity or convenience to deep mutual ‘sentiment and regard,’ and are most accurately described as alliances between whole families rather than contracts between individuals.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322864 [“Forced marriages found in this study can be distinguished from traditional marriages in Cambodia because there was no parental involvement in the process”]; **A259.1.5** Heuveline & Poch, “Do Marriages Forget Their Past? Marital stability in Post-Khmer Rouge Cambodia”.

- Demography, February 2006, EN 01051848 ["In Cambodia, marriage traditionally follows an extended spouse-selection process, negotiated primarily by the parents of the potential spouses. Like in many other societies, parents' marital strategy is guided foremost by a concern over the social and economic status of the family their offspring's marriage associates them with. Parents also pay attention to the individual traits of the potential spouses because they believe that the compatibility of such traits is predictive of the stability of a subsequent union. Shared beliefs about what contributes to marital harmony and to a proper husband-wife relationship, however, are embodied in such compatibility norms, whose efficiency in improving marital stability can hardly be assessed."]; **D257/1/3.1.41** Annuska Derks, *Khmer Women on the Move*, EN 01151585 ["Ideally, marriage arrangements involve the families of both the young woman and the man, where reputation and economic position play an important role."].
- 1487 **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322854 ["Commonly a man's mother approached a woman's mother to inquire about a marriage proposal. It could be a proposal made by the boy himself or [his] parents may have chosen an appropriate bride for their son."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037040 [quoting from May Ebihara's 1968 dissertation (*Svay, a Khmer Village in Cambodia*): "'According to ideal custom, a young man makes his own choice as to whom to marry and, once having decided, asks his parents to begin negotiations with the girl's family.'"]; **A259.1.5** Heuveline & Poch, "Do Marriages Forget Their Past? Marital stability in Post-Khmer Rouge Cambodia". *Demography*, February 2006, EN 01051849 ["Either the groom or his parents can initiate contacts with a potential bride's family, but a matchmaker is often involved in identifying an acceptable match."]; **D257/1/3.1.41** Annuska Derks, *Khmer Women on the Move*, EN 01151585 ["The betrothal procedures do not take place directly between the families on both sides, but through a go-between who, on behalf of the young man's parents, contacts the parents of the young woman, as well as the spirits, to ensure their acceptance of the new relationship"].
- 1488 **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482484 ["According to tradition, an *achaa* sets the date of the marriage. [...] The wedding day is determined by the horoscopes of the bridal couple (with preference for the female's reading) as a way of indicating good fortune days and avoiding dangerous dates."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037039 ["Ebihara points out the 'critical importance' of a couple's horoscope being examined by the *achha* [religious layperson] to assess astrological compatibility and to set the most auspicious wedding date."]; **A259.1.5** Heuveline & Poch, "Do Marriages Forget Their Past? Marital stability in Post-Khmer Rouge Cambodia". *Demography*, February 2006, EN 01051849 ["Parents also try to assess the compatibility of the potential spouses, in particular by consulting an *achar*, an elderly religious man who bases his evaluation on the astrological combination of the bride's and groom's respective birth timing."].
- 1489 **A259.1.5** Heuveline & Poch, "Do Marriages Forget Their Past? Marital stability in Post-Khmer Rouge Cambodia". *Demography*, February 2006, EN 01051849 ["Once engaged, the potential groom is expected to work for his in-laws (*twee bomrae*, in Khmer) during a prenuptial period of coresidency of up to a year. This arrangement can be thought of as a form of bridewealth, but it is also intended to test his personal qualities. The wedding is traditionally sealed by the acceptance of gifts from the potential groom to his future parents-in-law."]; **D257/1/3.1.41** Annuska Derks, *Khmer Women on the Move*, EN 01151585 ["These betrothal procedures include negotiations concerning the bridewealth, which is variously called *cumnuun* (gift), *tlay tik doh* (price of the mother's milk), *tlay pteah* (price of a house), or *khan sloa* (payment during the wedding ritual with sword and betel)."]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322855 [Ms. Muy Kea recalled: "My father married again when I was 9 years old. His wedding was a huge celebration because he was rich. The second wife, my stepmother, required a lot of money from him for the wedding, as it was her first wedding ceremony."].
- 1490 **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045714 ["traditional Cambodian weddings [...] typically run for two to three days"]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482484 ["Across documented material, wedding rites have involved preparations for a ceremony that occur[s] within one to three days."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037039 ["Ebihara's two-volume 1968 dissertation provides one of the most comprehensive anthropological surveys of village life of

the pre-Khmer Rouge period, including weddings and marriages. She describes weddings as elaborate ceremonies of multiple days that carried deep cultural meaning.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Traditional Cambodian wedding[s] [...] involve lengthy ceremonies”].

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D342/1.1.19 Chea Dieb, T. 30 August 2016, 14.15.48-14.17.12, EN 01370001 [on marriage practice before and after the Khmer Rouge regime: “Only [one] couple is celebrated [...] and they are surrounded by their relatives, parents and grandparents who all bless them. There are traditional procession and blessing.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Traditional Khmer weddings were a means to validate and legitimize the union in the eyes of the community, the family, and, for the largely Buddhist population, in the ancestral realm. Traditionally, weddings and marriages were also a way to demonstrate the respect and obedience of children to parents, and both a marriage and the wedding event itself held spiritual meaning. For Buddhists, this included karmic consequences related to past and future lives.”], EN 01037039 [“LeVine discusses the importance of the cultural obligations during the wedding ceremony of making offerings to the ‘collective ancestral realm’ as a means of blessing the marriage.”], EN 01037039 [quoting from May Ebihara’s 1968 dissertation (*Svay, a Khmer Village in Cambodia*): “Traditional weddings, ‘riep kaa,’ were the ‘most joyous, delightful and (along with funerals), the most extravagant...of all life-cycle ceremonies,’ involving carefully planned rituals and ornate traditional clothing for the bride and groom. The ceremony includes up to thirteen ritual acts. Actors in marriage arrangements and weddings included parents, relatives, friends, elders, monks, fortune tellers, musicians and villagers at some or all parts of the cultural rituals and celebration.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482489 [“The monk is central to family and community’s wellbeing from the beginning to end of the wedding rites of passage. Monks provide counselling for the couples, and make links to deceased ancestors as a way of honouring their presence during the celebration.”], EN 00482490 [“Music is played while paying homage to ancestors, tutors, and guardian spirits of the house and village in request for safe keeping of the couple, or when the master of ceremony floats tiny boats with banana leaves (*Kantoeng*) in a silver bowl just before the (symbolic) haircut.”], EN 00482491 [“In traditional weddings, [i]nstruments, pitch and vibration, and accompanying song bring richness to the community”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045714 [“[Traditional Cambodian weddings] include extended family and friends, during which various religious and cultural rituals are performed, followed by a banquet.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Traditional Cambodian wedding[s] [...] [consist of] a large celebration involving the parents, family and friends.”].

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D219/125 Srey Socum Written Record of Interview, 16 December 2014, A140-142, EN 01067745 [“Q: Before the Khmer Rouge regime, what did a family do prior to marriage? A: [...] When a man loved a woman, he would tell his parents to make a marriage proposal for him. If the woman liked that man, they would get married. If the woman refused, she would not be forced like during the Khmer Rouge era. Q: If the woman did not love the man, what would happen? A: There was no issue. They did not get married.”]; **D219/289** Penh Va Written Record of Interview, 25 April 2015, A1-2, EN 01111779-80 [“Prior to the Khmer Rouge regime, without their son’s consent, parents would not propose a marriage for him. [...] In some cases, if a woman did not love a man, she could refuse to get married to him. Q: If a woman refused to get married, what would happen to her? A: Nothing would happen to her because she did not love him.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A51-52, EN 01139555 [“Q: Prior to the Pol Pot era, who chose the husbands or wives? A: The subjects involved made their own choices. Q: Were their family members involved in the decision-making? A: Yes, the families were involved.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A13, EN 01054033 [“If there was no Khmer Rouge regime, could you have chosen a man to marry? A: Yes, I could, I would have had the right to choose a man I loved and whom I wanted to marry.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Traditional marriages in Cambodia were most often arranged, by consent, by parents for their children. For men, who initiated the proposal, choice was provided; both men and women were customarily asked to consent to the match before the wedding took place. While half of respondents married before the Khmer Rouge reported that their traditionally arranged marriage was not their choice, none of these marriages were described in the sample as

coercive, even when family pressure exerted great influence.”]. EN 01037039 [quoting from May Ebihara’s 1968 dissertation (*Svay, a Khmer Village in Cambodia*): “Marriages were largely arranged by parents, primarily mothers, and ‘in most cases, the child’s own inclinations and desires [were] taken into consideration and he/she [was] not forced into doing something distasteful.”]. EN 01037039 [“generally, traditionally arranged marriages in Cambodia previous to the Khmer Rouge regime are largely described in the literature as being between consenting adults. Consent and the right to choose one’s spouse is likewise stressed in Khmer Cham (Muslim) marriage arrangements.”], EN 01037040 [quoting from May Ebihara’s 1968 dissertation (*Svay, a Khmer Village in Cambodia*): “According to ideal custom, a young man makes his own choice as to whom to marry and, once having decided, asks his parents to begin negotiations with the girl’s family. When the latter receives a marriage proposal, the young woman herself is consulted and, again according to tradition, is free to accept or reject the offer.”]; **A259.1.5** Heuveline & Poch. “Do Marriages Forget Their Past? Marital stability in Post-Khmer Rouge Cambodia”, *Demography*, February 2006, EN 01051849 [“Parents are discouraged [...] from marrying a daughter against her will.”]; **D257/1/3.1.41** Annuska Derks, *Khmer Women on the Move*, EN 01151585 [“These betrothal procedures include negotiations concerning the bridewealth [...] Marriage arrangements, however, do not take place without the consent of the spouse-to-be.”].

1493 **D257/1/3.1.5** Code Civil et de Procédure Civile Cambodgiens. 1920, FR 01151445. Art. 163 [“Le mariage est annulable lorsque le consentement de l’un des conjoints fut vicié, par erreur ou par contrainte.”].

1494 **D342/1.1.19** Chea Dieb, T. 30 August 2016, 14.15.48-14.17.12, EN 01370001 [the Civil Party was forced to marry a soldier in Phnom Penh, 1975].

1495 **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045709 [“In order to subordinate the role of family and religion in people’s lives, the regime assumed complete control over the selection of spouses to be married, arrangements for marriage, where couples would live and consummation of the marriage.”]. See also **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 11.27.10-11.28.17, EN 01361780 [“The process of the marriages varied in many ways, but Khmer Rouge had absolute right to authorize the marriage.”]. 13.31.15-13.32.29, EN 01361784 [“during the Khmer Rouge time, in order to have a permission to marry, which legalized their relationship, they had to ask permission and approval from the Khmer Rouge.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421892 [“No marriage was carried out without an instruction by the Angkar. A slogan of the Angkar said, ‘Angkar endorses (your partner). If you do not obey Angkar’s discipline, you will be sent to a study session for a time’. Marriage was not an individual matter, but was regarded as an important ceremony to make an oath to the Angkar. Therefore, it was strictly controlled by the Angkar at the village level.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Dy of the Documentation Center of Cambodia provides a comprehensive summary description of the dramatic difference of Khmer Rouge weddings compared to traditional weddings. Most men and women were not allowed to choose their partners and instead, Angkar, which claimed to be everyone’s parent, assigned spouses. Victims included both men and women.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“People were not however free to choose their marriage partner as the Government instituted a policy whereby couples [were] selected by the Angkar and then married in mass ceremonies.”].

1496 **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.12.35-09.14.46, EN 01371140 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “none of my relatives or family members knew that I got married that day, including my mother. It was Angkar who made the determination for me to get married.”];

D342/1.1.20 Nop Ngim, T. 5 September 2016, 11.26.09-11.27.22, EN 01382729 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “Even my siblings, my parents did not know that I got married”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.54.56-13.56.22, EN 01369992 [in Phnom Penh, 1975: “I never consulted with my parents or siblings because they were living far away from me, although I wanted to ask for permission to visit them but they did not allow me to do so. So I simply followed the order from Angkar.”]; **D219/125** Srey Soeum Written Record of Interview, 16 December 2014, A118, EN 01067742-43 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “I worked at the front line, and my parents stayed at home in the village. At that time, I made a request to the Cooperative Committee. I asked him, ‘Can I tell my parents?’ He answered, ‘There is no need! Angkar makes the arrangements for the

children of *Angkar*.”]; **D219/302** Khoem Choem Written Record of Interview, 5 May 2015, A16, EN 01111890 [in Moug Russei District, Battambang Province, Northwest Zone, October 1978 (*see* A21): “I told [Northwest Zone cadre Ta Yin] that I would not get married unless he went to ask for my parents’ consent first. He replied that there was no need to ask them for I was *Angkar*’s daughter, and that if I was asked to get married, I had to follow the order.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body: A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Family members [...] were not consulted in marriage arrangements or matches.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322845 [“The forced marriages were different from traditional arranged marriages because parents had no power in the decision process of their daughters’ marriage, but instead, the KR became ‘parents’ to those who were marrying.”].

1497 **D342/1.1.18** Seng Socun, T. 29 August 2016, 09.55.14-09.56.58, EN 01369841 [the Civil Party was in charge of organising weddings in S’Dang District, Kandal Province, Southwest Zone: “I simply followed the order from the district chief [...] that I needed to collect the biographies from the male mobile units and female mobile units and then decided whom should be arranged to get married. I simply followed the instruction from the district committee.”], 09.59.46-10.01.08, EN 01369843 [“the instruction from the district committee, which was relayed to me, that New People should be matched only with New People, while the Base People would be matched to the Base People.”]; **D342/1.1.19** Seng Soeun, T. 30 August 2016, 11.17.43-11.18.43, EN 01369972 [“The two mobile units, that is, the male and female mobile units, according to the plan of the district committee, had to select, let’s say, 20 to 30 couples or 25 couples on one particular occasion. Then the respective mobile units would select the numbers and submitted those names to Phon (phonetic) and Phon (phonetic) would [assign] me to match those people based on where they lived and their age range and that the men had to be three to five years older than the women and that’s what I did.”]; **D118/242** Khoem Bocun Written Record of Interview, 21 May 2014, A112, EN 01057695 [the witness was the Cheang Tong Commune chief in Tram Kak District, Takeo Province, Southwest Zone (*see* A17, A22-24): “The Party decided, but they arranged for the new people to marry the new people, while the old people had to marry the old people.”], A120, EN 01057697 [“It was my understanding that the new people were no-good. They were the enemy and were not as valuable as the old people. Thus they were not allowed to marry] the old people.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482531 [“I plotted couple’s demographic data according to their status at the time of the wedding, and the only trend I found was that new people tended to be paired with new people or new-base people”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“The couples were almost always of the same class, for example only ‘new’ people were married to ‘new’ people.”].

1498 *See, e.g.*, **D219/702.1.139** Kaing Guek Eav alias Duch, T. 16 September 2009, 09.08.45-09.11.46, EN 00378697 [“I was the cadre of the Democratic Kampuchea. And I had no right to get married with any people who were evacuated. I had no right to get married to the 17th of April people, people who were evacuated from Phnom Penh. I would like to reiterate that the wife I got married to was the candidate, a member of the CPK.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 10.45.36-10.47.52, EN 01382713 [the witness was the deputy district secretary in Samlaut District, Battambang Province, Northwest Zone, when she was forcibly married in 1978: “My husband and I had good biographies. That’s why we were matched.”].

1499 **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.58.20-14.02.17, EN 01369994 [at her forced marriage in Phnom Penh, 1975: “Among the 12 couples, the female sides were also female combatants and the male sides were also male combatants, but the male combatants were all handicapped. Because they could not fight [against] the enemy any longer, they were brought in to get married. Some of them lost legs, some lost one arm; some had one eye blind. Many of them could not walk properly. All were handicapped soldiers.”]; **D118/296** Hoem Chhongly Written Record of Interview, 26 August 2014, A24, EN 01044726-27 [in Battambang Province, Northwest Zone: “sometimes women in these resolute mobile units were forced to marry disabled former Khmer Rouge soldiers. The women in the resolute mobile units were evacuated from Phnom Penh and other Sectors. [...] I knew one case of a beautiful woman named Dieb who was forced to marry Pek Kuok, a disabled former soldier of the Khmer Rouge regime.”]; **D219/655** Khay Chhauy Written Record of Interview, 20 January 2016, A24, EN 01207529 [in Battambang Province, Northwest Zone, 1978: “It was a law of those days. It was prescribed that the handicapped or amputated soldiers were permitted by their leaders to get married.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A227, EN 01111848 [the witness served as the Bavel District Secretary in the Northwest Zone: “two women disagreed

to get married. Ta Chay [Sector 5 Secretary] had instructed me to consult with the two women on the reasons of their being married to disabled soldiers. I explained to them that they had a patriotic responsibility to marry and care for the soldiers who had become disabled because they engaged in the fighting for the nation.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A136-137, EN 01139567 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Yes. *Angkar* arranged marriages for handicapped soldiers. Q: Did *Angkar* have reasons to arrange marriages for the handicapped soldiers? A: To raise their morale, to let them know that *Angkar* had not abandoned them. Despite being disabled, *Angkar* still looked after them.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A35, EN 01076950 [the Civil Party Applicant was a member of the Krala Commune Committee in Kampong Siem District (Sector 41, Central Zone) from June 1977: “My wedding was 33 days before the Vietnamese came. At that time there were 17 couples, of which three couples among them were forced to get married. The three grooms were the former Khmer Rouge soldiers who were disabled. When they returned home, the commune chief arranged their marriage, choosing brides [for] them regardless of whether or not the brides agreed.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A12, EN 01050562 [in Prey Chhor District, Sector 41, Central Zone, 1977: “At that time, they forced me to marry a handicapped man whom I did not love”]. A24, EN 01050566 [“Q: Why did they choose a handicapped person to marry you? A: Back then, the handicapped people were the ones who had made sacrifices on the battlefield, so they selected those people to marry women as an incentive for those handicapped soldiers.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Other details and variances mentioned by researchers is the practice of marrying beautiful young women to disabled Khmer Rouge soldiers”]; **D219/370.1.8** Norodom Sihanouk, *Prisoner of the Khmer Rouge*, EN 00632939 [“Then, with the same degree of innocence, [Khieu Samphan] confessed to the existence of forced marriages (the he claims are not forced). Young girls chased from Phnom Penh and other towns in April 1975 forced into unions with the ‘Khmer Rouge heroes’. [...] the severely injured, the disabled veterans, the one-eyed, the blind, the armless, the one-legged and even individuals without legs. Whereas Khieu Samphan asserted that the young ladies were ‘fervently patriotic’ (*sic*) and ‘accepted, by way of their marriage, to care for the well-being of the heroes who had sacrificed themselves for the nation’, my wife and I had shivers down our spine thinking about the horror of those forced marriages.”].

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D219/888.1.2 Kasumi Nakagawa, T. 13 September 2016, 14.01.21-14.02.40, EN 01361796 [“There are many patterns but most commonly both men and women they were informed that they were going to marry early in the morning or one day before, afternoon or one day before. And the marriage ceremony was conducted by the evening of that day. So it was very short, within 24 hours.”]; **D342/1.1.18** Seng Soeun, T. 29 August 2016, 09.56.58-09.59.46, EN 01369842 [the Civil Party was in charge of organising weddings in S’Dang District, Kandal Province, Southwest Zone: “For those who would be arranged to get married, they were not aware [...] in advance about their marriages. It was their chiefs who were aware of this and who would call on them to the wedding ceremony place [...] I can confirm that those couples were not informed beforehand about the fact that they would be arranged to get married.”]; **D219/702.1.110** Khin Vat, T. 30 July 2015, 09.36.43-09.39.39, EN 01444741 [in Kampong Chhnang Province, West Zone, 1977: “I was told that at 5 a.m. the next morning, I had to be ready to depart for Kampong Chhnang [for the wedding ceremony].”]; **D219/62** Preap Kap Written Record of Interview, 3 November 2014, A51, EN 01053911 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “We did not actually know about the wedding ceremony in advance. We just heard about it from Ta Mok in the morning, who told us to be prepared.”]; **D219/356** Van Nak Written Record of Interview, 4 June 2015, A60, EN 01116334 [in Battambang Province, Northwest Zone, July 1978: “When the Southwest Zone cadres arrived, Roem, who was a Northwest Zone cadre and chairperson of district hospital, told us that the medics had to get married. We were summoned for a meeting at 2100 and we were told about this marriage. [...] At 2300 of the same night, the wedding ceremony was arranged for us.”]; **D191.1.23** Kao San Civil Party Application, 28 June 2009, EN 01320633 [in Tuk Meas District, Kampot Province, Southwest Zone, 1976: “When [*Angkar*] had me marry Comrade Y Yoeun, they did not ask if I agreed in advance [...]. They told me three days in advance that *Angkar* was going to arrange for me to take an oath with Comrade Y Yoeun even though we did not [know] each other at all.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322863 [“Women who were commanded to marry were simply informed by the KR and then ordered to attend the ceremony. According to this study, in most cases of forced marriage, women were ordered to

attend a meeting or the marriage ceremony in the morning and then were married by nightfall. Thus, making the first encounter with their future spouse and marriage occur all on the same day.”]. EN 01322863 [Ms. Touch Oun said: “My wedding was very sudden and a surprise to me. One day, the KR called me, and they ordered me to get married. They [...] told me on the day of the marriage.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045710 [“Being asked to marry by the Khmer Rouge typically involved a person being approached while working and told that a spouse had been selected for them. Those approached were often given at most a few hours or days in which to decide whether or not to marry”], EN 01045712 [“A large number of respondents were given very little notice of their impending marriage, sometimes a week, sometimes a day or two.”].

1501 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.47.50-13.49.55, EN 01361791 [“The wedding ceremony was very different from the weddings before the Khmer Rouge. To put it [simply], it was just like a meeting. People were mobilized to have a meeting and, indeed, many men and women were called for meeting and it was a wedding.”]; **D219/888.1.8** Nget Chat, T. 24 October 2016, 15.58.07-16.00.00, EN 01362179 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “It was Uncle Sun [who took me to be married], but he did not tell me that I would go to get married, I was simply told to go to the rear battlefield with him. So I followed him and when I arrived at Boeng Khnar, I saw many people were already there. They were about my age. And I was told that I would be required to get married. I had no idea which man I would be matched up with.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.19.05-11.20.48, EN 01382726 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “None of us was aware of anything on the day of the marriage. Even for the men’s side, they did not know that they had to marry that day. [...] I did not know, at all, about the marriage and I was wondering why we were called to attend a meeting and in fact, I did not go [at] first, then I was told that I should go; otherwise, Uncle would get upset, so I went. I did not know that was a wedding day.”]; **D219/702.1.10** Cheang Sreimom, T. 2 February 2015, 09.25.18-09.27.16, EN 01146856 [in Nhaeng Nhang Commune, Takeo Province, Southwest Zone, 1977: “And even on that wedding day, we were only called to attend that meeting and we were not even aware that it was our wedding. And only then we were informed that we were chosen to be married.”]; **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A117, EN 01079944 [in Boeng Srei, Kampong Som Province, 1975: “They told us to attend a meeting. All the women in the unit had to go; however, when we arrived at the meeting venue, they called out the names of the women who had to marry. They had not told us that it was a wedding.”]; **D6.1.648** Uk Phorn Written Record of Interview, 22 August 2009, EN 00372932 [in Angkor Chey District, Kampong Speu Province, Southwest Zone, 1975: “Initially *Angkar* called me to a meeting, when I arrived, they arranged for me to make the marriage vows.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322863 [“[Ms. Pout Mery recalled how the] KR called her to go to their meeting room but she did not understand what was going on. ‘The KR instructed all the couples there to shake hands and make an agreement that we love each other from now on, and that was it. My marriage ceremony was done like that.’”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037053 [“15 [16 %] of the respondents did not know before the wedding procedure that they were to be married.”].

1502 *See, e.g.*, **D219/494.1.14** Mean Loey, T. 2 September 2015, 14.14.51-14.17.50, EN 01484349 [in Thnal Dach Village, Banteay Meanchey Province, Northwest Zone, 1977: “In the marriage, some couples did not know each other in advance”]; **D219/702.1.110** Khin Vat, T. 30 July 2015, 09.36.43-09.39.39, EN 01444741 [in Kampong Chhnang Province, West Zone, 1977: “I did not know the man, my future husband, at that time, and I only learned of his name when I met him in the evening on our wedding day. We had never seen each other before that time.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.54.56-13.56.22, EN 01369993 [in Phnom Penh, 1975: “We knew each other only on the day that we were matched up. I did not have any knowledge about him before the wedding.”]; **D219/46** Sorn Vanna Written Record of Interview, 17 October 2014, A81-88, EN 01050680-81 [in Sangkac District, Battambang Province, Northwest Zone, 1978: the Civil Party Applicant was forced to marry a woman he had never seen before in a ceremony for 70-80 couples]; **D219/511.1.2** Chhouk Rin Written Record of Interview, 16 June 2015, A71, EN 01118174 [in Kampong Province, Southwest Zone, 1976 (*see* A1 and A75): “I was assigned to get married without any prior information. I did not know my bride.”]; **D118/304** Phos Chhean Written Record of Interview, 5 September 2014, A56, EN 01045513 [at a mass wedding ceremony in Kirivong District, Takeo Province, Southwest Zone: “Some people even mistook their partners because they did not know each other.”]; **D301/2.1.21**

Theresa De Langis *et al.*, *Like Ghost Changes Body: A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 ["Often couples were complete strangers, forced to commit to each other at mass wedding officiated by actors of the Khmer Rouge state.": **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322864 ["Similar to the marriages before the KR regime, in most cases, women met their husband for the first time at the wedding.": **D310/1.1.11R** DVD, *Red Wedding*, 2011, 7:49-8:13 [Pen Sochan: "We didn't know each other. I didn't know where he lived. I didn't know where he came from."].

1503 **D219/406** You Phnom Written Record of Interview, 10 July 2015, A146, EN 01139568 [the witness was a commune militiaman in Kouk Prech Commune, Kirivong District, Takeo Province, Southwest Zone, from 1977: "There were two types of marriages, requested and assigned.": **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A97 and A107-114, EN 01079942-43 [in Kampong Som Province, 1975: a soldier requested to marry the witness and a wedding ceremony was subsequently arranged]; **D119/131** Thang Thoeuy Written Record of Interview, 16 June 2014, A65 and A68, EN 01025297-98 [in Banteay Meanchey Province, Northwest Zone, 1977: "I was forced to get married to my husband. [...] my husband requested the unit chief or the group chief, and the unit chief or the group chief made the request to the upper echelon"]; **D219/257** Sek Chaot Written Record of Interview, 2 April 2015, A4, EN 01095829 [in Sangkae District, Battambang Province, Northwest Zone, 1978: "The situation was different among us. Some couples already knew each other, and they made a request for the marriage. But some other couples were chosen to be married by the leaders. [...] In my case, I chose my bride on my own.": **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 ["The case study interviews indicate that many men had opportunity to request a spouse during the regime, this being reported by half of all responses.": **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421894 ["several cases were reported that the KR soldiers/officials were given privileges to choose a wife [...] The *Angkar* provided a special award to [handicapped] soldiers: to select a woman whom they prefer to get married with"]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482531 ["According to the soldier respondents, if a soldier had a pre existing relationship with a base or new person or was attracted to someone, he could make a request to a leader, which was often granted"]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045732 ["Even in the situation of forced marriage in which both men and women could be victims, there were some female respondents who reported that their spouse had arranged for the marriage, being a Khmer Rouge soldier or official. No men reported that their female spouse arranged for their marriage."].

1504 **D5/1704/3** Yos Phal, T. 27 May 2013, 15.37.03-15.39.19, EN 00916581 [in Takeo Province, Southwest Zone: "the unit chief said [...] that *Angkar* would prohibit me from marrying her [his fiancée prior to the KR regime] because I was the son of *Angkar* and it was up to *Angkar* to organize the marriage.": **D219/488** Moeng Veith Written Record of Interview, 1 September 2015, A164-165, EN 01170600 [the witness was a soldier in Sector 505, Kratie Province, 1977-1978: "Sometimes when a man proposed marriage to Woman 'A', at the actual ceremony, he had to marry Woman 'D'. [...] In some cases, when names were called for people to stand up in rows and if the proposed couples could not stand in their proper positions, they held hands with different people. Then they could not reject that person. [...] I never saw someone daring to refuse because everyone followed the policy of the Party.": **D310/1.1.5** Katrina Natale, *"I Could Feel My Soul Flying Away from My Body": A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces*, EN 00992156 ["another female respondent in Svay Rieng reported that even when Khmer Rouge cadre requested certain brides, these requests were not always granted.": **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037065 [an interviewee forcibly married during the DK regime recalled: "A man cannot simply request from the woman. *Angkar* had to allow the request, and they looked up our history and family background to make sure it is similar before they approve."].

1505 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.49.55-13.51.17, EN 01361792 ["Q: [Were] there any Buddhist rituals at the wedding ceremony: was there any religious element as was present in the pre-DK period? A: The Khmer Rouge abolished the religion, so there was no religious ceremony at all and no monks present at [...] the wedding.": **D342/1.1.21** Mom Vun, T. 16 September 2016, 14.23.08-14.24.54, EN 01385298 [in Siem Reap Province, North Zone, 1975: "the marriage ceremony [of my first marriage] during

Sankgum Reastr Niyum was different from the one during the DK regime. During my first marriage my parents asked for the dowry of 60,000 riels and there were 100 guests attending and the wedding ceremony was conducted based on our tradition by having achar or clergyman and traditional music to accompany it. But during the second marriage there was none of this. There was no music and there was 60 couples who were married at the same time. [...] in the old days after the marriage [...] guests were fed with feasts, with a lot of food. But during the wedding in the Khmer Rouge regime, we were given water lily soup to eat. So they were quite different.”]. 14.24.54-14.27.47. EN 01385298-99 [“During my first marriage there were monks who came to bless us. The achar or clergyman also blessed us and at the time when the guests came to attend our meeting to congratulate us, there were many guests and the wedding ceremony were also blessed by our parents from both sides.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 14.14.05-14.15.48. EN 01370000 [in Phnom Penh, 1975: “[T]here were no traditional procession of prayer or blessing. We were called – our names were called out to match up with the male side. Then Angkar gave us some instructions and then we had to salute the Party’s flag. That’s basically the process. It lasted for less than an hour.”]; **D118/276** Uk Him Written Record of Interview, 14 July 2014, A34. EN 01031764 [in Takeo Province, Southwest Zone, 1975: “When they forced me to get married to my second husband, I said that how [could I] get married and live with him because we did not follow traditional ceremony. I was afraid that ancestors would harm us.”]; **D219/99** Khet Sokhan Written Record of Interview, 27 November 2014, A83. EN 01077083 [in Kampot Province, Southwest Zone, 1978: “I felt regret because I was not able to have a proper ceremony in accordance with our tradition.”]; **D219/125** Srey Soeum Written Record of Interview, 16 December 2014, A168. EN 01067748 [in Battambang Province, Northwest Zone, 1978: “No *achar* (layman) and no relatives were present. We just shook hands during the marriage, and that was it!”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322865 [“Most marriage ceremonies during the KR regime were just like a meeting held by the KR leaders or village chief. Similarities were found regardless of location of marriages. Mostly, there were no special meals, no music, and no family members in attendance.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body: A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Traditional clothes, dancing, singing and religious ceremony were prohibited. Couples were married in the typical Khmer Rouge costume of black uniform and tire sandals. [...] [The wedding ceremony] took little more than five minutes”]. EN 01037033 [“Parental participation and ancestral rites were excluded, resulting in karmic consequences.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482478 [“Most gravely, the Khmer Rouge ruptured the sequence of ritual actions, such as in the Cambodian practices of contacting a fortune teller before deciding the wedding date, or giving offerings to deceased ancestors and ingesting betel nut after the couple is united. [...] The Khmer Rouge forbade all celebrations and sacred seasons, and attacked traditions involving luck, merit, and protection, while neglecting ancestors.”]. EN 00482491-92 [“Throughout my study, people spoke about the absence of music in general, and musical instruments as a grave loss for them during their DK weddings. In traditional weddings, [instruments], pitch and vibration, and accompanying song bring richness to the community. [...] An *achaa* told me that music is also a calling to the gods for fortune and protection.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045713 [“Respondents’ accounts of marriage procedures were surprisingly similar. Typically, the marriage procedure itself was extremely short and without any celebration.”]. EN 01045714 [“This is in stark contrast to traditional Cambodian weddings, which typically run for two to three days and include extended family and friends, during which various religious and cultural rituals are performed, followed by a banquet.”].

¹⁵⁰⁶ **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.47.50-13.49.55. EN 01361791 [“There was no [participation] from the family members, relatives, or friends, but only those who were marrying because it was [a] mass ceremony.”]; **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.12.35-09.14.46. EN 01371140 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “My elder sibling was at Khnar Totueng, too, but my sibling did not attend because we did not know about the plan of the arranged marriage. Also we were at various battlefields, and none of my relatives or family members knew that I got married that day, including my mother.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.59.18-14.02.17. EN 01369995 [in Phnom Penh, 1975: “There were no parents or relatives in that ceremony.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.22.20-11.24.12. EN 01382728 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “none of us had any relatives or siblings [attend] the wedding ceremony; only some members of the female unit from the salt field attended the ceremony. There was no relative.”]; **D219/301** Soeung

Chanthan Written Record of Interview, 4 May 2015, A16, EN 01111882 [in Sangkae District, Battambang Province, Northwest Zone, August 1978: “Kan asked me why I did not want to marry. I told her that I did not want to marry in my parents’ absence. Comrade Kan told me that my parents’ presence was not necessary because I was the child of *Angkar*.”]; **D219/302** Khoeun Choem Written Record of Interview, 5 May 2015, A25, EN 01111891 [in Moung Russei District, Battambang Province, Northwest Zone, October 1978 (*see* A21): “My parents were not allowed to attend the wedding. If I had requested for my parents to attend the wedding, I would have been taken to be re-educated.”]; **D219/125** Srey Soeum Written Record of Interview, 16 December 2014, A156, EN 01067747 [in Sangkae District, Battambang Province, Northwest Zone, October 1978 (*see* A91): “My parents did not find my marriage legitimate because they were not present during the marriage ceremony.”]; **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A118, EN 01079944 [in Boeng Srei, Kampong Som Province, 1975: “Q: Did your family members attend the wedding? A: No, they did not.”]; **D219/55** Hao Yan Written Record of Interview, 27 October 2014, A38, EN 01053838 [in Kirivong District, Takeo Province, Southwest Zone, between 1976 and 1978: “At that time, they did not permit other people to attend, only the ones who were to marry.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Family members were not allowed to attend the wedding”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045713 [“In every case except one, family did not attend. Many respondents found this very upsetting.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322864 [“Ms. Sak Chansony, 77 years old, recalled her suffering when her daughter was forced to marry during the KR regime. [...] I felt so much pain because I could not attend my daughter’s wedding ceremony.”], EN 01322864-65 [“Almost all wedding ceremonies were prepared by the KR. Parents and relatives were not allowed to attend.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975–1979)*, EN 00449488 [“The *Angkar* did not notify or invite the families of the newlyweds”].

1507 **D342/1.1.21** Mom Vun, T. 16 September 2016, 13.38.11-13.40.24, EN 01385281 [at her marriage ceremony in Siem Reap Province, late 1975: “There were cadres: namely, Rom (phonetic), Son (phonetic), and Sea, and the rest were bodyguards for these three people and the rest were those 60 couples. There was no presence of parents from any couple.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.54.56-13.56.22, EN 01369992 [in Phnom Penh, 1975: “My parents and siblings did not attend the ceremony. Only the *Angkar* people attended it.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A60, EN 01139556 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Q: Who was present during the wedding? A: The militiamen chairman, the commune committee, the commune-level male youth chairman, and the commune-level female youth chairperson. Sometimes, even the unit chairpersons also attended the weddings”], A63-64, EN 01139557 [“Q: Did militiamen attend the weddings? A: Yes. Q: When militiamen attended a wedding, what were their roles? A: They had no functions: they just listened so that every ministry would be represented.”]; **D219/3** Keu Seung Written Record of Interview, 10 September 2014, A112, EN 01047111 [at a mass wedding in Sangkae District, Battambang Province, Northwest Zone, after the arrival of the Southwest Zone cadres (*see* A107): “I saw cadres from the commune and village level participating in the wedding.”]; **D219/413** Sok Nou Written Record of Interview, 9 July 2015, A7, EN 01135049 [at two mass weddings in Sangkae District, Battambang Province, Northwest Zone: “I do not remember when the [weddings] took place; I only know that the events took place under the Southwest group’s control. Ta Loek was one of the cadres present during those events.”]; **D219/62** Preap Kap Written Record of Interview, 3 November 2014, A29, EN 01053907 [in Samlaut District, Battambang Province, 1978: “my wife told me that Ta Tith and Ta Mok also attended my wedding ceremony.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045713 [“Cadre were often in attendance, sometimes in large numbers.”].

1508 **Standing Committee, Zone Leaders, and Ministry Officials: D219/702.1.5** Khiev Ncou, T. 21 June 2012, 14.02.29-14.03.53, EN 00820854 [the witness was Ta Mok’s nephew, who married in Takeo Province, Southwest Zone, 1977: “Ta Mok organized this marriage for me – for my couple.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.06.50-11.07.54, EN 01382720-21 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “It was Ta Mok who actually organized the wedding for us”]; **D315.3.1** Chou Koemlan, T. 26 January 2015, 13.53.00-13.54.00, EN 01403001 [in Tram Kak District, Takeo Province, Southwest Zone: “Q: [...] Who, in your opinion, organized the marriage ceremonies? A: To my knowledge, it

was the party of the Angkar who instructed them to make a resolution to become husband and wife, but it was only Ta Mok, who was a representative of Angkar, but I did not know from where he received that instruction.”]; **D219/62** Preap Kap Written Record of Interview, 3 November 2014, A47, EN 01053911 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “The announcement of the would-be couples was made by Ta Mok. [...] Ta Tith, Sector 1 Representative, gave guiding opinions to the newly-wed couples.”]; **D219/268** Nam Phorn Written Record of Interview, 9 April 2015, A69, EN 01098487 [at a forced marriage ceremony in Battambang Province, Northwest Zone: “Ta Mok arranged for his subordinates, who were the Southwest Zone people and took them to get married in Battambang.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A20, EN 01111829 [in Takeo Province, Southwest Zone, 1978: “Ta Mok had arranged my wedding in Takeo Province.”]; **D219/454** Chum Neou Written Record of Interview, 13 August 2015, A4, EN 01151155 [in Phnom Penh, 1976: “They had each couple sit facing each other. To one side were three chairmen (all of whom were men) who presided [over] the ceremony. To the other side were the guests, personnel from the units. One of the chairmen was from a ministry, but I do not recall which ministry. It was the Ministry of Logistics, but I do not recall his name. Another chairman read the announcement.”]; **D123/1/2.7a** Ma Chhoeun DC-Cam Statement, 18 May 2007, EN 00969949 [in Kampong Som Province, circa 1977-1978: “Dany: Who gave instruction for you to get married? Vat [Chhoeun’s wife]: Ta Mut.”]. **Leaders from the sector level or below:** **D119/131** Thang Thoeuy Written Record of Interview, 16 June 2014, A70, EN 01025298 [in Banteay Meanchey Province, Northwest Zone, 1977: “[Preah Net Preah District Secretary] Yeay Chaem supervised the whole wedding. During that time, she told us loudly to hold each other’s hand.”]; **D219/471** Toem Phal Written Record of Interview, 21 August 2015, A71, EN 01154815 [in Kirivong District, Takeo Province, Southwest Zone, 1977: “The announcement was made during a meeting at the Kiri Vong District Office. Ta Sieng, who became district secretary in replacement of Ta Tom, made the announcement. Couples of the arranged marriage sat and listened to the announcement, and then they had to come forward and exchange their respective vows. My marriage was also arranged at that time.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045713 [“The procedure was overseen by Khmer Rouge cadre.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037064 [“All wedding procedures were arranged and officiated by Khmer Rouge actors at various levels, including leadership positions.”].

1509 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.47.50-13.49.55, EN 01361791 [“The wedding ceremony was very different from the weddings before the Khmer Rouge. To put it [simply], it was just like a meeting.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 14.23.08-14.24.54, EN 01385298 [in Siem Reap Province, North Zone, late 1975: “there was 60 couples who were married at the same time.”]; **D6.1.688** Bun Thien Written Record of Interview, 17 August 2009, EN 00384409 [in Takeo Province, Southwest Zone: wedding ceremonies were “held in the same manner as holding a meeting”]; **D219/307** Pall Yung Written Record of Interview, 9 May 2015, A45, EN 01111926 [in Kampong Ko, Battambang Province, Northwest Zone, 1978 (see A37 and A40): “For me, I did not think that this was a wedding ceremony. They just ordered us to hold each [other’s] hands and they did not prepare anything to [look] like a wedding ceremony.”]; **D219/413** Sok Nou Written Record of Interview, 9 July 2015, A7, EN 01135049 [in Sangkae District, Battambang Province, Northwest Zone: “I saw the events twice at Wat Reang Kerei Pagoda, but I do not remember the number of couples in each wedding. I did not consider those ceremonies as wedding ceremonies because each couple was just told to hold each other’s hands and there was no food to serve.”]; **D219/55** Hao Yan Written Record of Interview, 27 October 2014, A38, EN 01053838-39 [in Kirivong District, Takeo Province, Southwest Zone, between 1976 and 1978: “They had the people who were to get married sit close to one another, and they matched those people without any reception party. [...] Sometimes up to 20 to 50 couples married in one night.”]; **D219/16** Mech Nanh Written Record of Interview, 18 September 2014, A123, EN 01034112 [at forced marriage ceremonies in Bakan District, Pursat Province, Northwest Zone, 1976 and 1977: “During a meeting, they announced that this comrade had to hold that comrade’s hand. No big ceremony was held.”]; **D6.1.359** Chhoeung Uo Written Record of Interview, 29 March 2009, EN 00316786 [at Trapeang Thma Dam, Banteay Meanchey Province, Northwest Zone: “I [myself] attended a marriage ceremony. There were about one hundred couples getting married in one ceremony.”]; **D219/723** Lim Saloeun Written Record of Interview, 28 February 2016, A17, EN 01218610 [“80 couples got married on the same day.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045713 [“Anywhere from three or four couples to

hundreds of couples were married at any one time.”]; **D219/370.1.5** Henri Locard, *Pol Pot's Little Red Book: The Sayings of Angkar*, EN 00394888 [“Marriage was replaced by austere, collective, civil ceremonies”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037064 [“Khmer Rouge forced wedding procedures were described by the sample as mass events of up to hundreds of couples.”].

1510 **D219/888.1.6** Pen Sochan, T. 12 October 2016, 13.55.20-13.58.03, EN 01361419 [in Bakan District, Pursat Province, Northwest Zone, 1978: “At that time, after we finished work and we were required to sit down in rows, none of us were happy because we were tired and hungry and worse, we were forced to get married. We did not get to talk to each other”]; **D219/494.1.2** Mam Soeurm, T. 28 July 2015, 15.50.47-15.53.32, EN 01124433 [at Trapeang Thma Dam, Banteay Meanchey Province, Northwest Zone, 1977: “the marriage took place at night time.”]; **D219/723** Lim Salocun Written Record of Interview, 28 February 2016, A17-18, EN 01218610 [in Sector 4, Northwest Zone (see A6), 1978: “To save time, 80 couples got married on the same day. [...] If only a marriage of [one] couple was organized at a time it would have wasted the cadres’ time. Harvesting rice and carrying earth could not be interrupted by the weddings.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A54, EN 01139556 [the witness was a commune militiaman in Kouk Prech Commune, Kirivong District, Takeo Province, Southwest Zone, from 1977: “[The Khmer Rouge] wanted people to spend less time for their weddings, because they had a lot of work to do. They did not want to waste time and resources on wedding ceremonies.”]; **D219/55** Hao Yan Written Record of Interview, 27 October 2014, A38, EN 01053838 [in Kirivong District, Takeo Province, Southwest Zone, between 1976 and 1978: “Most of the time marriages were arranged at night.”]; **D219/356** Van Nak Written Record of Interview, 4 June 2015, A60, EN 01116334 [in Battambang Province, Northwest Zone, July 1978 (see A28-29): “At 2300 [in the] night, the wedding ceremony was arranged for us.”]; **D219/528** Lonh Lun Written Record of Interview, 28 September 2015, A113, EN 01168081 [in Moung Ruessci District, Battambang Province, Northwest Zone, after the arrival of the Southwest Zone cadres (see A51-52 and A104-106): “They held the ceremony at a supply warehouse near a rice [storage] warehouse in Sambok Ak Village of Kampong Kou Cooperative at 4.00 p.m. or 5.00 p.m.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045712 [“In a few cases, respondents had been called to a meeting at the end of the workday, at which time they were forced to engage in a marriage procedure.”]. EN 01045713 [“Typically, the marriage procedure itself was extremely short [...] Marriage procedures were often held at night, after the work day. Many people had only their dirty work clothes to wear.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037064 [“Most forced marriage wedding procedures in the sample took place at night after the workday and lasted only a few minutes.”].

1511 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.06.25-14.08.09, EN 01361799 [“when they were brought to the wedding ceremony place, they were ordered to sit in one line, females in one line and males in one line. And normally, the person that you are marrying is in front. They were matched together already or sometimes they were given the numbers”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 10.45.36-10.47.52, EN 01382713 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “we were made to sit separately, male and female, and then we were called to hold each other’s hands”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.59.18-14.02.17, EN 01369994 [in Phnom Penh, 1975: “During the marriage ceremony, first they paired us up because we did not know each other. We knew each other only after we heard the announcements of our names”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 13.47.16-13.48.57, EN 01361415 [in Bakan District, Pursat Province, Northwest Zone, 1978: “I saw people sitting in rows; female on one side and male on another side.”]; **D219/42** Chech Sopha Written Record of Interview, 13 October 2014, A98, EN 01050635 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “they suddenly told me that I should not go anywhere that day and that I should go to a meeting at the pagoda. When I reached the pagoda I saw men already there. Then they had me sit in a line opposite the men’s line. You had to marry the man you happened to sit across from.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A20, EN 01111829 [in Takeo Province, Southwest Zone, 1978: “During [my] wedding, they called us by name, and we walked around, looking for our partner, whose name was announced earlier.”]; **D219/454** Chum Neou Written Record of Interview, 13 August 2015, A4, EN 01151155 [in Phnom Penh, 1976: “During the ceremony they had us sit. They had each couple sit facing each other.”]; **D219/46** Sorm Vanna Written Record of Interview, 17 October 2014, A81, EN 01050680 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “They did not tell me that I would get

married, but they chose people from the mobile unit to sit in two rows, men in one row and women in the other.”]; **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A96, EN 01079942 [in Boeng Srei, Kampong Som Province, 1975: “I was among the 17 couples. I sat opposite the man whom I had to marry in order to exchange marriage vows.”]; **D219/300** Im Bunchhoeun Written Record of Interview, 2 May 2015, A6, EN 01111874 [in Sangkae District, Battambang Province, Northwest Zone, 1978 (see A5): “They ordered men and women to be seated in lines facing each other in the collective rice hall. [...] The Khmer Rouge ordered us to be married and make a resolution by saying that we were husband and wife”]; **D310/1.1.4** Bridgette Toy-Cronin, “*I Want to Tell You*”: *Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“The *Angkar* called people to attend ceremonies and the couples stood in lines, the women on one side and the men on the other. [...] The couples, who often had never seen each other before, joined hands”]; **D118/285** Nop Ngim Written Record of Interview, 12 August 2014, A68, EN 01044685-86 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “Then Ta Mok announced the name of each soldier and woman to stand up, and Ta Mok told them to hold hands.”].

1512 *See, e.g.*, **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.06.25-14.08.09, EN 01361799 [“when they were brought to the wedding ceremony place. [...] if there are too many people you cannot see who is the husband”]; **D219/494.1.14** Mean Loeny, T. 2 September 2015, 14.14.51-14.17.50, EN 01484349 [in Thnal Dach Village, Banteay Meanchey Province, Northwest Zone, 1977: “some couples did not know each other in advance, and after the marriage they could not even find their spouses.”]; **D219/494.1.3** Mam Soeurn, T. 29 July 2015, 10.01.32-10.03.29, EN 01437792 [at Trapeang Thma Dam, Banteay Meanchey Province, Northwest Zone, 1977: “I can say that on some occasions, right after the wedding ceremonies, because it was dark and the brides and grooms did not know each other well, they went off with a different spouse.”], 10.06.15-10.08.19, EN 01437794-95 [“For example, after the event, [...] a man [...] said that there were so many couples that it was hard for him to know which bride was his. [...] Having heard that, I realized that many men and women were married at the time. I didn’t attend any of the marriage ceremonies myself but I was told by the men who got married at the time. [...] some of them could not identify their brides and which rooms they were supposed to check in.”]; **D118/304** Phos Chhean Written Record of Interview, 5 September 2014, A56, EN 01045513 [at a mass wedding ceremony in Kirivong District, Takeo Province, Southwest Zone: “Some people even mistook their partners because they did not know each other”]; **D6.1.359** Chhoeung Uo Written Record of Interview, 29 March 2009, EN 00316786 [at Trapeang Thma Dam, Banteay Meanchey Province, Northwest Zone: “I [myself] attended a marriage ceremony. There were about one hundred couples getting married in one ceremony. Some couples lost their partners at the end of the ceremony because there were too many pairs at the same time.”]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 7:49-8:13 [Kim Chhean Lay: “When they forced you to marry, you couldn’t see each other’s faces?” Pen Sochan: “It was as dark as it is now. We didn’t see much when we entered the canteen.”].

1513 **D342/1.1.20** Nop Ngim, T. 5 September 2016, 10.45.36-10.47.52, EN 01382713 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “we were called to [...] voice our commitment or resolution. We had to make our resolution before the Party and *Angkar* by holding our hands.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.59.18-14.02.17, EN 01369994-95 [in Phnom Penh, 1975: “And then each of the couples had to make the commitment to their marriage and we had to make commitments in front of the symbols of the *Angkar* that was the sickle and the rice. [...] *Angkar* gave us instructions to follow and simply adhere to the disciplines of *Angkar* [...] and to strive to work hard to build the country.”]; **D342/1.1.21** Mom Yun, T. 16 September 2016, 13.38.11-13.40.24, EN 01385281 [in Siem Reap Province, North Zone, late 1975: “Cadres who married us, the 60 couples, made an announcement that the newlywed couples had to [...] take care of one another, and to strive to engage in production to increase the produce, so that our economics could develop and that we could smash the enemies [...] each couple was called, later, to make a commitment.”]; **D219/494.1.14** Mean Loeny, T. 2 September 2015, 14.09.40-14.14.51, EN 01484349 [in Thnal Dach Village, Banteay Meanchey Province, Northwest Zone, 1977: “During that ceremony, they announced that today it is the marriage for the 63 couples, so all of you have to respect the line of *Angkar*. And after the announcement, we were told to hold each other’s hands, and we were instructed to make resolution, and to make sure that we followed the line, or guideline, of *Angkar*, and we were told to complete and achieve three tonnes of rice per hectare.”]; **D219/300** Im Bunchhoeun Written Record of Interview, 2 May 2015, A6, EN 01111874 [in Sangkae District, Battambang Province, Northwest Zone, 1978 (see A5): “The Khmer Rouge ordered us to be married and make a resolution by saying that we were husband and wife and we would respect *Angkar*’s orders.”]; **D118/285** Nop Ngim Written Record of Interview, 12 August

- 2014, A68. EN 01044685-86 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “Ta Mok told them to hold hands. He announced that they would be husband and wife from that day on [...] Then he had those newly-wed couples to verbally [exchange] vows and resolutions to follow *Angkar*’s orders.”]; **D219/511.1.2** Chhouk Rin Written Record of Interview, 16 June 2015, A84. EN 01118175 [in Kampot Province, Southwest Zone, 1976 (*see* A1 and A75): “In the wedding ceremony, the men and women held each other’s hands and made a resolution to live together.”]; **D6.1.688** Bun Thien Written Record of Interview, 17 August 2009, EN 00384409 [in Takeo Province, Southwest Zone: “the [b]rides and grooms stood up and showed their commitment (that was following *Angkar* and living with the family for the rest of their life).”]; **D6.1.343** Yi Laisauv Written Record of Interview, 2 February 2009, EN 00288642 [in Preah Net Preah District, Northwest Zone, 1978: “they called us to sit next to each other then they had us stand up and make a statement of determination. They told us to stick to monogamy rule and make determination to serve *Angkar*.”]; **D267.1.1** Seng Ol Written Record of Interview, 2 December 2009, A34. EN 00413908 [the witness married couples in Nhaeng Nhang Commune, Tram Kak District, Takeo Province, Southwest Zone, before June 1978: “they had each couple stand up and make a resolution that they accepted one another as a couple on into the future and would strive to increase production and to obey *Angkar*.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*. EN 01045713 [“They were arranged in pairs and each couple was asked to ‘pdaj-gna’, that is, determine to commit to each other and work hard for *Angkar*.”]; **D310/1.1.4** Bridgette Toy-Cronin, “*I Want to Tell You*”: *Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“The couples, who often had never seen each other before, joined hands and then recited a commitment statement, pledging faithfulness to their spouse and to *Angkar*.”].
- 1514 *See, e.g.*, **D342/1.1.21** Mom Vun, T. 16 September 2016, 13.38.11-13.40.24, EN 01385281 [in Siem Reap Province, North Zone, late 1975: “Cadres who married us, the 60 couples, made an announcement that the newlywed couples had to love one another, to take care of one another, and to strive to engage in production to increase the produce, so that our economics could develop and that we could smash the enemies and we had to produce more children for *Angkar*.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.07.54-11.11.18, EN 01382722 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “[Ta Mok] organized the marriage for us. [...] He advised us to go along well together [...] It was on the day of the ceremony.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 15.11.34-15.14.20, EN 01362158 [in Monduliri Province, Northeast Zone, 1977: “They said that if we did not produce children for *Angkar*, then we were against the law”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 13.59.18-14.02.17, EN 01369995 [in Phnom Penh, 1975: “*Angkar* gave us instructions to [...] love one another”]; **D219/125** Srey Soeum Written Record of Interview, 16 December 2014, A97, EN 01067740 [in Sangkae District, Battambang Province, Northwest Zone, October 1978 (*see* A91): “At that time, they said [...] ‘May the men and women holding hands create children to build the country.’”]; **D118/285** Nop Ngim Written Record of Interview, 12 August 2014, A68, EN 01044686 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “[Ta Mok instructed us] to love each other forever.”]; **D5/1663** Sok Pha Civil Party Application, 13 June 2008, EN 01155033 [in Kampot Province, Southwest Zone, 1977: “My brother Vit Roen told me that he got married one evening during rainy season, 1977. Ten couples were wed in Prey Nob District Office. [...] The couples made a vow to love each other for the rest of their lives and to produce babies for *Angkar*.”].
- 1515 **D342/1.1.24** Say Nareun, T. 25 October 2016, 11.08.48-11.10.21, EN 01371183-84 [in Chamkar Leu District, Sector 42, North Zone, 1975: “Q: When you heard that you had to bear as many children as possible, did you therefore think that it was then necessary to consummate the marriage in order to make this possible? A: I thought that if I did not consummate the marriage with my husband, then I might risk being taken away and killed”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 14.30.45-14.32.06, EN 01361430 [in Bakan District, Pursat Province, Northwest Zone, 1978: “The phrases used at the time were [...] ‘If we did not love each other, we did not consummate the marriage, then we would be tortured and killed.’”]; **D219/257** Sek Chaot Written Record of Interview, 2 April 2015, A17, EN 01095830 [in Sangkae District, Battambang Province, Northwest Zone: “Q: Does the phrase ‘get along’ mean consummating your marriage? A: Yes, it does.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A46 EN 01139554 [in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Q: When you said they did not get along well does that mean they did not want to sleep together? A: Yes.”].
- 1516 **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.27.30-09.28.26, EN 01371146-47 [in Pursat Province, Northwest Zone, August 1978].

- ¹⁵¹⁷ **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A209, EN 01111847 [in Kaoh Andaet District, Takeo Province, Southwest Zone, 1978 (see A9): “I was told that if I did not agree to get married I was opposing the *Angkar*.”]; **D219/899.1.5** Moeng Vet. T. 27 July 2016, 10.08.23-10.09.41, EN 01347044-45 [in Kiri Vong District, Takeo Province, Southwest Zone, 1975-77: “According to the Party’s policies, if we were to disobey the Party’s line, it meant we opposed the Party. [...] If I was arranged to marry someone and I refused, then I would be considered as opposing the Party, and people were afraid of doing that.”]; **D6.1.846** Heng Lai Heang Written Record of Interview, 23 November 2009, A26, EN 00414567 [the Civil Party was forcibly married in Sector 505, Kratie Province, 1976: “Some couples who did not like each other and were forced to marry and did not dare to refuse because they would be accused of being traitors.”]; **D219/8** Yang Sokhom Written Record of Interview, 15 September 2014, A163, EN 01047790 [the witness was a member of the Samraong Cooperative Committee, Pursat Province, Northwest Zone, 1977-1979: “Q: They would accuse those who refused to get married of being the enemy, correct? A: Yes, they would.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Those who refused to marry were considered an enemy of *Angkar*. As Chanya said, ‘If you didn’t accept the spouse, you were not a person who loves the *Angkar* and you are known as the enemy against the nation.’”].
- ¹⁵¹⁸ See, e.g., **D342/1.1.20** Nop Ngim, T. 5 September 2016, 10.41.32-10.43.35, EN 01382711 [the witness was the Samlaut Deputy District Secretary and was forcibly married in Samlaut District, Battambang Province, Northwest Zone, 1978: “if I had refused, I would have been killed, so I had to bear the situation”], 14.10.56-14.12.12, EN 01382746 [“I was afraid, I didn’t dare to refuse [the marriage]. [...] I was afraid of being arrested and sent for re-education”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 11.28.09-13.31.21, EN 01385277 [in Siem Reap Province, North Zone, 1975: “because we were afraid to be killed, that’s why we accepted to get married”]; **D342/1.1.18** Seng Socun, T. 29 August 2016, 10.04.26-10.06.50, EN 01369845 [the Civil Party arranged marriages as the S’Ang District Office Chairperson in Kandal Province, Southwest Zone, circa 1978: “if someone protested about that, the person would disappear.”], 10.14.35-10.15.40, EN 01369848 [the Civil Party was himself forcibly married: “Q: [...] You said earlier that you accepted to get married because you were afraid of Phon (phonetic). What were you afraid of exactly? A: It is difficult to describe about the situation of fear during the regime. Everyone was under their leadership, and it is a very difficult situation during the regime. Sometimes, people died or disappeared without reasons, and that’s what made us think that if we were forced or instructed to marry, then we just simply did.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.28.57-14.31.18, EN 01362147-48 [the Civil Party was forcibly married in Kaoh Nheak District, Monduliri Province, Northeast Zone, 1977: “I was scared of death. [...] Had I dared to be courageous, I would have died.”]; 15.20.57-15.22.48, EN 01362162 [“If *Angkar* arranged [for me to marry] anyone, I would agree because inside I was afraid and I did not dare to oppose *Angkar*’s instructions because I was afraid of death.”], 15.24.14-15.26.14, EN 01362164 [“Of course, the fear came from inside me because that’s what I observed. People made mistakes and they were arrested and taken away.”]; **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.08.09-14.09.50, EN 01361800 [“a lot of times, particularly in 1977-1978 when people were already terrorized by the Khmer Rouge, by saying no, by refusing, it might mean their death, that they would be killed. So many people could not even say no”]; **D219/888.1.8** Nget Chat, T. 24 October 2016, 16.02.04-16.06.35, EN 01362180-81 [the Civil Party was forcibly married in Bakan District, Pursat Province, Northwest Zone, August 1978: “they said that if I opposed I would be sent to the upper level. [...] I felt afraid that I would die and leaving my children behind [...] I cannot find any words to describe my feeling, but what I can tell you is that when I saw them, I felt intimidated and frightened.”], 16.06.35, EN 01362182 [“when they said we would be taken to the upper level, they meant we would be taken to our death”]; **D6.1.846** Heng Lai Heang Written Record of Interview, 23 November 2009, A30, EN 00414567 [the Civil Party was forcibly married in Sector 505, Kratie Province, 1976: “I was only 18 years old, and I did not want to get married, but since it was the arrangement, I was scared to lose my own life. If I had not followed the arrangement my life and my family lives would be in trouble.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A210, EN 01111847 [the witness was forcibly married in Kaoh Andaet District, Takeo Province, Southwest Zone, 1978 (see A9): “I would risk being killed if I disrespected *Angkar*’s decision.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A40, EN 01139553 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Q: Why did some people not dare refuse? A: They were afraid of being tortured and killed.”]; **D219/46** Sorn Vanna Written Record of Interview, 17 October 2014, A90, EN 01050681 [the Civil Party Applicant

was forcibly married in Sangkae District, Battambang Province, Northwest Zone, 1978: “If we had [refused], they would have taken us to be killed.”], A97-102, EN 01050682-83 [the witness described how a man who refused to get married was used as a cautionary tale for other workers: “Q: How did you know that the man refused that marriage arrangement? A: Because they raised his case in a meeting by saying, ‘This comrade refused. You must not follow his example.’ Then they took that man away. [...] Not only the man, but also the woman was taken away.”]; **D5/1050/3** Nap Somaly Written Record of Interview, 22 January 2015, A154, EN 01069373 [in Kampong Tralach District, West Zone, November 1978: “Q: Why did you not refuse to get married at that time? A: I was afraid of being killed.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, 2014, EN 01045710 [“One third of these respondents submitted to be married when asked. These respondents unanimously indicated that they feared either they or family members would be killed, they would be assigned more difficult work or would be relocated for refusing.”].

1519 See, e.g., **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.18.16-14.20.09, EN 01361804-05 [“people’s lives were filled with terror. They were terrified and they were scared all the time. So it could have been impossible to raise their voices to say no.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.00.52-11.03.00, EN 01382718 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “Q: So was Leng also forced to marry a handicapped soldier? A: Yes, she was forced, too, and she didn’t dare to do anything. She just kept her mouth shut as well – as we were all at the time because we were instructed to do so.”], 11.13.12-11.15.00, EN 01382723 [“I had no options but to go along with Angkar’s plan.”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 13.45.49-13.47.16, EN 01361415 [in Bakan District, Pursat Province, Northwest Zone, 1978: “I had to get married because the party required me to do so.”], 13.53.28-13.55.20, EN 01361418 [“If you objected, you would be refashioned. So when I heard the word ‘refashioned’, I walked to them and let them put on the skirt for me, they used banana vine to tie it, and then I went to sit down in a row.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.24.56-14.26.27, EN 01362145 [in Kaoh Nhack District, Mondulakiri Province, Northeast Zone, 1977: “I agreed to the arrangement for the marriage despite my unsettling feeling, since I had a fiancée at my village.”], 14.28.57-14.31.18, EN 01362148 [“Although I had the pain, I kept it to myself and I had to show that I respected the organisation and I did that in order to survive”]; **D219/494.1.11** Yi Laisov, T. 20 August 2015, 14.02.00-14.04.02, EN 01134220 [in Preah Net Preah District, Sector 5, Northwest Zone, 1978: “I did not want [to marry] at all, I was too afraid to reject the marriage.”]; **D219/888.1.8** Nget Chat, T. 24 October 2016, 16.02.04-16.03.42, EN 01362180 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “I looked at the face of my spouse and he’s very old. I was only 20 years-old and he was over 40, about 18 years older than me, but I did not dare to protest or say anything”]; **D219/398** Ruos Suy Written Record of Interview, 7 July 2015, A83, EN 01147810 [the witness was forcibly married in Phnom Penh and facilitated hundreds of forced marriages as deputy chairman of the State Warehouse unit under the Ministry of Commerce during the DK regime: “Some people who were assigned to get married did not dare to refuse the assignment because of fear from being mistreated or fear of bad things happening to them. When they asked for agreement from them, they just answered in agreement because of fear. Although from outside it seemed that it was not a forced marriage, in fact they forced people to accept, including myself.”]; **D219/42** Chech Sopha Written Record of Interview, 13 October 2014, A104, EN 01050636 [the Civil Party Applicant was forcibly married in Sangkae District, Battambang Province, Northwest Zone, September 1978: “None of them refused it because the parents from both sides told them not [to] refuse to avoid being taken to be killed.”], A114, EN 01050637 [“*Angkar* had decided that we were not allowed to refuse and that we must get married.”]; **D219/46** Sorn Vanna Written Record of Interview, 17 October 2014, A90, EN 01050681 [the Civil Party Applicant was forcibly married in Sangkae District, Battambang Province, Northwest Zone, 1978: “No one dared to refuse.”]; **D342/1.1.17** Sou Sotheavy, T. 23 August 2016, 15.14.21-15.16.23, EN 01369725 [the Civil Party was forcibly married in Bati District, Kampong Speu Province, Southwest Zone, 1978: “There was none of the 107 couples who refused, however, we could see that some people shed their tears quietly, especially the women. As for men, some of them also wept although they did not dare to speak out]; **D310/1.1.4** Bridgette Toy-Cronin, “*I Want to Tell You*”: *Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“in DK people had no choice but to marry the person chosen for them.”].

1520 **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.24.56-14.26.27, EN 01362145.

1521 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.12.51-14.14.14, EN 01361801-02 [“There are two patterns. One was that the Khmer Rouge or the village chief explicitly said so that they would be killed

or a family member was killed if they refused”]; **D219/494.1.11** Yi Laisov, T. 20 August 2015, 14.05.02-14.09.02, EN 01499107 [in Preah Net Preah District, Sector 5, Northwest Zone, 1978: “I told my unit chief that I did not want to get married and he replied, ‘Please be careful, you would be killed’. [...] I was told that if I refused to go back to my village and get married, my family, the whole family would be killed.”]; **D219/702.1.104** Chum Samoeurn, T. 24 June 2015, 14.25.08-14.27.34, EN 01478287 [in Chhouk District, Kampot Province, Southwest Zone, 1978: “When I was forced to get married, I refused and I was threatened that [...] if I had been caught smiling at a man, I would have risked being killed.”]; **D342/1.1.17** Sou Sotheavy, T. 23 August 2016, 14.32.49-14.37.09, EN 01369717-18 [in Bati District, Kampong Speu Province, Southwest Zone, 1978: “It was the unit chief who forced me, threatened me to marry. If I did not agree, I would be taken to study. I would be taken to be killed. [...] every time I talk about this I feel so tense, because every time that we protested or disagreed with them we were threatened that we would be taken away to be killed.”]; **D219/268** Nam Phom Written Record of Interview, 9 April 2015, A72, EN 01098487 [in Sangkae District, Battambang Province, Northwest Zone: “I heard Ta Mok threaten two young women from the Southwest Zone that if they did not agree to get married to the old handicapped cadres, the girls would be sent to the battlefield.”]; **D118/234** Tum Nga Written Record of Interview, 13 May 2014, A67, EN 01055608 [in Bakan District, Pursat Province, Northwest Zone, 1978: “Chum, militant militiamen, [...] said that if I did not agree to marry they would take me to be killed.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A209-210, EN 01111847 [in Kaoh Andaet District, Takeo Province, Southwest Zone, 1978 (see A9): “Q: When you were ordered to wed did you or any other people dare to oppose it? A: I did. I opposed it because I did not love my future-to-be wife. [...] I was warned of the consequence if I still wished to challenge it. Q: Did you feel this was a warning and that if you did not respect *Angkar*’s wish you face a consequence? A: Yes, I did. I would risk being killed if I disrespected *Angkar*’s decision.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421918-19 [“The following is a story from a female respondent who described how she was forced to marry when she was only 17 years old. [...] [My current husband] had some connection with a commune chief and it was difficult for me to refuse. I did not love my husband so I said that I would die instead, but they would not allow me to. They said that dying is not enough but they must put a shame on me before they kill me. They said that they would take off my clothes in front of a crowd of men from the whole village and then they would kill me. Therefore, I had no choice but to agree to be his wife.”], EN 00421920 [“The following story is about a friend of an informant, named Thang. The informant and Thang were both base people in Takeo province and often met and chatted about various issues. ‘One day, Thang was ordered to marry a brother of a sister-in-law. She did not love him and so refused to follow the order. However, she was threatened by a village chief that if she refused, she would be tortured.’”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Penalties for refusing to marry [...] included verbal threats”], EN 01037038 [“According to the sample for this research, [...] in all cases, the system was coercively enforced through real or threatened punishment—re-education, imprisonment, sexual violence and torture, or death.”], EN 01037052 [69.1% of respondents were verbally threatened for refusing to marry during the KR regime]; EN 01037053 [“72 of respondents (75.0%) reported being forced to marry despite it not being their choice due to verbal threats”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045677 [“Of the 42 respondents who initially refused to marry, 35 were threatened or punished in some way.”], EN 01045711 [“People were threatened with relocation to a more dangerous area, with more difficult work, re-education, or with the execution of them and/or their family members”], EN 01045713 [“Two women described being forced to marry at gunpoint and their resulting fear”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322863 [“Ms. Non Nuon was forced to marry three times during the KR regime, to three different men. She was forced and threatened and she had to start a new life with her husband at a new house, [...] Some women were also threatened [with] death if they refused to accept the offer. Some women said it was not only a threat to her life, but a threat [to] her entire family if she refused the KR’s order.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Those charged with organizing the marriages met refusals with threats of violence or actual violence”].

¹⁵²² **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.16.57-14.18.16, EN 01361803-04 [“I heard many stories of the punishment of refusal to the marriage. One of the recent ones I heard was from

Ratanakiri. She was in the child group in Kong Koh Chhmar (phonetic) and she was 15 years old when she was forced to marry. That was the end of 1978. [...] she was sent to the reeducation camp for three months. Then the Vietnamese came. And also in my research in 'Motherhood at War' [...] I recall now one woman in Siem Reap that I interviewed. She told me she was sent to the reeducation camp because she refused the marriage": **D219/8** Yang Sokhom Written Record of Interview, 15 September 2014, A164, EN 01047790 [the witness was a member of the Samraong Cooperative Committee in Pursat Province, Northwest Zone, 1977-1979: "Those who did not agree to get married would be taken away to study.": **D118/238** Kol Set Written Record of Interview, 16 May 2014, A116, EN 01040482 [the witness was a CPK militiaman in Bakan District, Pursat Province, Northwest Zone: "Q: What happened to those who refused to marry or sleep together? A: Those people were called for re-education, and they disappeared later. They did not call those people to be tempered or reformed. They just took them to be re-educated directly.": **D219/221** [REDACTED] Written Record of Interview, 10 March 2015, A101, EN 01104769 [the witness was a CPK militiaman in Bakan District, Pursat Province, Northwest Zone: "If anyone dared to refuse [to get married], he/she would be called out. [...] Calling people out meant that the Chhlorps called the refused persons out and took them to a different house where they would receive instruction.": **D118/257** Chhat Phan Written Record of Interview, 12 June 2014, A132-134, EN 01031966 [in Pursat Province, Northwest Zone, date unknown: three female acquaintances of the witness who refused to get married were re-educated once or twice but were killed when they continued to refuse]: **D5/1050/3** Nap Somaly Written Record of Interview, 22 January 2015, A141, EN 01069371 [in Kampong Tralach District, West Zone, November 1978: "There was a beautiful girl I think may have been a student. She was ordered to marry to a disabled militiaman. She refused and was slapped several times until blood came out from her mouth and she was taken to be re-educated.": **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037038 ["in all cases, the system was coercively enforced through real or threatened punishment—'re-education'; imprisonment, sexual violence and torture, or death.": **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421892 [a former Khmer Rouge soldier stated: "I spoke to Angkar because I did not agree with this (the marriage), then Angkar took me to prison.": **D219/134** Net Savoeun Written Record of Interview, 22 December 2014, A53, EN 01059982 [in Svey Rieng Province, East Zone, 1978: "When the chairwoman of the women's unit came to tell women to marry, she told each of them that they had to marry; if anyone refused, the women's chairwoman would take them to be refashioned.": A55, EN 01059983 ["Q: How do you know about the refashioning of those who refused to marry? A: Because we worked in the same mobile unit."].

¹⁵²³ **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A97-107, EN 01079942-43 [in Boeng Srei, Preah Sihanouk Province, 1975: the Civil Party Applicant told her unit chief that she would not marry a soldier who had asked to marry her. That night, she was taken at gunpoint to a location near the worksite, where the unit chief told two soldiers to do whatever they wanted to her because she was "stubborn". The soldiers beat her until dawn and told her that if she had followed the orders of the unit chief, she would not have been beaten. They then ordered her to go back to work and the wedding ceremony was held a week later.": **D118/194** Ruos Narin Written Record of Interview, 28 February 2014, A54, EN 00986734-35 [in Pursat Province, Northwest Zone, 1977: the Civil Party Applicant confirmed an excerpt from her Civil Party Application recounting how her friend refused to marry and was subsequently sent to Trach Kraol Prison and beaten and tortured]; **D118/276** Uk Him Written Record of Interview, 24 July 2014, A22, EN 01031762 [in Tram Kak District, Takeo Province, Southwest Zone, 1975: "I refused to get married. Then the Khmer Rouge walked me around the village for three days and beat me with a bamboo stick.": **D5/1050/3** Nap Somaly Written Record of Interview, 22 January 2015, A141, EN 01069371 [Kampong Tralach District, West Zone, November 1978: "There was a beautiful girl I think may have been a student. She was ordered to marry to a disabled militiaman. She refused and was slapped several times until blood came out from her mouth and she was taken to be re-educated.": **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045712 ["In 10 cases, respondents were tortured for refusing to marry. In the following case, the woman's husband was executed just prior to her being asked by the regime to marry. When she refused, she was imprisoned and tortured"]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 ["Penalties for refusing to marry [...] included [...] actual physical punishment, such as beatings, rape, sexual slavery, and death.": EN 01037038 ["in all cases, the system was coercively enforced through real or

threatened punishment—‘re-education’: imprisonment, sexual violence and torture, or death.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421892 [“Objection to an order to marriage given by the Angkar might have resulted in torture or death”]. EN 00421919 [one interviewee stated: “I was a new person in Battambang province and my husband was killed shortly after Khmer Rouge took [...] power. [...] I was forced to marry a soldier, together with approximately 30 couples. I refused to follow the order, and then Angkar took me to a field and beat my legs until both legs were broken. Angkar also pulled out my fingernails, but I still refused to marry.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Those charged with organizing the marriages met refusals with threats of violence or actual violence, including beatings [...] Phala reported being chained up and beaten.”].

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D342/1.1.21 Mom Vun, T. 16 September 2016, 11.16.02-11.24.42, EN 01385273-75 [in Siem Reap Province, North Zone, 1975: the Civil Party refused to marry and was subsequently raped at gunpoint by five CPK cadres. Two days later, she was married.]; **D118/191** Nget Chat Written Record of Interview, 26 February 2014, A92-93, EN 00986721 [in Bakan District, Pursat Province, Northwest Zone, August 1978: the Civil Party and another woman, Comrade Rin, refused to get married. Soldiers brought them to a forest and raped Comrade Rin. The witness was not raped after she begged for mercy.]; **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.12.51-14.14.14, EN 01361802 [“Q: Did you hear any accounts or you referred to some in your reports of women that were raped because they refused to marry: is that correct? A: Yes, I think in my first research I heard that story. And I also heard a woman who had to witness another woman’s rape because she refused to marry.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421893 [a female respondent: “they told me I had to marry but I refused. They took me to the forest and raped me. After they raped me I said to them, ‘kill me’ ... I said, ‘six of my children have already died so please dig a hole and bury me together with my four remaining children’ but I won’t agree to marry ... Now I am almost mad.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488-89 [“Some of the interviewees however reported the use of rape to coerce or punish women who refused to marry. Chanthly explained how she was taken to a *monty santesok* (security prison) when she refused to marry the husband the Angkar selected for her. Inside the *monty santesok* a soldier [...] took her to see women who had been raped: ‘All the ladies were naked. They had no clothes on, and the three soldiers were also naked. Those ladies cried, and the soldiers stuffed *kramas* (traditional scarves) into their mouths. They laid those women on beds, and they tied their arms and shackled their legs to the beds ... They asked me, ‘do you want to imitate these women? They have already been raped’ ... I was so shocked that I decided to marry my husband.’ Lena described seeing her niece raped because she refused to marry a husband selected by the Angkar.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Penalties for refusing to marry [...] included [...] actual physical punishment, such as beatings, rape, sexual slavery, and death.”], EN 01037038 [“in all cases, the system was coercively enforced through real or threatened punishment—‘re-education’: imprisonment, sexual violence and torture, or death.”].

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D342/1.1.21 Mom Vun, T. 16 September 2016, 11.16.02-11.24.42, EN 01385273-75 [in Siem Reap Province, North Zone, 1975: “Q: [...] And you stated that two couples refused to get married and then they were taken away and killed, and do you happen to know the names? A: It was Comrade ThoI and Comrade In. They refused to get married and they would rather die.”]; **D342/1.1.18** Seng Soeun, T. 29 August 2016, 10.04.26-10.06.50, EN 01369845 [the Civil Party arranged marriages as the S’Ang District Office Chairperson in Kandal Province, Southwest Zone, circa 1978: “if someone protested about that, the person would disappear.”]; **D118/257** Chhat Phan Written Record of Interview, 12 June 2014, A132-134, EN 01031966 [in Pursat Province, Northwest Zone, date unknown: three acquaintances of the witness who refused to get married were re-educated once or twice but were killed when they continued to refuse]; **D219/18** Phan Chhlean Written Record of Interview, 29 September 2014, A40-50, EN 01047735 [in Pursat Province, Northwest Zone: the Civil Party Applicant “knew of cases” in which people were taken to be killed after they refused to marry.]; **D219/182** Uon Heav Written Record of Interview, 10 February 2015, A80-84, EN 01079791 [in Pursat Province, Northwest Zone, date unknown: witness saw Khmer Rouge cadres kill a man and woman because the woman had refused to marry the man. The cadres forced the man and woman to dig a pit and then beat them with a bamboo club until they died.]; **D219/221** [REDACTED] Written Record of

- Interview, 10 March 2015, A101, EN 01104769 [the witness was a CPK militiaman in Bakan District, Pursat Province, Northwest Zone: individuals who repeatedly refused to get married were sometimes sent to worksites and “disappeared”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Penalties for refusing to marry [...] included [...] actual physical punishment, such as beatings, rape, sexual slavery, and death.”], EN 01037038 [“in all cases, the system was coercively enforced through real or threatened punishment—‘re-education’: imprisonment, sexual violence and torture, or death.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421892 [“Objection to an order to marriage given by the *Angkar* might have resulted in torture or death”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449488 [“Those charged with organizing the marriages met refusals with threats of violence or actual violence, including beatings, hard labor and even death. [...] Sokhanya said that ‘I knew if I refused the marriage I would be beheaded because I saw this many times.’”], EN 00449489 [Lena described seeing her niece raped because she refused to marry a husband selected by the *Angkar*. [...] Lena never saw her niece again and assumes the soldiers killed her after the rape.”].
- 1526 **D219/888.1.8** Nget Chat, T. 24 October 2016, 16.02.04-16.03.42, EN 01362181 [the Civil Party was forcibly married in Bakan District, Pursat Province, Northwest Zone, August 1978: “My [first] husband was just taken away to be smashed. I was still weeping.”]; **D342/1.1.21** Mom Yun, T. 16 September 2016, 11.13.35-11.16.02, EN 01385271-72 [in Siem Reap Province, North Zone, 1975: “[My husband] was sent for re-education and never returned until now. [...] two or three months after that, I was forced to remarry.”]; **D118/276** Uk Him Written Record of Interview, 24 July 2014, A14, EN 01031760 [in Tram Kak District, Takeo Province, Southwest Zone, 1975: “[M]y husband was called to attend study sessions and disappeared since then. Approximately one month later they forced me to remarry”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045709 [“Previous research and the Khmer Rouge’s own documentation show that the regime forced many single or widowed people to marry for ‘*Angkar*’. This sometimes followed execution by the Khmer Rouge of a person’s husband or wife from a previous marriage, particularly if the spouse was deemed an enemy of the revolution.”], EN 1045712 [describing a case in which a Khmer Krom woman’s husband was executed just prior to her being asked by the regime to marry].
- 1527 *See, e.g.*, **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037033 [“Resistance to forced marriage and enforced conjugal relations was common. The majority of respondents (70.2 %) refused requests to marry at least once, but in the end virtually all (97.2%) were forced to marry, and virtually all (97.0%) reported the marriage was not their choice.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045677 [“Of the 42 respondents who initially refused to marry, 35 were threatened or punished in some way. Of those who initially refused, all except two eventually married either that spouse or a subsequent spouse selected by the Khmer Rouge.”].
- 1528 **D342/1.1.17** Sou Sotheavy, T. 23 August 2016, 15.49.56-15.52.36, EN 01369739 [in Treang District, Takeo Province, Southwest Zone: “When I was at my native homeland in 1975 and ’76, there were cases of forced marriage but the transgender people would refuse even though they had to commit suicide. They would commit suicide by drinking the poisonous substance. They refused to get married.”]; **D6.1.846** Heng Lai Heang Written Record of Interview, 23 November 2009, A26, EN 00414567 [in Sector 505, Kratie Province, 1976: “Some people [forced to marry] committed suicide either by drowning into the water or poisoning themselves.”]; **D219/655** Khay Chhauy Written Record of Interview, 20 January 2016, A11-14, EN 01207526-27 [in Battambang Province, Northwest Zone, 1978: several women forced to marry handicapped soldiers “hanged themselves” after the ceremony].
- 1529 *See, e.g.*, **D315.2.4** Em Phocung, T. 16 February 2015, 13.43.11-13.47.10, EN 01472120 [in Takeo Province, Southwest Zone: “My story was rather strange compared to other stories because even [though I denied] to get married I did not have any problem. [...] And as for me, I categorically rejected, it was a strange story because I was not mistreated, and I got no problem, although I disagreed to get married. Q: [...] Do you think the fact that the village elders had known you, that had an impact on your ability to refuse marriage? A: Local people helped me because I became a monk since I was a young child, and they knew me. And those villagers have told the cadres I was a monk”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449489 [“There were some variations in

how strictly the local administration applied the policy. As Sophon explained: ‘I declined to marry two times on the pretext that I lacked a dress or a scarf but I decided to marry when they asked the third time ... In that area people were not forced to marry as they did at others. Some areas were very strict that people could not deny their orders, but Kampong Trach district where I lived was not so strict, that is why I could reject their order.’”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“There may have been regional variances as to how the Khmer Rouge policy of forced marriage was implemented. This may help to explain Ponchaud’s recounting of how young men and women in the general community were ‘equal and free to choose their mates,’ and when at least 10 couples have gone through the formalities of requesting permission from *Angkar*, the ‘canton chief set the date and place for the communal wedding.’”], EN 01037052 [17.6% of respondents experienced not consequences for refusing to marry during the KR regime]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322864 [“It was very difficult to escape from forced marriage. But some women reported they refused and it was accepted. Ms. Shout Soat, 78 years old, also recalled a KR soldier wanted her daughter as his wife: ‘I gave him gold so that he would not force my daughter to marry him’. Ms. Era also remember[ed] a similar incident of how her sister escaped forced marriage. [...] Therefore, if the KR accepted such bribes, it was possible to escape forced marriage. Forced marriage might not have been strictly imposed in some areas, while others had very severe rules.”].

1530 **D219/488** Moeng Veth Written Record of Interview, 1 September 2015, A162-164, EN 01170600 [the witness was a soldier in Sector 505, Kratie Province, 1977-1978: “They allowed those who loved each [other] to make a request to marry. Such couples were called ‘the proposed couples’. [...] The proposal was from the man [...] The women could not refuse.”]; **D219/207** Long Chhoeum Written Record of Interview, 25 February 2015, A8, EN 01088505 [in Sangkae District, Battambang Province, Northwest Zone, from 1978: “Mostly, men proposed to *Angkar* to marry this or that woman. Women did not know about the proposal nor agree to it. The base cadres decided on, and prepared, the marriage.”]; **D219/414** Mao Heang Written Record of Interview, 10 July 2015, A12, EN 01135063 [in Sangkae District, Battambang Province, Northwest Zone: “To my knowledge, the male side proposed the marriages to *Angkar* before *Angkar* decided to arrange them. *Angkar* was not the initiator of the marriages. However, if the female side was dissatisfied with a marriage, there may have been some persuasion for them to agree.”]; **D219/234.1.7** Tae Ry Written Record of Interview, 18 February 2015, A97-107, EN 01079942-43 [in Boeng Srei, Kampong Som Province, 1975: the Civil Party Applicant was beaten for her initial refusal to marry a soldier who had asked to marry her]; **D119/131** Thang Thoeuy Written Record of Interview, 16 June 2014, A65 and A68, EN 01025297-98 [in Banteay Meanchey Province, Northwest Zone, 1977: “I was forced to get married to my husband. [...] my husband requested the unit chief or the group chief, and the unit chief or the group chief made the request to the upper echelon.”]; **D310/1.1.5** Katrina Natale, “*I Could Feel My Soul Flying Away From My Body*”: *A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces*, EN 00992156 [“one female respondent in Battambang commented that ‘[i]n that regime, if the man suggested someone to marry, they could accomplish this, even if the woman did not want to. She had to agree because of *Angkar*.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421894 [a former child soldier interviewed by Kasumi Nakagawa stated: “You can marry anyone you love but you have to ask her and then suggest to the *Angkar*. If she did not agree then the *Angkar* would force her.”], EN 00421895 [a victim of forced marriage recalled: “The man who I married was a Khmer Rouge soldier. The top leaders forced me to marry him since he loved me and asked the top leaders to make me marry him.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037065 [an interviewee who was forcibly married during the DK regime recalled: “When a man made a request, the leader of the male youth group made a list of the men’s names and the women’s names, and then they sent the request to the leader of the female youth group, and then at the meeting she would announce, ‘Oh [Comrade A], there is a man who requests marriage to you...*Angkar* now will marry you to this man.’”].

1531 *See, e.g.*, **D219/317** Eam Vuy Written Record of Interview, 19 May 2015, A69, EN 01112004 [in Banteay Meanchey Province, Northwest Zone, date unknown: “We were given five days to consummate our marriage. I lived with my husband for only five days.”]; **D6.1.842** Tes Ding Written Record of Interview, 10 September 2009, EN 00377171 [in Kampot Province, Southwest Zone, 1978: “So, we had to live together for one or two

days before they would permit us to return to our units.”]; **D219/494.1.3** Khin Vat, T. 29 July 2015, 15.31.16-15.33.32, EN 01437854 [in Kampong Chhnang Province, West Zone, 1977: “After I got married to my husband and after I spent a week there [with him], I was asked to return. And I had to return because that was the instruction.”]; **D219/702.1.104** Chum Samoeurn, T. 24 June 2015, 15.29.08-15.31.55, EN 01478303 [in Chhok District, Kampot Province, Southwest Zone, 1978: “Three days after my marriage I went to work in [a] different place from that of my husband.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Married couples stayed with each other a few days following the wedding, often with Khmer Rouge spies, or chhlob, making sure they consummated the marriage with sexual relations.”].

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D219/888.1.2 Kasumi Nakagawa, T. 13 September 2016, 13.53.00-13.54.26, EN 01361793 [“Khmer Rouge provided a small hut for the newlywed couples to stay for, my research shows, maybe maximum one day -- one week, so it depends like maybe three days to one week. The newlywed were allowed to stay in that hut for the evening, but during the daytime, they had to work somewhere separately and after, perhaps, one week, they were already removed”], 14.21.43-14.23.15, EN 01361806 [“for those people who were forced against their will to marry [...]. They were prepared a hut to stay a night or several nights together. So they were instructed to stay together overnight in those places and mostly they were instructed to consummate the marriage”]; **D219/888.1.8** Nget Chat, T. 24 October 2016, 16.03.42-16.06.35, EN 01362181 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “Q: After you got married, did they give you a place to consummate your marriage? A: After the marriage, we walked back at night time. I went to the battlefield to tell my children what happened and I returned. And we were given a small shelter for each couple to spend the night.”]; **D219/888.1.4** Peggy Levine, T. 10 October 2016, 15.56.43-15.57.34, EN 01362050 [“Again, in my sample, the reason I will keep going back to Kandal is that that is the area that had most of those what I call, honeymoon huts or wedding huts. That was the area that had the most being built, again, during that very harsh time.”]; **D219/300** Im Bunchhocun Written Record of Interview, 2 May 2015, A6 and 10, EN 0111874-75 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “each couple took a vow together and went to the huts already prepared for us.”]; **D219/356** Van Nak Written Record of Interview, 4 June 2015, A34, EN 01116332 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “Huts were built for the newly married couples including myself to live. Two couples were made to live in one hut.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482541 [“In keeping with what seems to have been a shift in Democratic Kampuchea in 1978 ~onwards solidifying Khmer Rouge wedding and post-wedding protocol, respondents spoke of a range of Khmer Rouge huts being built specific for wedding nights.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [citing Sokyhm Em’s research “Revolutionary Female Medical Staff in Tram Kak District” published in *Searching for the Truth* 35 (2002). De Langis states: “Em describes the small houses prepared for the couple following the Khmer Rouge era wedding”].

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D219/888.1.6 Pen Sochan, T. 12 October 2016, 14.39.32-14.41.30, EN 01361434 [in Bakan District, Pursat Province, Northwest Zone, 1978: “[Militiamen] were mobilized at night time to keep monitoring on the newlywed couples, whether they consummated the marriage or not. It was a game to them.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 13.43.25-13.47.43, EN 01385283 [in Siem Reap Province, North Zone, 1975: “the militia people could hear us, then three of them got into the house and threatened us to sleep with one another.”]; **D315.1.4** Ry Pov, T. 12 February 2015, 13.52.54-13.54.40, EN 01452141 [in Tram Kak District, Takeo Province, Southwest Zone: “And we were also instructed to monitor the activities of the newlywed couples, whether they got along well or they actually consummate their marriage. And then we can inform the units nearby.”]; **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 14.26.47-14.28.40, EN 01361808 [“Q: Did the couples that were forcibly married -- did you hear accounts that said they were being monitored by the Khmer Rouge local authorities to ensure that the marriage was consummated? [...] A: Yes, I heard those stories, particularly by the people who were forced to marry against their will.”]; **D118/238** Kol Set Written Record of Interview, 16 May 2014, A114, EN 01040482 [the witness was a militiaman in Bakan District, Northwest Zone: “They ordered me to go around and listen and investigate the new-married couples, and then I had to report to them. They wanted to know who talked about *Angkar* and who refused to sleep together after their marriage.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A212, EN 01111847 [in Kaoh Andaet District, Takeo Province, Southwest Zone, 1978 (*see* A9): “We had to consummate our marriage because they kept observing our relationship to see if something was out of the

ordinary.”]; **D219/406** You Phnom Written Record of Interview, 10 July 2015, A20-24, EN 01139551 [the witness was a commune militiaman in Kirivong District, Takeo Province, Southwest Zone, from 1977: “Q: When they [*sangkat*] had you work as a reporter on newlywed husbands and wives, what kinds of information were you looking for? [...] A: [...] I looked to see if the newlyweds slept together. Q: Was the commune chief the person who ordered you to investigate the newlyweds? A: The commune chief ordered the militia chairman. Then the militia chairman told his militia colleagues. [...] I reported to the militia chairman [...] [who reported to] the commune committee. [...] They analysed all information they received to see if it followed their plans and objectives and if the people obeyed or not.”]; **D119/142** Sem Nuon Written Record of Interview, 11 August 2014, A65, EN 01044821 [in Prey Veng Province, East Zone, date unknown: “Yes, they kept an eye on us at our home to make sure that we agreed to live with each other as husband and wife and talked to each other.”]; **D219/12** Muy Vuochleang Written Record of Interview, 17 September 2014, A40, EN 01047690 [in Battambang Province, Northwest Zone, 1977: “the militiamen eavesdropped under the houses”]; **D219/356** Van Nak Written Record of Interview, 4 June 2015, A70, EN 01116335 [in Battambang Province, Northwest Zone, 1978: “We were not allowed to raise a pet dog which we would let it sleep under the house. That would make it possible for the militiamen to spy on us.”]; **D219/300** Im Bunchhoeun Written Record of Interview, 2 May 2015, A10, EN 01111875 [in Sangkae District, Battambang Province, Northwest Zone, 1978: “The militiamen who were armed observed us at night. [...] If they heard that we did not get along well with each other, they would report it to their chief”]; **D118/248** Ly Lonn Written Record of Interview, 30 May 2014, A118, EN 01034988 [in Bakan District, Northwest Zone, 1978: “They ordered a militiaman to hide and listen to me and my wife. And that militiaman was not allowed to sleep.”]; **D6.1.682** Phneou Yav Written Record of Interview, 12 November 2009, A32, EN 00410250 [in Takeo Province, Southwest Zone, date unknown: “I saw the wedding of 20 couples; some of them had known each other, but some had not. After the wedding, the militiamen eavesdropped at the houses at night to know if they got on well or not.”]; **D118/258** Ruos Him Written Record of Interview, 11 June 2014, A89, EN 01000661 [in Bakan District, Pursat Province, Northwest Zone: “After their marriage the Khmer Rouge would assign someone to spy on them. The spy would sneak and hide under a stilt house of a new couple to take an audio record. An audio record was submitted to their superior.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421896 [one interviewee stated: “After the ceremony the soldiers came to observe us, ensuring that we loved each other and had sex”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449490 [“Chhlop would come and observe under the ‘honeymoon’ houses arranged by the Angkar to see if the newlyweds were fighting and if they were having sex.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Married couples stayed with each other a few days following the wedding, often with Khmer Rouge spies, or chhlob, making sure they consummated the marriage with sexual relations.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045677 [“Almost all the ethnic minority respondents forced to be married reported being watched by the Khmer Rouge at night to ensure consummation”]. EN 01045714 [“Because the purpose of forced marriage was to produce children for Angkar, newly wed couples were almost universally pressured to engage in sex under the watchful eye of the Khmer Rouge.”].

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D219/888.1.2 Kasumi Nakagawa, T. 13 September 2016, 14.23.15-14.24.57, EN 01361806 [“Q: From speaking to witnesses did you come across accounts of witnesses that didn’t want to consummate the marriage but were in fear not to do so? A: Yes, both men and women. They said that they didn’t want to. Not all but some explicitly said that they didn’t want to and they had to for their survival.”], 14.36.55-14.38.06, EN 01361812 [“Q: When – just going back with the consummation of the marriage, in your opinion when the woman or man was instructed or ordered to be married, were they able to exercise full and free consent in terms of having sexual intercourse with their partners in that DK period? A: No, I don’t think so. The consent to the marriage, the forced marriage, was of course not their own free will and the decision to sexuality was also not their own. They were terrified and they were scared. So it was not from their genuine decision, both men and women.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 15.08.17-15.10.02, EN 01362156-57 [in Mondulakiri Province, Northeast Zone, 1977: “We were afraid, so we had to consummate the marriage and that happened three days after the marriage. I had to think during the initial three days and then after that I decided to consummate the marriage because we had been monitored. Q: You said that you decided to

consummate the marriage. Was your young wife in agreement? A: Because we were to get married and we both were afraid and that's what we had to do and that's what we had to respect them, otherwise we would risk being killed or tortured.”]; **D219/294** Moul Eng Written Record of Interview, 4 May 2015, A212, EN 01111847 [in Kaoh Andaet District, Takeo Province, Southwest Zone, 1978 (see A9): “We had to consummate our marriage because they kept observing our relationship to see if something was out of the ordinary.”]; **D6.1.682** Phneou Yav Written Record of Interview, 12 November 2009, A32, EN 00410250 [in Takeo Province, Southwest Zone, date unknown: “I saw the wedding of 20 couples [...] After the wedding, the militiamen eavesdropped at the houses at night to know if they got on well or not. At that time, no couple dared to not get on well because they were afraid of death.”]; **D219/12** Muy Vuochleang Written Record of Interview, 17 September 2014, A40-41, EN 01047690 [in Battambang Province, Northwest Zone, 1977: “A: The militiamen eavesdropped under our houses. Q: What would have happened if any couple (husband and wife) had not slept together? A: No, they had to agree to that. If they had not, they would have been taken to be killed.”]; **D219/361** Leuy Toeurs Written Record of Interview, 10 June 2015, A128, EN 01113718 [in Banteay Meanchey Province, Northwest Zone: “The militia monitored us. If we did not consummate our marriage we would be taken away to be killed.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045714 [“Of the 40 ethnic minority respondents who married when they were first asked, 36 said that they felt forced to have sex because they were watched by Khmer Rouge cadre who patrolled sleeping areas at night.”]; **D310/1.1.4** Bridgette Toy-Cronin, *“I Want to Tell You”: Stories of Sexual Violence during Democratic Kampuchea (1975-1979)*, EN 00449490 [“Sophon, who was eventually forced to marry after refusing twice, said that after the wedding ‘the chhlop came to see whether we had sex or not if not they would take us to be educated. We were both willing to have sex because we were afraid of Angkar”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421896 [one respondent stated: “After the ceremony the soldiers came to observe us, ensuring that we loved each other and had sex, if not they would kill us. I saw them through some holes of the wall of my house. [...] My husband asked me first whether I loved him or not. I said, love or not, I had to follow Angkar or we would be killed. He thought this too. So we kept living with each other. The first night we did not have sex because I was very frightened and ashamed but we had sex the third night.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037054 [“Why did you feel forced to have sex after the wedding? [...] 32.6% Surveillance; 16.3% Fear of punishment”].

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D219/888.1.2 Kasumi Nakagawa, T. 13 September 2016, 14.24.57-14.26.47, EN 01361807 [“Q: [...] My question is, is that type of account common or isolated where a husband would beat his new wife if she didn't consummate the marriage? Is that a common story or an isolated one? A: It's very difficult to answer to your question because it depends on the individual. Apparently, some men used violence. It could be because he was also scared that he has to consummate the marriage and that drove him to use the violence against his wife. But I also met men who were very scared and who could not do it”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 14.22.27-14.24.17, EN 01361428 [in Bakan District, Pursat Province, Northwest Zone, 1978: “When we came from our work site and saw each other, he [my husband] listened to the militiamen and that he had to mistreat me and since I wore layers of trousers and the militia knew and the militia told him whatever he had to do, he had to rape me”]. 15.05.01-15.06.39, EN 01361436 [“During the third night, he tore my pants and shirt away while the militiamen were standing there and watching and I could not do anything because my hands were tied. He then raped me. [...] And those militiamen who were watching us said that it was good that we could produce children for Angkar.”], 15.43.09-15.44.41, EN 01361452 [“[the militiamen] said that if we [...] held each other's hand, we were considered husband and wife, and that my husband had to successfully rape me”] and **D342/1.1.23** Pen Sochan, T. 13 October 2016, 11.47.48-11.49.53, EN 01383665 and **D310/1.1.11R** DVD, *Red Wedding*, 2011, 09:42-10:12 [Pen Sochan recalled: “My husband made me suffer. The first night he grabbed me and ripped my clothes. He hurt me and asked them to spy on us. He tied my hands behind my back. I couldn't move. I wore two pairs of pants, he tore them. He tore everything [...] He took off [f] all my clothes and he managed to hurt me”]; **D219/243** Van Sang Written Record of Interview, 28 March 2015, A82, EN 01092994 [in Pursat Province, Northwest Zone: “some men got some scratches on chests and faces due to the fight when the women did not agree [to] consummate their marriage.”], A83-87, EN 01092994 [in 1977, the Civil Party Applicant's friend, Chen, told the witness that he had raped his wife, and had he not raped his wife: “he would not have been able to consummate their

- marriage.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421892 [one female respondent stated: “My second husband was a new person. At the first day after the wedding, he beat me because I did not love him and refused to have sex ... he hit me on the thighs with his hands so I couldn’t struggle and it made it easier for him to have sex with me.”]. EN 00421896 [another respondent stated: “When I refused to have sex with him after the marriage, he reported it to the cadres, then they came to catch me and then in the house they forced me to take off my clothes in order that the man (the husband) can rape me.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Forced marriages included sexual violence in that sexual relations to consummate the marriage was also forced. Researchers have documented this practice. [...] Ye discusses how the order to consummate marriages led to rape and sexual violence for many women by their assigned husbands.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045677 [“Some husbands also forced their new wives to have sex. Forced sex in forced marriages was very distressing for male and female victims alike”]; **D219/738.1.35** CDP Questionnaire No. 92 Transcript, 29 November 2013, A12, EN 01221163 [“My husband forced me to have sex by having told me that if I didn’t agree to sleep with him he would inform it to ‘Angkar’, the ‘Me Kang’ (kind of Khmer Rouge cadre)”].
- 1536 *See, e.g.*, **D289.7** Prak Doeun, T. 2 December 2015, 15.56.47-15.58.56, EN 01435607-08 [in Kampong Chhnang Province, West Zone, 1977 or 1978: “from my recollection, there were two couples who were caught not to consummate the marriage. And the rest, although they might or might not consummate the marriage, they kept quiet.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482540 [“Nearly thirty percent (55 of 192) stated that they were under surveillance: most said that they pretended to have sexual relations by lying close to each other.”].
- 1537 **D219/888.1.6** Pen Sochan, T. 12 October 2016, 14.30.45-14.32.06, EN 01361430 [after the Civil Party refused to consummate her forced marriage in Bakan District, Pursat Province, Northwest Zone, 1978: “The phrases used at the time were what [Comrade Om] just said, ‘If we did not love each other, we did not consummate the marriage, then we would be tortured and killed.’”]. 14.39.32-14.41.30, EN 01361433 [“I remember that from the words of Comrade Om that if I continued to refuse, I would die.”]; **D6.1.682** Phneou Yav Written Record of Interview, 12 November 2009, A32, EN 00410250 [in Takeo Province, Southwest Zone, date unknown: “If any couple did not get on well, and it was known by the militiamen, they would report to the upper echelon. Next morning, they were called to be advised; they were threatened that they would be taken to some places such as being taken to keep at Krang Ta Chan”]; **D6.1.842** Tes Ding Written Record of Interview, 10 September 2009, EN 00377170 [in Kampot Province, Southwest Zone, 1978: “We were told, ‘Angkar has the eyes of a pineapple.’ So, Angkar was able to know everything. If we did not get along with our mates, Angkar would tell us that they would take us for re-education.”]; **D219/36** Chhuom Savoeun Written Record of Interview, 15 October 2014, A28, EN 01053606 [in Battambang Province, Northwest Zone, late 1978: “After marriage, the militia monitored us at home [...] [I]f the male party said the female party refused to get along, the Khmer Rouge would order the couple to have intercourse”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037054 [48.8% of respondents said they felt forced to have sex after the wedding because they were verbally threatened]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045714 [“Some [of the respondents forcibly married and monitored by militiamen] were threatened by the Khmer Rouge if they did not consummate the marriage.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421896 [a respondent stated: “When I refused to have sex with him after the marriage, he reported it to the cadres [...] They said if I do not agree they will kill me. If I agree to have sex with him they will leave. So I had to agree because I had no choice.”].
- 1538 **D219/888.1.6** Pen Sochan, T. 12 October 2016, 14.30.45-14.32.06, EN 01361430 [after the Civil Party refused to consummate her forced marriage in Bakan District, Pursat Province, Northwest Zone, 1978: “during the first night, I was re-educated.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 13.43.25-13.46.03, EN 01385283 [in Siem Reap Province, North Zone, 1975: “[T]he militia people could hear us, then three of them got into the house and threatened us to sleep with one another. They pointed their guns at us.

We were ordered to take off our clothes so that we could consummate the marriage. [...] We had no choice but to take off our clothes, but then I still refused to consummate the marriage. They threatened us again and they used the torch on us and they actually got hold of his penis and to insert it into my thing. It was so disgusting, but we had no choice.”]; **D315.2.5** Phneou Yav, T. 17 February 2015, 10.55.51-10.59.11, EN 01477058 [in Takeo Province, Southwest Zone, date unknown: “They wanted to know whether the couple consummate[d] their marriage, and if they did not do that, they were called for reprimand or for education. Any couple who get along or consummated the marriage are fine and they can go to work as usual in their respective units.”]; **D219/12** Muy Vuochleang Written Record of Interview, 17 September 2014, A41, EN 01047690 [in Battambang Province, Northwest Zone, 1977: “Q: What would have happened if any couple (husband and wife) had not slept together? A: [...] If they had not, they would have been taken to be killed.”]; **D118/258** Ruos Him Written Record of Interview, 11 June 2014, A89, EN 01000661 [in Bakan District, Pursat Province, Northwest Zone: “After their marriage the Khmer Rouge would assign someone to spy on them. [...] It will be fine for a couple who get along well but any couple who didn’t would be immediately taken for execution.”]; **D219/64** Peou Koeun Written Record of Interview, 12 November 2014, A73, EN 01053956 [in Battambang Province, Northwest Zone: “some couples did not get along with each other, so they were taken to study and disappeared”]. A79-80, EN 01053957 [in 1977: “A man named Chhit did not get along with his wife, so he was sent away to study. Another woman named Veut [...] did not get along with her husband, she was also sent to study.”]; **D119/131** Thang Theuy Written Record of Interview, 16 June 2014, A77-82, EN 01025299 [in Banteay Meanchey Province, Northwest Zone, 1977: two or three women in the Civil Party Applicant’s unit were taken by the militia to be killed in the forest because they refused to consummate their marriages.]; **D118/223** Koem Huoy Written Record of Interview, 21 April 2014, A39, EN 01057645 [in Pursat Province, Northwest Zone, date unknown: “They forced [the Civil Party Applicant’s younger sister] to get married, but she did not consent to sleep with her new husband. Then they took her to be killed.”]; **D219/36** Chhuom Savocun Written Record of Interview, 15 October 2014, A28, EN 01053606 [in Battambang Province, Northwest Zone, late 1978: “After marriage, the militia monitored us at home [...] If the woman [repeatedly] refused, they would take the woman to be killed.”]; **D219/336** Toam Chea Written Record of Interview, 24 May 2015, A71-73, EN 01117993 [in Trach Kraol prison in Pursat Province, Northwest Zone, 1977 or 1978: a couple forced to get married in the prison was sent to stay in a small hut for three nights, where militiamen spied on them. The couple was then killed because they did not consummate the marriage.]; **D219/243** Van Sang Written Record of Interview, 28 March 2015, A82, EN 01092994 [in Pursat Province, Northwest Zone, date unknown: “There was a case in Bat Kokir [in Pursat Province]. The husband named Nang and his wife named Pheap did not get on well because Pheap did not agree to consummate her marriage. Then the Khmer Rouge took Pheap to be killed.”]; **D219/42** Chech Sopha Written Record of Interview, 13 October 2014, A125, EN 01050638 [in Sangkae District, Battambang Province, Northwest Zone, September 1978: “Q: What happened to those who did not sleep together after their marriage? A: They punished them by sending the men for re-education, but those men never returned.”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421896 [one interviewee stated: “After the ceremony the soldiers came to observe us, ensuring that we loved each other and had sex, if not they would kill us.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [citing Sokylm Em’s research “Revolutionary Female Medical Staff in Tram Kak District” published in *Searching for the Truth* 35 (2002), De Langis states: “Em describes [...] the punishment or disappearance faced by couples who ‘refused to accept each other’ in the nights following the wedding”].

¹⁵³⁹ **D219/888.1.3** Kasumi Nakagawa, T. 14 September 2016, 09.35.18-09.38.43, EN 01361855-56 [“The overall goal of the Khmer Rouge, to my understanding, was to achieve the revolution. And for that, the people had to engage in the hard labour. [...] Because of this strategy, husband and wife had to be engaged in a labour in a different place, and mostly, husband was assigned to work in the group unit which is far away from their own house, what they call mobile team that they are moving around the locations depending on the plan of the Khmer Rouge. This is what I said, that the husband and wife were separated.”]; **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.53.00-13.54.26, EN 01361793 [“[A]fter, perhaps, one week, [the newlyweds] were already removed meaning most often husband were taken away or husband were forced to move very far to engage in the hard labour”]; **D219/702.1.104** Chum Samoeun, T. 24 June 2015, 15.29.08-15.31.55, EN 01478302-03 [in Chhouk District, Kampot Province, Southwest Zone, 1978: “Three days after

- my marriage we went to work in different locations. [...] We lived separately at that time.”]: **D219/494.1.3** Khin Vat, T. 29 July 2015, 15.31.16-15.33.32, EN 01437854 [in Kampong Chhnang Province, West Zone, 1977: “After I got married to my husband and after I spent a week there, I was asked to return. And I had to return because that was the instruction. So I got separated from my newlywed husband and returned to Pochentong. I could not refuse since I had to adhere to that instruction.”]: **D219/301** Soeung Chanthan Written Record of Interview, 4 May 2015, A22-23, EN 01111882-83 [in Sangkae District, Battambang Province, Northwest Zone, August 1978: “[After the marriage ceremony] they had us to go live in our respective homes. At that time, I went to live in a house with my husband’s mother and younger sister. [...] We lived together, but we did not consummate our marriage. I lived in that house for three nights, then they sent me to work in a different location in Thmei Village with other married women, and my husband worked in the village with a fishermen’s group. We did not stay together at nights. I stay[cd] with other married women, and he stayed with his fishermen’s group.”]; **D219/317** Eam Vuy Written Record of Interview, 19 May 2015, A69, EN 01112004 [in Banteay Meanchey Province, Northwest Zone, date unknown: “We were given five days to consummate our marriage. I lived with my husband for only five days.”]: **D6.1.842** Tes Ding Written Record of Interview, 10 September 2009, EN 00377171 [in Kampot Province, Southwest Zone, 1978: “So, we had to live together for one or two days before they would permit us to return to our units.”]: **D6.1.142** Chea Leng Written Record of Interview, 18 December 2008, EN 00279254 [in Pursat Province, Northwest Zone: “Q: After being married, could the husbands and wives live together? A: The Khmer Rouge let them live together for two or three days, then split them up and sent them to their respective units.”]: **D117/36.1.23** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396534 [“After a marriage had been consummated the couple often lived apart.”].
- 1540 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.53.00-13.54.26, EN 01361793 [“[A]fter, maybe, three months or if he’s lucky, one month, [the husband] came back to see the wife.”]: **D342/1.1.17** Sou Sotheavy, T. 23 August 2016, 15.28.06-15.30.28, EN 01369730-31 [in Bati District, Kampong Speu Province, Southwest Zone, 1978: “[E]very 10 days we were allowed to meet each other.”]: **D6.1.842** Tes Ding Written Record of Interview, 10 September 2009, EN 00377171 [in Kampot Province, Southwest Zone, 1978: “A month or two after we had lived [apart], Angkar told us to meet one another again. If we refused to meet again, Angkar would ask, ‘What is the reason for this?’”]: **D6.1.846** Heng Lai Heang Written Record of Interview, 23 November 2009, A33, EN 00414568 [in Sector 505, Kratie Province, 1976: “[W]e would meet once every two weeks or once a month.”]: **D6.1.142** Chea Leng Written Record of Interview, 18 December 2008, EN 00279254 [in Pursat Province, Northwest Zone: “Q: After being married, could the husbands and wives live together? A: [...] The Khmer Rouge permitted them to meet [their spouses] for a single night once every ten days.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037041 [“Then, the pair went back to their respective workgroups, meeting for conjugal visits every seven to ten days-or as long as months apart”].
- 1541 **D219/138** You Vann Written Record of Interview, 8 January 2015, A82, EN 01059293 [in Kampong Siem District: “I am not clear [on when I heard Ta An talking to Prak Yut about marriage instructions], but at the time, I had been mobile unit commander for about a year after I arrived in the Central Zone-that was at the very end of the Khmer Rouge regime. Prior to the conversation between Ta An and Prak Yut about organizing marriage, there had been no weddings. Weddings started taking place after Ta An had announced this.”].
- 1542 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A27-28, EN 01167888-89 [in regard to meetings in Prey Chhor District, late 1977 (see A17-19): “Ta An [...] spoke about marriage planning. They planned to raise new forces, to increase the population to 15 or 20 million in the next 15 or 20 years. [...] He said that this was the Asian plan, referring to Pol Pot’s plan.”], A159, EN 01167916 [“Their plans were to increase the number of people aged between 15 and 20 to 20 million and to fight for and retake Prey Nokor and Khmer Surin by 2001. Ta An said this, but he said this only once.”].
- 1543 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A138, EN 01167912 [In regard to meetings at Prey Chhor District, late 1977 (see A17-19): “Q: Yesterday you said that during meetings, Ta An spoke about the plan to increase the population. How did he intend to achieve this goal? A: By marrying off workers from ministerial offices and cooperatives. He specifically mentioned this point.”].
- 1544 See the evidence cited in fns 1497 and 1499 above. In regard to the rule mandating that spouses sleep together to produce children, see VI. Crimes and Crime Sites – J. Forced Marriage and Rape – 4. Marriages

During the DK Regime - National Implementation of the Marriage Policy – d) Forced Consummation (Rape).

- 1545 See **D219/702.1.87** You Vann, T. 14 January 2016, 15.36.18-15.38.30, EN 01438519, read in conjunction with **D219/138** You Vann Written Record of Interview, 8 January 2015, A81, EN 01059292 [in Kampong Siem District: “At the time, the Cham were ordered to marry fellow Cham, and the children of former Lon Nol soldiers were ordered to marry children of former Lon Nol soldiers. Khmer married Khmer. Ta An imposed this rule. Ta An told this to Prak Yut at the District Office, and I was also present at the time. Ta An said, ‘When you comrades arrange marriage for them, you have to select them according to their elements/composition.’ But, he did not give reasons. This rule was applicable to both ‘new’ and ‘old people.’”].
- 1546 **D219/702.1.87** You Vann, T. 14 January 2016, 15.40.03-15.43.25, EN 01438521 [in Kampong Siem District: “Q: [...] Do you remember Prak Yut telling you that Ta An had made this rule that husbands and wives had to sleep together for national progress? A: Yes, that’s what I heard and that is for the progress and the development of the nation.”]; **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A139, EN 01167912 [at meetings in Prey Chhor District, late 1977 (see A17-19): “[Ta An] said that after their marriage, people should love each other as married couples and had to produce children.”].
- 1547 **D219/702.1.87** You Vann, T. 14 January 2016, 15.34.53-15.38.30, EN 01438518-19 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee in that district: “Q: Were there any rules about who could marry whom [...]? A: The Khmer people would marry Khmer people and the Cham people would marry the Cham people so he [Ao An] did not want to have a mixture of the race.”], 15.36.18-15.40.03, EN 01438519-20 confirming **D219/138** You Vann Written Record of Interview, 8 January 2015, A81, EN 01059292 [“At the time, the Cham were ordered to marry fellow Cham, and the children of former Lon Nol soldiers were ordered to marry children of former Lon Nol soldiers. [...] Ta An told this to Prak Yut at the District Office, and I was also present at the time.”]; **D219/702.1.94** You Vann, T. 18 January 2016, 10.53.47-10.55.00, EN 01431623 [“Prak Yut announced on the microphone that the marriage should be [taking] place between people of the same ethnicity. [For] people of different ethnicity, the [marriages] were forbidden”]; **D219/888.1.8** Preap Sokhoeum, T. 24 October 2016, 10.33.18-10.36.19, EN 01362089 [after being forcibly married in Prey Chhor District, 1977: “I did not feel happy because I did not want to get marriage and as a Cambodian woman, I did not want a marriage ceremony that was not arranged by my parents.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A23-24, EN 01046941-42 [in Kampong Siem District, late 1977: “Even if the ‘new people’ loved the ‘old ones’, they did not allow marriage for them. [...] I think they did not allow [other nationalities] to marry Khmers.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A22, EN 01057763 [in Kampong Siem District, 1977: “Normally in Cambodia before the Khmer Rouge, most marriages were arranged by the parents. However, during that regime everything was decided by the Khmer Rouge.”], A78, EN 01057773 [“the old people married old people, and the new people married new people.”], A80, EN 01057773 [“If a man wished to marry a woman, he could make a request to *Angkar*. However, they could marry only women in their same category.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A39, EN 01076951 [in Kampong Siem District, from June 1977: “Yes, there were [rules on who had to marry whom] on this case. People at the base could marry only people at the same base. New people could only marry new people. According to the rules and regulations, only people from the same class could marry each other.”]; **D219/293** Cheam Pao Written Record of Interview, 4 May 2015, A30, EN 01111820 [in Prey Chhor District, 1977: “[My unit chief] informed other people that Comrade Phal and I could not get married because we had different family backgrounds. That is why the Khmer Rouge did not force me to marry Comrade Phal”], A38-39, EN 01111822-23 [“Q: To the best of your knowledge are there any similarities or differences between the Khmer Rouge wedding and Khmer weddings prior to the Khmer Rouge regime? A: [...] If a man loves a woman then he needs to go and ask the woman’s parents for her hand in marriage. For example, I can talk about my son’s case. Our relatives and my son brought cakes and fruit to the woman’s house. We had a discussion and asked permission from her parents for the marriage. We had to establish a connection before we approached the woman’s parents and their house directly. That was to allow the woman’s family to have some time to prepare themselves and their house before our arrival. [...] Q: Were all the ceremonies you mentioned moment ago practiced during the Khmer Rouge regime? A: No, they weren’t.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A13, EN 01050563 [in Prey Chhor District, 1977: “[Comrade Ni Li] asked me why I was

crying if they were taking me to get married, and I told her that it was because the marriage was not being arranged according to Khmer tradition, and the parents were not aware of it”], A22, EN 01050565 [“I expected my parents to join in my partner selection and wedding. I did not want to marry a handicapped person, but my parents were not allowed to join in the partner selection and marriage.”]. *See also* in regard to the JCE charge: **D219/702.1.106** Meas Layluor, T. 26 May 2015, 09.28.41-09.30.21, EN 01478056-57 [at the 1st January Dam, Sector 42, Central Zone, 1978: “Q: Regarding the 24 other couples who were with you during the ceremony when you made a commitment, who chose for them? [...] A: New People would be matched without going through a proposal made to the parents. They would select some female to get married with some men.”].

1548 **D117/68** Va Linhun Written Record of Interview, 15 September 2014, A18, EN 01046941 [in Kampong Siem District, late 1977: “Chhen (Um), chairperson of the middle-aged unit, forced me to marry.”]; **D219/24** Preap Sokhocum Written Record of Interview, 8 October 2014, A23, EN 01050566 [in Prey Chhor District, 1977: “The union chairperson Sau made the decisions [on the marriage arrangements]. I did not know whether he initiated the idea or he received orders from a higher level.”]. A34, EN 01050569 [“Back then, the unit chairperson was the one who facilitated the wedding when the chairperson of a men’s unit wanted any women to marry men. They ordered the chairperson of a women’s unit to select women to match with the men. I knew it because in my unit (the union), there were monthly meetings chaired by Li. In the meetings, Ni Li asked us if anyone wanted a family (husband). None of the women said yes. Li told us that Sau had advised her to select the oldest women in the unit to marry.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A72, EN 01214825 [in Prey Chhor District, after the arrival of the Southwest cadres: “The group leader came to tell me [I was getting married].”]. *See also* in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 10.54.00-10.56.18, EN 01503894 [at the 1st January Dam, Sector 42, Central Zone, 1977: “The chief of the unit, Bon (phonetic), arranged the marriage for all of us.”].

1549 **D219/138** You Vann Written Record of Interview, 8 January 2015, A2, EN 01059272 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “Commune Chief Ta Nan was the one who made proposals for the couples to be married in the district. The Commune Committee did not have the right to arrange marriages on its own. [...] Sometimes Prak Yut led wedding ceremonies, but when she was absent due to her duties in Phnom Penh, commune chiefs made the arrangements.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, 1977: “Yeay Yuth once asked the commune committee to look for a woman to be my wife.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A37, EN 01076950 [the Civil Party Applicant was a member of the Krala Commune Committee in Kampong Siem District from June 1977: “Generally, the commune arranged marriages. The commune did not have to report to the district about those weddings. The commune not only arranged marriages for youths, but also forced widows to marry widowers as well.”]; **D219/405** Chhim Bunsrey Written Record of Interview, 29 June 2015, A52, EN 01148844 [in Prey Chhor District, after the arrival of the Southwest cadres: “The commune chief organised the wedding”]; **D219/609** Samrith An Written Record of Interview, 17 November 2015, A41, EN 01185819 [in Prey Chhor District, no date given: “Q: Who organised the wedding ceremony? A: The Sangkat chief. That was what we heard and knew, but the upper echelons might have been involved too.”]. *See also* in regard to the JCE charge: **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “That marriage was arranged by the commune chief and four or five militiamen.”].

1550 **D219/702.1.87** You Vann, T. 14 January 2016, 15.32.34-15.34.53, EN 01438518 [in Kampong Siem District: “Q: So is it correct that the authority to approve marriages rested at the district level? A: I did not understand that well, but this is my understanding as well.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, 1977: [“At that ceremony, there were two women who were taken to be shown to Yeay Yuth. She had to select one of them for me. Yeay Yuth was not satisfied with either of the two women, and she decided to select my current wife for me, who was at the time, already engaged. [...] Yeay Yuth saw her walking and selected her for me straight away.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A36, EN 01076950 [in Kampong Siem District, late 1978: “At that time, Prak Yuth had already selected the women before informing the commune to arrange the wedding for the disable[d]. Those disabled soldiers were sent from the Sector to the district to be taken care of. I think the idea of arranging the marriages was Prak Yuth’s. [...] I knew Prak Yuth selected the brides for the soldiers for that particular mass wedding.”]; **D219/191** Keo Voem Written Record of Interview, 19

February 2015, A10-11, EN 01079859-60 [the witness was a member of the Krala Commune Committee in Kampong Siem District, 1977-1978: “Q: Did you have to ask for permission from Prak Yuth before you arranged the marriage? A: Yes, that is right. Rom might have been the one who asked for permission. She went to meet Prak Yuth regarding this matter. I do not know whether or not Rom had to give the name list of the people who had to get married in advance. I also did not know if Prak Yuth had to ask for permission from other cadres or not. Q: After the wedding was finished, did you have to report it to Prak Yuth? A: Yes, I did.”]; **D5/678** Than Yang Civil Party Application, 22 February 2012, EN 00981085 [in Kampong Siem District, 1978 (see WRI for date): “Yeay Yut, the district committee chief, was the person who forced me to get married.”]. See also in regard to the JCE charge: **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A129, EN 01309808 [in Sector 42, Central Zone, 1978: “The organization [of weddings] was that if it was at district level, the District Secretary did the weddings.”].

1551 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A116-125, EN 01179838-39 [the witness attended a marriage ceremony of five women from the Commerce and Logistics offices who were forced to marry disabled men in Prey Chhor District: “Q: Who decided who would marry whom? A: Ta An, the Sector Committee. He organised the wedding ceremony.”], A129, EN 01179839 [“Q: How do you know the women did not want to get married? A: I lived with them. They were forced to marry disabled men[,] That made them unhappy.”]. See also **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A159, EN 01167916 [the witness worked at the Commerce Office in Prey Toteung, Prey Chhor District: “Ta An was strict. For example, when people in ministerial offices fell in love with each other, he would have them reprimanded. He called them to his Sector Office and told them that they had committed moral misconduct. Koan [Sector Logistics Office Chairman] was reprimanded by Ta An, and I was also reprimanded by Ta Aun because we dared to fall in love with someone, which amounted to moral misconduct. [...] After they warned us of this, they married us off. This was not a punishment; they were trying to satisfy us.”].

1552 **D219/435** Touch Chamroeu Written Record of Interview, 30 July 2015, A23-38, EN 01142987-89 [the witness, who was accused of committing a moral offence, was carrying earth as punishment at Anlong Chrey (Tuol Kok Khou) dam in Prey Chhor District when he was arrested by two armed men in late 1978: “they stopped at Ta An’s office, where I saw Ta An. [...] Ta An told me to get married to my wife the next day.”], A77-79, EN 01142994 [“Q: [...] I want to know how you felt when he held the wedding for you. A: I was afraid and did not dare to refuse, because Ta An said that I had to get married”], A226-227, EN 01143013 [“When Ta An forced you to get married, do you think that you could have refused? A: I do not think so. [...] I would have died if I refused. I would have been in trouble.”].

1553 **D219/138** You Vann Written Record of Interview, 8 January 2015, A26, EN 01059278 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “Q: Did Prak Yut and Ta An ever correspond about marriage arrangements? A: Ta An had district level authority to arrange marriages on his own. I know this because Prak Yut wrote a request to Ta An that 10 couples be married in Kampong Siem District. Ta An always approved and allowed the marriages. Prak Yut made requests once a month or once every two or three months to arrange marriages at the district depending on the number of couples.”]; **D219/702.1.95** Prak Yut, T, 19 January 2016, 11.26.00-11.28.21, EN 01441056 [“Q: Madam Witness, did you have authority as district secretary to approve marriages or did you have to obtain approval from the sector in order for people to be married? A: I did not have that authority. For the marriage of other people, I had to meet with the sector secretary; however, regarding the exception of my younger brother, I made that decision by myself [...] As for other marriages, it had to be decided by the sector.”].

1554 See para. 430 above.

1555 **D219/888.1.7** Preap Sokhoeum, T, 20 October 2016, 14.25.17.27-14.29.27, EN 01361548-49 [in Prey Chhor District, 1977: “we were called to attend the meeting. [...] the women were instructed to sit in a row, while the men were instructed to sit in a separate row. [...] And we did not know that we would get married at that time.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A34, EN 01050569 [“The women were very shocked because we did not know what would happen to us. The men and women who were assigned to get married were not aware of it until the wedding day.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A26, EN 01057764 [in Kampong Siem District, 1977: “Some people knew in advance about their wedding. However, I did not. I only learned of it on the wedding day.”], A28, EN 01057764 [“In the morning, they called me to attend the meeting. After that, they called out names of

each couple to come up and exchange vows.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A24, EN 01072528 [in Kampong Siem District, after Prak Yut arrived: “The people did not know about their wedding in advance. They called the names of couples who had to get married. My marriage was arranged in the same way.”]. A26, EN 01072529 [in Kampong Siem District, 1978: “I was taking rice to cook when to my surprise they called me to get married. [...] Rom did not tell me that I had to get married. Rom just ordered us to sit on chairs arranged in rows, and men and women were seated one after another.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, 1977: “Suddenly, someone came and told me that I was to get married. [...] A district messenger came to see me while I was repairing machines in the garage. He told me that I was to be married and that I had to attend this wedding ceremony at the dining hall located in the former school compound nearby.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A27, EN 01046943 [in Kampong Siem District, late 1977: “My hand-holding ceremony was held a few days after Chhen had informed me.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A8, EN 01054031 [in Kampong Siem District, 1978 (see A3): “The unit chairperson came to tell me the evening when I was to get married.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A71, EN 01214825 [in Prey Chhor District, after the arrival of the Southwest cadres: “I was told to go to the wedding; I had no prior notice. When I reached the venue, I was trapped into the marriage.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A58, EN 01148845 [in Prey Chhor District, after the arrival of the Southwest cadres: “The unit chief walked around to inform the to-be-married people the day before the wedding that they would be wed.”]. See also in regard to the JCE charge: **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.41.00-15.44.38, EN 01361713-14 [in Chamkar Leu District, Sector 42, Central Zone, 1977: “They told me only when we arrived at the scene. [...] Q: [...] were you aware beforehand that you would be wed? No, I knew about this only when I arrived. Q: What did they tell you? A: They said that ‘Comrade, you have to get married.’”]; **D219/702.1.105** Kong Uth, T. 25 June 2015, 10.56.18-10.59.10, EN 01503894-95 [at the 1st January Dam, Sector 42, Central Zone, 1977: “Q: How were you informed that you had to get married? Do you remember when you were informed by your unit leader that he had arranged a marriage for you to this young man from your village? A: For example, if tomorrow I had to get married, I would be told one day before that. Q: If I understand your testimony properly you have said that you were informed the day before your marriage; is that correct? A: Yes, that is correct”]; **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “I did not even know about this marriage arrangement until the declaration day.”].

1556 **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A14-16, EN 01050696 [“I married in Prey Chhor after I had returned from Kampong Siem. [...] They did not tell us in advance. My unit chief just told me to go to join a party the next day.”].

1557 **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 14.25.17-14.27.27, EN 01361548 [in Prey Chhor District, 1977: “we did not know each other before”], 15.06.30-15.08.15, EN 01361559 [“I almost forgot his face when he returned for his next visit. And one day when my husband came to visit me, somebody said why I did not go to receive him, but because I forgot his face already”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A34, EN 01050569 [at her forced wedding ceremony in Prey Chhor District, 1977: “Sometimes, when they could not find the people whose names had been selected to get married, [...] they selected new people instead.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A27, EN 01057764 [in Kampong Siem District, 1977: “I did not know [my husband before the wedding day] although we worked in the same unit.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, 1977: “Suddenly, someone came and told me that I was to get married. I did not [know] what my would-be wife looked like. [...] At that ceremony, there were two women who were taken to be shown to Yeay Yuth. She had to select one of them for me. Yeay Yuth was not satisfied with either of the two women, and she decided to select my current wife for me, who was at the time, already engaged.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A8, EN 01054031 [in Kampong Siem District, 1978 (see A3): “Prior to that night [when they got married], I had never met my husband.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A113, EN 00179837 [in Prey Chhor District after the arrival of the Southwest Zone cadres: “I heard that people were forced to get married. They were paired up during the wedding ceremony. The couples had not known each other at all prior to the ceremony.”], A116-126, EN 01179838 [regarding the five sector workers in Prey Chhor District who were forced by Ao An to marry disabled men: “They did not see their husbands-to-be

beforehand.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A53-54, EN 01148844 [in Prey Chhor District, after the arrival of the Southwest Zone cadres (see A50-51): “Q: To the best of your knowledge, did each of them know who they would get married to in advance? A: No, they did not know. They only said that twelve men and women would get married tomorrow, but they did not know who would be with whom. [...] They only learned who would marry whom when *Angkar* announced that Woman A would marry Man B.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A18, EN 01050697 [in Prey Chhor District, 1978: “Q: Had you ever met your partner before getting married to [him]? A: No. Men and women lived separately then, and worked in different units.”], A23, EN 01050697 [“Both the men and the women were from Lvea Commune, but they did not know each other in advance.”]; **D5/1337** Khauv [Khov] Net Civil Party Application, 22 January 2010, EN 01143721 [“I was 20 years old, and my husband, Neang Nen, was 21 years old. The four other couples were of similar age. They came from different villages, and did not know one another.”]. See also in regard to the JCE charge: **D219/888.1.1** Om Yoeun, T, 22 August 2016, 15.42.39-15.47.01, EN 01361714 [in Chamkar Leu District, Sector 42, Central Zone, 1977: “Q: [...] were you aware beforehand that you would be wed? No. I knew about this only when I arrived. Q: What did they tell you? A: They said that, ‘Comrade, you have to get married.’ [...] Q: When they told you that you would get married, did they tell you who or what was the name of your husband? A: No, they did not tell me. [...] only after we entered the ceremony and then they announced such a thing.”], 15.54.28-15.56.06, EN 01361718 [“we did not know each other and he was not the guy I loved.”]; **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “We had not known or loved each other before, but we did not have the right to object to *Angkar*’s arrangement.”].

1558 **D219/888.1.7** Preap Sokhoeurn, T, 20 October 2016, 15.39.06-15.40.48, EN 01361572 [in Prey Chhor District, 1977: “I heard from others that handicapped men were allowed to marry women as an incentive because they had engage[d] in the battlefields and had liberated the country. So those handicapped men would be allowed to marry to beautiful women.”]; **D219/293** Cheam Pao Written Record of Interview, 4 May 2015, A31, EN 01111820 [in Prey Chhor District: “In late 1977 and early 1978, I witnessed one incident personally. The Khmer Rouge brought their handicapped former soldiers who had lost their legs and arms. They were taken to the commune office by truck. I did not know where those handicapped soldiers were brought in from. The Khmer Rouge put them at the commune office and had them select any women they liked. Over the next three or four days, those selected women were taken to marry those handicapped soldiers at the different sections where the soldiers served.”].

1559 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A146-148, EN 01167914 [in Prey Chhor District: “Q: You mentioned a group of disabled people multiple times. I want to know where those people went when Ta An and the Southwest group arrived. A: They were veterans who were injured and declared disabled after being admitted to hospital. They were sent to work in various ministerial offices. Q: Were they able to get married? A: Yes. They had the right to marry beautiful girls of their choice. Q: Why did they have such rights? A: Because they had fought in the past, they had these privileges. Set and Heng, both deceased, said during a meeting that disabled veterans had the right and privilege to marry women of their choice.”].

1560 **D219/702.1.95** Prak Yut, T, 19 January 2016, 11.26.00-11.28.21, EN 01441056 [“Q: Madam Witness, did you have authority as district secretary to approve marriages or did you have to obtain approval from the sector in order for people to be married? A: I did not have that authority. For the marriage of other people, I had to meet with the sector secretary; however, regarding the exception of my younger brother, I made that decision by myself [...] As for other marriages, it had to be decided by the sector.”]; **D219/702.1.87** You Vann, T, 14 January 2016, 15.32.34-15.34.53, EN 01438518 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “The village chief raised the proposal to the commune level and then it was raised to the district level. Later on the wedding ceremony would be held at the district’s office. Q: So is it correct that the authority to approve marriages rested at the district level? A: I did not understand that well, but this is my understanding as well.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A2, EN 01059274 [“Commune Chief Ta Nan was the one who made proposals for the couples to be married in the district. The Commune Committee did not have the right to arrange marriages on its own.”], A26, EN 01059278 [“Prak Yut wrote a request to Ta An that 10 couples be married in Kampong Siem District. Ta An always approved and allowed the marriages. Prak Yut made requests once a month or once every two or three months to arrange marriages

at the district depending on the number of couples.”]; **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A10, EN 01079859 [the witness was a member of the Krala Commune Committee in Kampong Siem District, 1977-1978: “Q: Did you have to ask for permission from Prak Yuth before you arranged the marriage? Yes, that is right. Rom might have been the one who asked for the permission. She went to meet Prak Yuth regarding this matter. [...] I also did not know if Prak Yuth had to ask for permission from other cadres or not.”]. *See also* in regard to the JCE charge: **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A130, EN 01309808 [in Sector 42, Central Zone, 1978: “members of mobile brigade fell in love, they would make a request the chairperson, which then came to the District, and the District would [arrange] the wedding for them.”].

1561 **D219/138** You Vann Written Record of Interview, 8 January 2015, A26, EN 01059278.

1562 *See, e.g.*, **D219/191** Keo Voeun Written Record of Interview, 19 February 2015, A11, EN 01079859-60 [“Q: After the wedding was finished, did you have to report it to Prak Yuth? A: Yes, I did. [...] I think the identities of those people who had to get married were sent to higher levels in advance.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A3, EN 01059272 [the witness was a member of the Krala Commune Committee in Kampong Siem District, 1977-1978: “After wedding ceremonies, Commune Chief Nan had me write reports about numbers of couples from my commune married at the District Office.”], A27-28, EN 01059278 [the witness, a messenger for Prak Yut who delivered letters to Ta An in Prey Toteung (*see* A23), confirmed that Prak Yut sent reports or letters to Ao An that informed him of “the numbers of couples to be married” and also of the number of births. In the witness’s recollection, “the more couples [in the reports] the better, to save time for work.”].

1563 *See the evidence cited in fn. 1504 above.*

1564 *See, e.g.*, **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A80, EN 01057773 [in Kampong Siem District, 1977: “If a man wished to marry a woman, he could make a request to Angkar. However, they could marry only women in their same category.”], A85, EN 01057774 [“Some base people were not as pretty as the new ones. Thus, some base people wished to be married to the new ones because the new people were attractive, but Angkar rejected that. I also experienced that myself regarding people who wished to be married to a person in a different category than themselves. A man requested to be married to me but, as he was a teacher, Comrade Thi did not allow the marriage because he did not have a good background.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A34, EN 01050569 [in Prey Chhor District, 1977: “In some cases, a man loved a woman he knew and asked the chairperson to get married. When the unit chairperson did not permit them to get married, they protested, and they arrested both of them.”]. *See also* in regard to the JCE charge: **D342/1.1.17** Om Yoeun, T, 23 August 2016, 09.06.45-09.07.54, EN 01369646 [in Chamkar Leu District (Sector 42) in late 1977 or early 1978: “One day before the wedding day, I was told that I was proposed. [...] At that time, he was known as Om Phon (phonetic). When he came to visit me, he noticed me, and he proposed to me. However, on the day that I got married, it was another man.”].

1565 *See VI. Crimes and Crime Sites – J. Forced Marriage and Rape – 4. Marriages During the DK Regime - National Implementation of the Marriage Policy – b) The Ceremony.*

1566 **D219/293** Cheam Pao Written Record of Interview, 4 May 2015, A38-39, EN 01111822-23 [in Prey Chhor District: “Q: To the best of your knowledge are there any similarities or differences between the Khmer Rouge wedding and Khmer weddings prior to the Khmer Rouge regime? A: [...] The wedding ceremony took place at the woman’s house and there were about 500 guests. Generally speaking weddings last for one day and one night. There are many small ceremonies such as chewing betel nuts, paying homage to the parents, cutting hair, and bringing gifts to the bride’s family. Chewing betel nuts is the symbol of building a connection between the families of the bride and the groom. [...] Q: Were all the ceremonies you mentioned moment ago practiced during the Khmer Rouge regime? A: No, they weren’t.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A118, EN 01067866 [in Prey Chhor District after the Southwest cadres arrived: “They did not perform any ceremony. After they had matched us, they had us leave.”]. *See also* in regard to the JCE charge: **D219/702.1.105** Kong Uth, T, 25 June 2015, 11.06.26-11.10.47, EN 01503898 [at the 1st January Dam, Sector 42, Central Zone, 1977: “Q: Can you explain to us to what extent the ceremony you attended during which you were married differed from or was similar to wedding ceremonies that were organised before the Democratic Kampuchea regime [...]? A: It was not similar in nature at all. Currently, there would be a procession of offering, there would be a session where it was called haircut ceremony and there would be sermons given by the monks, etc. The list of activities was at length

compared to a very brief ceremony held during the regime.”]; **D219/702.1.106** Meas Layhuor, T. 26 May 2015, 15.21.25-15.23.40, EN 01478132 [at the 1st January Dam, Sector 42, Central Zone, 1978: “Before [the Pol Pot regime], the marriage was organised rather differently [...] there was orchestra or musical band to accompany the ceremony and that did not happen during the Pol Pot regime.”]; **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.50.40-15.54.28, EN 01361717 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “Q: Were there any Khmer traditional music to accompany the wedding ceremony? A: No. Q: What about monks who gave – who bless the couples? A: No, there were no monks. Q: Was there the ‘bach phka sla’ (phonetic) blessing during that wedding ceremony? A: No, no. It was not like nowadays. Q: What about the dress? Did you dress in the wedding costumes? A: We wore black clothes with krama around our neck.”].

1567 **D219/888.1.7** Preap Sokhoeun, T. 20 October 2016, 14.27.27-14.31.22, EN 01361549 [in Prey Chhor District, 1977: “We were weeping; we wanted to have the presen[cc] of our parents. [...] During the wedding, none of my parents or relatives attended”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A32, EN 01072530 [in Kampong Siem District, 1978: “I wanted a wedding ceremony like that of today with parents and relatives attending. My parents did not attend my wedding.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A12, EN 01054032 [in Kampong Siem District, 1978: “Generally, parents arranged weddings. But in this wedding, everything was decided by the Khmer Rouge and sometimes parents did not even know that their children were getting married. I was angry because my parents were not present at that wedding. Also, in the wedding, there was no traditional music.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A17, EN 01050696 [in Prey Chhor District, 1978: “Our parents did not attend that party.”]; **D5/1571/3.1** Ven Lan Civil Party Application Supplementary Information Report, 13 June 2016, EN 01297477 [in Kampong Siem District, August 1978: “There was no parent or relatives to attend the ceremony”]. See also in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 11.06.26-11.08.25, EN 01503897 [at the 1st January Dam, Sector 42, Central Zone, 1977: “Q: And did your parents attend the wedding ceremony? A: No, they were not in attendance. They were not called to attend the ceremony, only the individuals to be married were called.”]; **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.50.40-15.52.38, EN 01361716-17 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “Q: During that wedding, did the parents of the brides and grooms also participate? A: No.”]; **D342/1.1.17** Om Yoeun, T. 23 August 2016, 10.59.28-11.03.04, EN 01369678 [“My parents were not aware of my marriage because [they] lived at a different place from mine. I did not have time to go and invite my parents and sibling to join my wedding.”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 14.37.52-14.39.46, EN 01503183 [the witness was the chief of Prey Srangae Village, Baray District, Sector 43, Central Zone, from 1975 to July 1978: “The parents did not attend the marriage and parents were not informed”]; **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “They did not inform my parents or my relatives.”].

1568 **D219/702.1.87** You Vann, T. 14 January 2016, 15.34.53-15.36.18, EN 01438518 [in Kampong Siem District: “usually the village chiefs of those people who were to be married would be present together with Prak Yut.”]; **D219/888.1.7** Preap Sokhoeun, T. 20 October 2016, 14.25.17-14.27.27, EN 01361548 [at her forced marriage in Prey Chhor District, 1977: “There were representatives from the big units who were there with the chief of the union and the chief of the union was the top person who chaired the wedding.”], 15.41.55-15.43.36, EN 01361573 [“During the wedding day, the people who were present on the day were only the unit chief and other couples, there were no guests.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A85, EN 01214826 [in Prey Chhor District, after the arrival of the Southwest cadres (A68): “The wedding was attended by Theng [the chairperson of the blacksmith workshop where the witness worked], and Ta Cheb, a group leader at the garage”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A61, EN 01148844 [in Prey Chhor District, after the arrival of the Southwest Zone cadres (see A50-51): “Q: Did high-level cadres attend the wedding? A: No, only the commune chief, commune deputy, and village chief.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A30, EN 01072529 [at her forced marriage in Kampong Siem District, three months before the arrival of the Vietnamese: “Q: Did any cadres attend the wedding? A: [...] Rom [the deputy district secretary] was also present.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A28, EN 01057764 [in Kampong Siem District, 1977: “Yeay Yut presided over that ceremony. Comrade Voeun and Comrade Rom also presented their remarks”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A16, EN 01050696 [at her forced marriage ceremony in Prey Chhor District, 1978: “The Trachak Village

chairperson, my unit chief, and two militiamen attended that party.”]; **D5/1337** Khauv [Khov] Net Civil Party Application, 22 January 2010, EN 01143721 [“Six or seven of Angkar’s cadres attended the wedding, but I did not know them, nor remember their names, except Elder Comrade Than”]; **D5/1486** Chea Soeun Civil Party Application, 19 March 2014, EN 01145579 [at his forced marriage ceremony in Kampong Siem District, 1977: “In attendance were Ta Phim (cooperative committee), Ta Kai (Vihear Thum commune’s deputy chief), and Ta Khai (mobile unit chief).”]. *See also* in regard to the JCE charge: **D219/702.1.96** Or Ho, T. 19 May 2015, 14.37.52-14.39.46, EN 01503183 [the witness was the chief of Prey Srangae Village, Baray District, Sector 43, Central Zone, from 1975 to July 1978: “Militiamen and village chiefs were the guests in the ceremony and there were villagers who went to look at it; only these people and the couples who were to be married were at the ceremony or at the wedding place.”].

1569 **D219/888.1.7** Preap Sokhoeun, T. 20 October 2016, 14.25.17-14.27.27, EN 01361548 [in Prey Chhor District, 1977: “the chief of the union was the top person who chaired the wedding.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A26, EN 01046942 [in Kampong Siem District, time not specified: “Sometimes, I saw two, five, or ten [‘base people’] couples get married. They were mobile unit members. Unit chiefs chaired the hand-holding ceremonies.”], A27, EN 01046942 [at her ceremony in Kampong Siem District, late 1977: “Chhen [chairperson of the middle-aged unit] presided over my hand-holding ceremony.”].

1570 **D219/702.1.87** You Vann, T. 14 January 2016, 15.32.34-15.36.18, EN 01438518 [in Kampong Siem District: “Q: [...] once a marriage was approved, who would preside over the wedding ceremony? A: It was Prak Yut with the respective village chiefs where those people came from.”]; **D5/1498** Kas Hon Civil Party Application, 19 March 2014, EN 01090075 [forcibly married in Kampong Siem District, 1977: “The cooperative chief presided over that wedding ceremony”].

1571 **D219/191** Keo Vocun Written Record of Interview, 19 February 2015, A7, EN 01079859 [the witness was a member of the Krala Commune Committee in Kampong Siem District, 1977-1978: “I saw two weddings when I lived in Krala Commune in 1977 or 1978. They arranged a wedding ceremony for four or five couples each time. The wedding was held in the Commune Office. [...] Rom and I were the chairwomen at that wedding. No cadres from the District Office attended that wedding.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A16, EN 01034078 [in Kampong Siem District, 1978: “Sometimes the commune chief led [the] wedding ceremonies”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A35, EN 01076950 [in Kampong Siem District, late 1978: “At that time, the commune chief was the honour guest, and Yeay Yuth had already left. The commune chief presided at our wedding.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A58, EN 01148845 [in Prey Chhor District, after the arrival of the Southwest cadres: “During the wedding ceremony, the commune chief gave the speech, not the unit chief.”].

1572 **D219/702.1.95** Prak Yut, T. 19 January 2016, 13.38.44.04-13.41.08, EN 01441062 [the witness was the Kampong Siem District Secretary and was a member of the Sector 41 Committee: “I, myself, [was] also involved in the wedding ceremony where 10 couples were organized to get married.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 15.32.34-15.36.18, EN 01438518 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “Q: [...] once a marriage was approved, who would preside over the wedding ceremony? A: It was Prak Yut with the respective village chiefs where those people came from. [...] for a [...] fewer number of couples than [Ao An] would let Prak Yut be presiding over the ceremony.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A2, EN 01059272 [“Sometimes Prak Yut [...] led wedding ceremonies”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A16, EN 01034078 [in Kampong Siem District: “sometimes Prak Yut [led wedding ceremonies].”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A28, EN 01057764 [in Kampong Siem District, 1977: “Yeay Yut presided over that ceremony. Comrade Vocun and Comrade Rom also presented their remarks.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A29-30, EN 01072529 [in Kampong Siem District, three months before the arrival of the Vietnamese: “Yut presided over the wedding, and Rom was also present.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A131, EN 01364071 [at the Sector 41 office in Prey Chhor District: “Q: You said that one time you saw many couples being forcibly married in the sector [41]. Who presided at that time? A: It was Bang Aun who was the presiding Com at this marriage hand-holding ceremony in the sector.”]. *See also* in regard to the JCE charge: **D219/762** Saray Hean Written Record of

- Interview, 19 May 2016, A129, EN 01309808 [in Sector 42, Central Zone, 1978: “The organization was that if it was at district level, the District Secretary did the weddings.”].
- 1573 **D219/504** Sat Pheap Written Record of Interview, 17 September 2015, A33, EN 01167889 [the witness worked at the sector commerce office and was forced to marry in Prey Chhor District, 1978: “I saw [Ta Pauk] twice - once at a meeting and once at my wedding.”]. A140, EN 01167912 [“Q: You said that Ke Pauk presided over your wedding. What did he say at the time? A: He told us to love each other and live in unity.”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A62, EN 01111976 [“Q: Why did Ke Pauk become the presiding officer of that ceremony? A: The wedding ceremony was held after the sector conference. I saw Ke Pauk as the presiding officer. Then I saw a Party flag on display as well.”].
- 1574 **D219/702.1.87** You Vann, T. 14 January 2016, 15.34.53-15.36.18, EN 01438518 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “For many couples, between five to 10 couples, Ta An was present. However, for a few number -- fewer number of couples then he would let Prak Yut be presiding over the ceremony.”]; **D219/702.1.95** Prak Yut, T. 19 January 2016, 13.38.44-13.41.08, EN 01441062 [the witness was the Kampong Siem District Secretary and was a member of the Sector 41 Committee: “Q: [...] Is it correct that Ta An would preside where there were ceremonies involving five to 10 or more couples? A: [...] I personally acknowledge that Ta An participated in the wedding ceremony and I, myself, [was] also involved in the wedding ceremony where 10 couples were organized to get married.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A31, EN 01059279 [“Sometimes, I went [...] when Ta An was chairing a wedding ceremony at the Prey Totueng District office”]; **D219/435** Touch Chamroeun Written Record of Interview, 30 July 2015, A39-40, EN 01142989 [forcibly married in Prey Chhor District, late 1978: “Q: Did Ta An attend the wedding? A: Yes. Q: Did he preside over the wedding? A: Yes.”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A126, EN 01179839 [at the wedding of 5 sector workers forced to marry disabled men in Prey Chhor District: “[Ta An] presided over the ceremony.”].
- 1575 *See para. 433.*
- 1576 *See, e.g.,* **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.45.25-15.46.51, EN 01361574-75 [at her wedding ceremony in Prey Chhor District, 1977: “There were 15 couples including my couple. [...] I did not count because I felt afraid at that time. [...] I was told that there were 15 couples on that day. [...] 12 couples got married later on after my wedding.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A25, EN 01050566 [in Prey Chhor District: “Fifteen couples [were] married [at the same time as me].”], A32, EN 01050568-69 [“The weddings happened frequently. I remember that the weddings happened in 1976, 1977, and 1978. I remember that there were 50 couples in the first wedding, 40 couples in the second wedding, 20 couples in the third wedding, and 15 couples in the last wedding, which was my wedding.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A24, EN 01072528 [in Kampong Siem District, three months before the arrival of the Vietnamese: “At that time, there were 150 couples getting married including myself.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, April 1977: “There were sixty-five couples who were arranged to get married at the time on that day.”]; **D219/113** Keo Theary Written Record of Interview, 14 January 2010, A20, EN 01057763 [in Kampong Siem District, 1977: “Q: [...] Is it true that you were one of 57 couples married? A: Yes, that is true.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A35, EN 01076950 [the Civil Party Applicant was a member of the Krala Commune Committee in Kampong Siem District from June 1977 and recalled his own wedding ceremony in late 1978: “At that time there were 17 couples, of which three couples among them were forced to get married.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A3, EN 01044582 [forcibly married in Kampong Siem District, 1977: “they arranged a wedding ceremony for me along with other 10 couples”]; **D219/463** Pen Thol Written Record of Interview, 10 August 2015, A23, EN 01151240 [in Kampong Siem District, near the end of the regime: “At that time, they arranged the wedding for only two couples. [...] However, they had just arranged a wedding for 60 couples before my wedding. The wedding was celebrated under the administration of the Southwest cadres.”]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A15-16, EN 01034078 [the Civil Party Applicant agreed to her wedding in Kampong Siem District in 1978, but others at the ceremony had been forced into the marriage: “on my wedding day, there were 72 couples getting married.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A32-33, EN 01059279 [the witness attended two wedding ceremonies presided over by Ao An in Prey Chhor District: “Those to be married were already aware of their partners. [...] One time there were seven couples, and the other time

there were eleven couples. Those couples were all 'base people.'"; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A34, EN 01152376 [the Civil Party Applicant attended two forced marriage ceremonies in Kampong Siem District after the arrival of the Southwest cadres (*see* A35-36): "There were about 20 couples in a wedding."]; **D219/287** Hai Taun Written Record of Interview, 23 April 2015, A28, EN 01100843 [in Prey Chhor District: "collective marriages took place on several occasions throughout the Khmer Rouge regime."]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A52, EN 01148844 [the witness attended a mass wedding ceremony in Prey Chhor District after the arrival of the Southwest cadres (*see* A50-51): "There were around twelve couples in that wedding."]; **D5/1486** Chea Soeun Civil Party Application, 19 March 2014, EN 01145579 [in Kampong Siem District: "In 1977, among 65 other couples, I was ordered to get married"]; **D5/655** Khy Srean Civil Party Application, 18 December 2009, EN 01320609 [in Prey Chhor District (*see* EN 01320608): "In 1977, my elder sister, Khi Hcan, was forced to get married. Her wedding was not held according to Khmer tradition. At that time, 60 couples were forced to get married at the same time."]; **D5/172** Nhip Try Civil Party Application, 3 December 2009, EN 01195901 [in Kampong Siem District, 1978: "I was forced to get married alongside 19 other couples."]; **D5/172.1** Nhip Try Civil Party Application Supplementary Information, 5 May 2010, EN 01195898 ["In 1978, they forced me to marry Ngem Sokan. Twenty couples were wed on that day."]; **D191.1.64** Ou Yan Civil Party Application Supplementary Information, 5 April 2010, EN 01195896 [in Kampong Siem District, 1977: "I was forced to get married in 1977 to Ou Chhoan. There were 48 couples who were [wed] that day: they were 17 April people."]; **D191.1.52** Mech Man Civil Party Application Report, 30 April 2010, EN 00564495 [in Kampong Siem District: "The applicant saw 8 to 15 couples be forcibly married in Chamkar Samseb Village, Kokor Sub-district in 1977."]; **D5/1571** Ven Lan Civil Party Application, 17 August 2013, EN 01190424-25 [in Kampong Siem District: "they forced me to get married when I was just 15 years old. [...] they had me go to Krala and they forced me to get married to Thel Than. [...] There were eight couples being wedded at the same time."]; **D5/1571/3.1** Ven Lan Civil Party Application Supplementary Information Report, 13 June 2016, EN 01297477 ["In August 1978 she was forced to get married [...] There were about 8 couples who were forced to marry in Banteay Thma Village, Kampong Siem District, Kampong Cham Province."]; *See also* in regard to the JCE charge: **D5/1495** Chhuon Savoeum Civil Party Application, 19 March 2014, EN 01145651 [in Cheung Prey District, Sector 41, Central Zone: "In July 1978, I was forced to get married with the same blood-line spouse whose older brother was a former soldier too. In total, there were 71 couples."]; **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.50.40-15.52.38, EN 01361716 [forcibly married in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: "Q: On the day of your marriage [...] How many couples were arranged to get married on that day? A: There were 12 couples."]; **D219/702.1.105** Kong Uth, T. 25 June 2015, 10.54.00-10.56.18, EN 01503894 [at the 1st January Dam, Sector 42, Central Zone, 1977: "It was Angkar [who] arranged my marriage. There were 25 couples in that marriage."]; **D219/702.1.96** Or Ho, T. 19 May 2015, 13.52.33-13.54.28, EN 01503164 [the witness was the chief of Prey Srangac Village, Baray District, Sector 43, Central Zone, from 1975 to July 1978 and confirms that he arranged marriages for 30 to 40 couples at a time]; **D6.1.410** Meas [Laihuo] Layhuor Written Record of Interview, 20 November 2008, EN 00244165 [at the 1st January Dam, Sector 42, Central Zone: "They did not allow traditional marriages during the Khmer Rouge era. They selected the names and asked whether or not they agreed. [...] I was married during 1978; there were 25 couples on that occasion."].

1577 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A24, EN 01072528 [150 couples, Kampong Siem District, three months before the arrival of the Vietnamese]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [65 couples, Kampong Siem District, April 1977]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A20, EN 01057763 [57 couples, Kampong Siem District, 1977]; **D219/463** Pen Thol Written Record of Interview, 10 August 2015, A23, EN 01151240 [60 couples, Kampong Siem District, under administration of the Southwest cadres]; **D117/42** Khoem Neary Written Record of Interview, 6 May 2014, A16, EN 01034078 [72 couples, Kampong Siem District, 1978]; **D5/1486** Chea Socun Civil Party Application, 19 March 2014, EN 01145579 [65 couples, Kampong Siem District, 1977]; **D5/655** Khy Srean Civil Party Application, 18 December 2009, EN 01320609 [60 couples, Prey Chhor District, 1977].

1578 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A24, EN 01072528.

1579 **D219/702.1.87** You Vann, T. 14 January 2016, 15.34.53-15.36.18, EN 01438518 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro'ang Commune Committee there: "For many couples, between five to 10 couples, Ta An was present. However, for a few

number -- fewer number of couples than he would let Prak Yut be presiding over the ceremony.”]. *See also* **D219/702.1.95** Prak Yut, T. 19 January 2016, 13.38.44-13.41.08, EN 01441062 [“Q: [...] Is it correct that Ta An would preside where there were ceremonies involving five to 10 or more couples? A: [...] I personally acknowledge that Ta An participated in the wedding ceremony and I, myself, [was] also involved in the wedding ceremony where 10 couples were organized to get married.”].

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See paras 433-434.

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See, e.g., **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 14.25.17-14.27.27, EN 01361548 [in Prey Chhor District, 1977: “the women were instructed to sit in a row, while the men were instructed to sit in a separate row. And they put the tables in the middle and each table was reserved for two couples. [...] Then they announced the couples’ names: if there was our name, and then the name of the man, it means that we had to stand up and go to the table.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A23, EN 01050566 [in Prey Chhor District, 1977: “Sau was the one who made the announcement [...] It was the first time that I heard the name of the person I was marrying.”]; **D219/47** Khauy Net Written Record of Interview, 20 October 2014, A17, EN 01050696-97 [in Prey Chhor District, 1978: “The village chairperson and the unit chairperson ordered the men to sit in one row and the women sat in another row. Then they called the names of the men and women who had to get married.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A28, EN 01057764 [in Kampong Siem District, 1977: “In the morning, they called me to attend the meeting. After that, they called out names of each couple to come up and exchange vows.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A52, EN 01148844 [at a mass wedding ceremony in Prey Chhor District after the arrival of the Southwest cadres: “The women and men were sitting in two rows, facing each other and wearing black clothes. The commune chief called the woman and man who were matched to walk towards the stage”]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A133, EN 01179839 [at the wedding of 5 sector workers forced to marry disabled men in Prey Chhor District: “[Ao An] announced who would be married to whom”]; **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A44, EN 01111975 [in Prey Chhor District, 1978: “During the wedding ceremony, the women and men were arranged to sit separately. Then the master of the ceremony declared the names of the couples”].

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See, e.g., **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A44, EN 01111975 [in Prey Chhor District, 1978: “Then the master of the ceremony [...] asked [the couples] to hold hands to become spouses.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A25, EN 01044588 [in Kampong Siem District, 1977: “At that time, men and women sat near each other as couples and then the unit chief of the village announced we would be couples. Then they ordered each couple to get up on stage to make a proclamation one by one: we made a resolution to cultivate crops by following the plan of *Angkar* for getting more produce.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A28, EN 01057764 [in Kampong Siem District, 1977: “they called out names of each couple to come up and exchange vows.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A26, EN 01046942 [in Kampong Siem District, late 1977: “First they called the groom, and then they invited the bride to make their vows to live together forever without divorce.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A8, EN 01054032 [at her forced marriage in Kampong Siem District, 1978: “[The couples had to vow to love each other for their whole lives.”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A52, EN 01148844 [in Prey Chhor District after the arrival of the Southwest cadres: “The commune chief called the woman and man who were matched to walk towards the stage to make a resolution. They made a quick resolution, saying that they would accept each other as spouses. The next couple did the same until it was finished.”]; **D5/1337** Khov Net Civil Party Application, 22 January 2010, EN 01143721 [in Prey Chhor District, 1978: “each couple sat facing each other, held each other’s hands and exchanged marriage vows.”]; **D5/1498** Kas Hon Civil Party Application, 19 March 2014, EN 01090075 [in Kampong Siem District, 1977: “The cooperative chief presided over that wedding ceremony, during which we were ordered to stand up and make our resolution.”]; **D191.1.36** Khy Hcan Civil Party Application Supplementary Information, 5 April 2010, EN 01140028 [in Kampong Siem District, late 1977: “They had us stand up and make our vows.”]. *See also* in regard to the JCE charge: **D5/1495** Chluon Savoeurn Civil Party Application, 19 March 2014, EN 01145651 [in Cheung Prey District, Sector 41, 1978: “they made us vow to accept one another as husband and wife.”]; **D219/702.1.96** Or Ho, T. 19 May 2015, 14.39.46-14.42.18, EN 01503183-84 [the witness was the chief of Prey Srangae Village, Baray District, Sector 43, Central Zone, from 1975 to July

1978: “Angkar would introduce those who were to get married and the couples would also be asked to make a resolution to follow Angkar.”].

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See the evidence cited in fn. 1510 above.

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See, e.g., **D219/293** Cheam Pao Written Record of Interview, 4 May 2015, A35, EN 01111822 [in Prey Chhor District: “During the Khmer Rouge regime, the wedding ceremonies took place at 1800 because the Khmer Rouge did not want to waste their working hours. The ceremonies lasted for about one hour.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A29, EN 01057764 [in Kampong Siem District, 1977: “Q: What happened after the wedding ceremony? A: We had lunch and continued to work until late afternoon.”]; **D5/1337** Khov Net Civil Party Application, 22 January 2010, EN 01143721 [in Prey Chhor District, 1978: “The wedding ceremony was held from 7.00 a.m. to 9.00 a.m.”].

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D219/113 Keo Theary Written Record of Interview, 8 December 2014, A29, EN 01057764.

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D219/888.1.7 Preap Sokhocum, T. 20 October 2016, 14.27.27- 14.31.22, EN 01361549-50 [in Prey Chhor District, 1977: “During my marriage, we were not allowed to make a commitment: [...] our representatives and the representatives from the men’s unit were there. And the representatives spoke on our behalf in term of our commitment while we were sitting and listening to them.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A22, EN 01050365-66 [“Back then, they married 40 or 50 couples at one time [...] but they selected representatives from the unit to represent the brides and grooms by making a vow on their behalf.”]. See also, generally, **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 13.49.55-13.51.17, EN 01361792 [“I didn’t specifically ask how long [the ceremony] was for each individual, but I would assume that, maximum one hour, because when they said there were 100 couples who were marrying in one wedding, they told me there were representatives who were making an oath because if every 100 couples were making oath, it is more than one hour already and everybody said the wedding ceremony was very short.”]. See also in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 11.04.25-11.06.26, EN 01503897 [at the 1st January Dam, Sector 42, Central Zone, 1977: “Q: [...] Why didn’t you [make a resolution]? A: Because I was not called to do it [...] only the representative of the married couples was asked to make a resolution followed by a speech by the chairperson [...] Q: And did the representative represent all of the couples and speak on behalf of the couples? Am I correctly grasping the essence of your testimony? A: Yes indeed [...] The selected couple spoke or make the commitment on behalf of the 25 couples.”].

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VI. Crimes and Crime Sites – J. Forced Marriage and Rape – 4. Marriages During the DK Regime - National Implementation of the Marriage Policy – c) Lack of Consent.

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See e.g., **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.04.09-15.06.30, EN 01361557-58 [the Civil Party was forcibly married in Prey Chhor District, 1977: “Q: Did they instruct you that you had to marry that man or that there would be a consequence if you did not, or alternatively, can you tell the Chamber whether you dare to refuse to that marriage? A: Under the regime, nobody dared to oppose the Angkar or the Party whether we could or could not go along with one another, we could not show it in public. We had to keep it to ourself. If we expressed ourselves, we would end up dead. [...] if we did not obey the disciplines or orders, then we would be killed like animals.”], 15.21.44-15.23.05, EN 01361564-65 [“I only felt the terror and fear. [...] At the time, there was nothing besides the killings. We could see and hear about the killing almost on a daily basis and we were instilled with such a constant fear.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A19-20, EN 01050565 [“Q: Back then did you want to get married? A: No, I did not. Q: Did you think that you had a choice? A: If I had a choice, I would have refused the marriage, but I did not. Back then, we did not have rights to refuse their orders. [...] When they arranged my marriage, although I did not know my husband, I had to marry him.”]; **D219/323** Mut Sophon Written Record of Interview, 15 May 2015, A28, EN 01113699 [the witness was forcibly married in Kampong Siem District, 1977: “I dared not refuse for fear of execution. Everyone was afraid of being killed.”]; **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A130, EN 01364071 [the witness worked at the Sector 41 office after the Southwest Zone cadres arrived: “Q: When they were paired off for marriage did they have the right to reject it? A: It seemed to be impossible. Whatever was said was how it was.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A6-7, EN 01054031 [in Kampong Siem District, 1977 and thereafter: “I never heard of anyone who dared to refuse to get married. They were too scared to do so. [...] Q: Why were the people afraid? A: We were afraid of people being killed. In my area, many people were taken to be killed [...] at night I heard the sound of people being marched along the road past my house, and the next morning the people in my village had disappeared. [...] Their disappearances began in 1977 or 1978.

[...] They were arrested for no reason. They were just killed.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A35, EN 01072530 [in Kampong Siem District, three months before the arrival of the Vietnamese: “I had no choice. I dared not say that I did not want to get married because I was afraid of being re-educated [...]. ‘Taken to be re-educated’ meant my chairperson met with me and told me not to do anything else wrong or I would get killed. I was afraid because I heard this from my group chairperson during group meetings.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A30, EN 01044589 [forcibly married in Kampong Siem District, 1977: “They taught me to follow or respect the arrangements of Angkar. Refusing was equal to opposing to the orders of Angkar, so they would surely have taken me to be tortured or there may have been even more serious trouble.”]; **D219/435** Touch Chamroeun Written Record of Interview, 30 July 2015, A226-227, EN 01143013 [in Prey Chhor District, late 1978: “Q: When Ta An forced you to get married, do you think that you could have refused? A: I do not think so. [...] I would have died if I refused. I would have been in trouble.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A111-112, EN 01067866 [in Prey Chhor District, after the Southwest cadres arrived: “Q: When they told you that you were going to be married to that man, how did you feel? A: I was frightened, but I did not dare refuse because I was afraid of being taken away and killed. Q: Did you want to marry that man? A: No, I did not.”]. A115-116, EN 01067866 [“A: I saw them taking people away at night, so I did not dare to refuse [to marry]. Q: Did they take people away because those people refused to get married? A: There were many reasons they took people away. Some people committed mistakes, and others just said something wrong.”]; **D219/288** Chheun Lai Sim Written Record of Interview, 24 April 2015, A33, EN 01111776 [in Prey Chhor District after the arrival of the Southwest cadres: “due to their being pressured to get married they had to get married to men who they did not love.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A16, EN 01050696 [in Prey Chhor District, 1978: “When I arrived there, the village chairperson told me, ‘You have to get married.’ I said, ‘I do not want to get married.’ The village chairperson said, ‘Angkar has already arranged the names, so you cannot refuse.’ So I did not dare refuse because I was afraid that they would take me to be killed.”]. A26, EN 01050698 [“there was a woman in my village who got married with a disabled man. When they walked past us, we saw that the husband had a crippled leg. We asked his wife why she agreed to marry that man, and she answered, ‘You know exactly what would have happened to me if I had refused.’”]; **D191.1.64** Ou Yan Civil Party Application Supplementary Information, 5 April 2010, EN 01195896 [the Civil Party Applicant was forcibly married in Kampong Siem District, 1977: “At that time, we were all afraid of being taken to be killed, and so we just followed their orders.”]; **D5/1571/3.1** Ven Lan Civil Party Application Supplementary Information Report, 13 June 2016, EN 01297477 [in Kampong Siem District, August 1978: “Before her marriage, there was a Militia man named Thai [who] threatened her that ‘Wear clothes and go to get married’ [.] [S]he refused the order but Thai asked her [...] ‘Do you want to fight with Angkar?’. Because of being scared of being taken to be killed, she agreed to accept marriage arranged by Angkar.”]. See also in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 10.59.10-11.01.51, EN 01503895 [at the 1st January Dam, Sector 42, Central Zone, 1977: “Q: Did you feel free back then to refuse the marriage? A: I did not dare to refuse the marriage and if I dared to do so I would be accused of opposing them. I would be accused of being against Angkar. I had to accept that.”]; **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A110, EN 01309805 [the witness was a Southwest Zone cadre sent to Sector 42, Central Zone in 1978: “Q: Could any assigned pairs refuse to wed? A: No, not even one in 100.”]; **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “We had not known or loved each other before, but we did not have the right to object to *Angkar*’s arrangement. If we rejected the marriage, we would have been taken to be educated or killed for disrespecting *Angkar*.”].

1589 **D219/24** Preap Sokhoeun Written Record of Interview, 8 October 2014, A21, EN 01050565 [the witness was forcibly married in Prey Chhor District, 1977: “Before my marriage, if someone refused to get married as requested by *Angkar* and fled, they chased down that person to be killed. I saw it happen to a woman in my unit named Procung. She refused to get married and fled from the union to the cooperative. Later the union arrested her from the cooperative saying that she had disobeyed *Angkar*’s rules. [...] later they tied her up and loaded her on an ox-cart. She disappeared after that. I saw them arrest her with my own eyes. The ones who took Proeung away were militiamen or security guards. [...] Because of this experience, I was very frightened.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A16-17, EN 01050696 [in Prey Chhor District, 1978: “I did not dare refuse because I was afraid that they would take me to be killed. [...] Because I heard that people who refused to get married would go missing a few days later, I heard that

they took those people to be killed.”]; **D5/172** Nhiep Try Civil Party Application, 3 December 2009, EN 01195901 [in Kampong Siem District, 1978: “The chief of Kampong Siem Mobile Unit sent anyone who refused to get married back to prison. Therefore, I agreed to that arranged marriage because I feared that I would be sent back to prison”]. *See also* in regard to the JCE charge: **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.47.01-15.50.40, EN 01361715-16 [in Chamkar Leu District, late 1977 or early 1978: “I did not dare to protest any longer because I observed that there were cases where people protested or refused to get married and then they disappeared. [...] Mostly, they disappeared when they were told that they would be sent to Baek Chan or to 41 (phonetic) and they disappeared since then. [...] Based on my observation, I saw many cases of people who disappeared because they refused to get married.”].

1590 **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.25.20-15.27.07, EN 01361566-67 [in Prey Chhor District, 1977: “I was scared because I was threatened that I would be either killed or put in a prison. They don’t use the word ‘imprisoned’ but they said I would be sent to Sop security office”]; **D5/172** Nhiep Try Civil Party Application, 3 December 2009, EN 01195901 [in Kampong Siem District, 1978: “The chief of Kampong Siem Mobile Unit sent anyone who refused to get married back to prison. Therefore, I agreed to that arranged marriage because I feared that I would be sent back to prison.”].

1591 *See, e.g.*, **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.25.20-15.27.07, EN 01361566-67 [forcibly married in Prey Chhor District, 1977: “I was scared because I was threatened that I would be either killed or put in a prison.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A12, EN 01050562 [“They said that if I did not agree to get married as arranged by Angkar, Angkar would kill me. This story was heard by my father, and he sent word to me to encourage me to get married because if I did not agree, they would take me to be killed. It was like that at that time. The killings were intense.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A30, EN 01057765 [in Kampong Siem District, 1977: “No, I did not [want to marry my husband]. It was my idea that I would not accept him, but Angkar said if I did not accept him: ‘You, comrade, will go to a new worksite.’ So I had no choice. After hearing that, my mother told me to follow Angkar because she feared that Angkar would take me to be killed.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A8, EN 01054031 [in Kampong Siem District, 1978 (*see* A3): “[The unit chairperson] said I had to get married, but I said that I did not want to. Then he said that I could not refuse, or all of my family members would be killed.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A27, EN 01046942-43 [in Kampong Siem District, late 1977: “I dared not refuse [Chhen’s] order [to marry] because he warned me that I would be killed like my older brothers if I refused.”]; **D5/13** Va Limhun Civil Party Application, 14 January 2010, EN 01133256 [“At that time, they threatened me that I didn’t marry, I would be killed.”]; **D5/1675** Bit Sok Civil Party Application, 27 October 2007, EN 01155068-69 [in Kampong Siem District, 1978 or 1979: “The first time, Ieng, a village chief, came to force me to marry him, but I refused to. At that time, he threatened that if I did not agree to marry him, he would kill me. Three months later, Ieng sent me to work at Truoy Chek Dam for a month. Later [...] Angkar proposed me to get married for the second time, but I still refused. Then they bullied me and told me to dig two square metres earth. A while later, Angkar asked me to get married for the third time; and they threatened me saying that if I did not agree with the marriage proposal, I would have to dig two square metres earth to bury myself. At that time, I was very fearful that they would take me to be killed. So, I agreed to marry him.”]; **D5/1571** Ven Lan Civil Party Application, 17 August 2013, EN 01190424 [in Kampong Siem District, August 1978 (*see* **D5/1571/3.1** where she confirmed the date): “They threatened me that if I did not agree to get married, they would take me to be killed.”]; **D191.1.36** Khy Hean Civil Party Application Supplementary Information, 5 April 2010, EN 01140028 [in Kampong Siem District, late 1977: “They forced and threatened my father, Huon Lim, to allow me to get married. They accused my father of belonging to the oppressor class because he owned farm land and cattle. I did not dare to reject the Khmer Rouge’s arrangements because I was afraid that they would kill my family.”].

1592 **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A12, EN 01050562 [in Prey Chhor District, 1977: “At that time, they forced me to marry a handicapped man whom I did not love [...] When I refused, they sent me to be educated.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A17, EN 01050696 [Prey Chhor District, 1978: “I heard that people who refused to get married would go missing a few days later. I heard that they took those people to be killed.”]; **D5/172** Nhiep Try Civil Party Application, 3 December 2009, EN 01195901 [Forcibly married in Kampong Siem District, during or after 1978: “The chief of Kampong Siem Mobile Unit sent anyone who refused to get married back to prison”]. *See also* in regard to the JCE charge: **D342/1.1.17** Om Yoeun, T. 23 August 2016, 09.15.51-09.18.26, EN

01369650 [in Chamkar Leu District, Sector 42, Central Zone, prior to the Civil Party's marriage in late 1977 or early 1978: "I had a cousin named Heng Vanny, alias Voeun. She was forced to marry a husband. She refused for one or two times, and she was taken away and killed. And in the afternoon of the day she was killed, I noticed that somebody was wearing her shirt because I noticed that her name tag was on that shirt."]; **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.49.16-15.50.40, EN 01361716 ["I saw many cases of people who disappeared because they refused to get married."]; **D6.1.408** Van Sorn Written Record of Interview, 19 November 2008, EN 00244170 [at the 1st January Dam, Sector 42, Central Zone, 1978: "If we objected and did not agree with them, they would take us for refashioning."].

1593 **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A40-41, EN 01076951. *See also* **D219/702.1.94** Prak Yut, T. 18 January 2015, 14.40.10-14.43.10, EN 01431666 ["Regarding the question they asked me about the killings in my district, I would like to clarify to all of you that [...] it came from the order from the upper echelon to me. [...] I did not carry out the order myself. The order came from Ta An. [...] I was not involved in the killing. I simply relayed the order to my subordinates"].

1594 **D219/315** Sat Pheap Written Record of Interview, 18 May 2015, A111-113, EN 01111979-80 [in Prey Chhor District, 1977: "In another case, a woman who worked at the sector commerce was forced to get married with a disabled soldier. Two or three days after the marriage she committed suicide by taking an overdose of medicine. [...] It happened at my workplace, at the sector commerce office. [...] It was in early 1977."].

1595 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A115 and A135, EN 01179837 and EN 01179840 [in Prey Chhor District: "The weddings were held after the arrival of the Southwest group. Women were forced to marry the disabled. Some of them refused to accept marriage and committed suicide. [...] [Two women] committed suicide on the night of their wedding before their husbands could sleep with them. When their husbands were not around they swallowed saluy salat, which is as hot as liniment."].

1596 *See para. 434 above.*

1597 **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.32.17-15.34.06, EN 01361569 [in Prey Chhor District, 1977: "On the wedding day, I heard the Party's leader [say] that Angkar wanted to increase the force, so marriage would have to be arranged so that children could be produced and the population could be increased. So after the wedding we were required to love each other, produce the children for the Party and live together."]. 15.34.06-15.36.18, EN 01361570 ["Comrade Sau did say that Angkar wanted more forces to engage in the revolution and to build the country, and the wedding was meant to produce more children in order for the Party to have more members."]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A44, 01076952 [in Kampong Siem District, late 1978: "At the end of my wedding, they told us what to do as a husband and wife. If any couple did not get along with each other, they would be accused of being against Angkar or betraying Angkar. They did not say directly we had to have sex, but we all understood [w]hat they meant by that. When Prak Yuth was the chairperson of the wedding, she also said the same thing."]; **D219/113** Kco Theary Written Record of Interview, 8 December 2014, A32, EN 01057765 [in Kampong Siem District, 1977: "Normally, after the wedding ceremony they instructed us to go to our house in the village and live together as husband and wife there. Comrade Voeun and Comrade Rom said this in front of all the couples."], A36, EN 01057766 ["Q: In my country, living together as husband and wife means having intercourse with each other. Is it the same in Cambodia? A: Yes, it is."]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A30, EN 01050699 [in Prey Chhor District: "Q: When you said 'get along with or sleep with the husband,' what did you mean? A: When I said it, I meant having sex with one's husband."]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A35, EN 01050570 [in Prey Chhor District, 1977: "During the wedding, they told us that we were husband and wife and had to respect each other."], A40, EN 01050571 ["Q: Did Angkar order the couples to have sexual intercourse directly or did you understand it yourself? A: Angkar or Sau advised the women that after the marriage that they had to sleep with their husbands and that we had to wear skirts, not trousers. They always advised us like that whenever we met during the three nights, although they never gave us skirts; they only gave us trousers. I understood from this advice that they wanted us to have sexual intercourse with our family (husband)."]; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A133, EN 01179839 [at a forced marriage ceremony at the Sector 41 Logistics Office in Prey Chhor District after the arrival of the Southwest cadres: "[Ta An] told each couple to get along with each other and not to argue."]; **D219/138** You Vann Written Record of Interview, 8 January 2015, A34, EN 01059279 [at two wedding ceremonies presided over by Ao An in Prey Chhor District: "Ta An was the one who advised the couples to live happily together"]; **D5/1337** Khov Net Civil Party Application, 22 January 2010, EN 01143721 [in Prey Chhor District, 1978:

“Elder Comrade Than [...] told each couple to love each other, to take care of each other, to work hard to serve *Angkar* and the Party.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A149, EN 01067870 [at a mass wedding ceremony in Kampong Siem District, after the Southwest cadres arrived: “The chairpersons told them to live with and love each other.”]; **D219/502** Muok Sengly Written Record of Interview, 4 September 2015, A37, EN 01152377 [at two forced marriage ceremonies in Kampong Siem District after the arrival of the Southwest cadres: “Yeay Yuth and Comrades Loeung and Siem presided over the weddings. They encouraged each couple to love each other and create babies for *Angkar*. They said that during both weddings I attended.”]. See also in regard to the JCE charge: **D342/1.1.24** Say Naroeun, T. 25 Oct 2016, 10.49.44-10.51.27, EN 01371175-76 [forcibly married in 1975, and her sister in 1978, in Chamkar Leu District, Sector 42, Central Zone: “[As part of the wedding vows, authorities instructed the couples that] we had to love each other from the time onward [...] and to produce babies, as many as possible, in order to meet the targets of *Angkar*. The *Angkar* needed more people to defend our country better. [...] We had to repeat those words.”], 10.53.07-10.54.55, EN 01371177 [“My pregnancy was not out of my decision or planning, but it was the target by *Angkar* that we were required to produce children.”].

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D219/171 Nhim Kol alias Say Written Record of Interview, 11 February 2015, A44, 01076952.

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D219/138 You Vann Written Record of Interview, 8 January 2015, A31 and A34, EN 01059279; **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A133, EN 01179839.

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See, e.g., **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A28, EN 01050698 [in Prey Chhor District, 1978: “After the wedding, they ordered each couple to stay in a room. They turned a long hall into separate rooms, putting walls between each room for those couples.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A36, EN 01050570 [in Prey Chhor District, 1977: “At 7 p.m. [the night of the wedding], Sau [the union chief] told a messenger to call me from my unit and told me that I had to sleep in a hall with my husband. [...] I stayed in the house or hall with my husband. We were allowed to sleep with each other for three nights after the marriage”]; **D219/293** Cheam Pcou Written Record of Interview, 4 May 2015, A33, EN 01111821 [in Prey Chhor District after the arrival of the Southwest cadres: “The Khmer Rouge permitted the newlyweds to have one week off so that they could stay together. [...] After spending their first night[s] together as husband and wife, they were separated and put to work”]; See also in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 11.10.47-11.13.00, EN 01503899 [at the 1st January Dam, Sector 42, Central Zone, 1977: “We were told to stay together for three days and after that we went our different ways to do our work assignments”]; **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A111, EN 01309805 [the witness was a Southwest Zone cadre who moved to Sector 42 of the Central Zone in 1978: “[After the wedding the husband and wife] stayed together maybe three or four nights, and then they were separated to work at their respective tasks.”].

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See **VI. Crimes and Crime Sites – J. Forced Marriage and Rape – 4. Marriages During the DK Regime - National Implementation of the Marriage Policy – d) Forced Consummation (Rape)**.

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See, e.g., **D117/60** Sum Pct Written Record of Interview, 4 August 2014, A45, EN 01044591-92 [in Kampong Siem District, 1977: “In that regime, they taught us to abide by and comply with the discipline of *Angkar* on all matters, not just on the wedding matter. When they ordered us to do something, we had to follow. If not, they would accuse us of opposing *Angkar*. Because of the previous experience, after they arranged the wedding ceremony for us, all of us understood ourselves that we had to live with each other as couples.”], A41, EN 01044591 [“All of us felt frightened and awkward [...] But, in order to stop them from tracking us and so to avoid trouble, we had slept together as spouses that night. Furthermore, all of us knew that something wrong would happen to any couples whom *Angkar* regarded as not getting on well with each other.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A135, EN 01067868 [in Prey Chhor District after the Southwest cadres arrived: “We both felt so afraid. If we had refused to have sexual intercourse, we would be taken to be killed.”]; **D219/171** Nhim Kol alias Say Written Record of Interview, 11 February 2015, A44-45, EN 01076952-53 [the Civil Party Applicant was a member of the Krala Commune Committee in Kampong Siem District from June 1977: “I did not remember how and which couple was tortured, but as I told you yesterday if they did not get on well with each other, they would have serious problems. We all knew in advance that after marriage, we had to sleep with our partners. This message was circulated before my marriage, so we told each other by word of mouth.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A32, EN 01050699 [in Prey Chhor District, 1978: “The people who had got married before me told me before I got married that if I did not agree to get along with

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my husband, they would report and torture me. This is the reason why I agreed to have sex with my husband.”]. A16, EN 01050696.

See, e.g., **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 14.31.22-14.33.00, EN 01361550 [in Prey Chhor District, 1977: “After we got marri[ed], we were constantly under surveillance, they looked inside the window, they stood outside and we were told to stay together and consummate our marriage. They conducted surveillance the whole night. When we walked outside the room, we saw them there and if I often went outside, I would be asked where I was going”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A33-34, EN 1044589-90 [in Kampong Siem District, 1977: “Q: You said they ordered the militia children to monitor whether the new couples got along well with each other or not. What did you mean by the phrase ‘got along well with each other’? A: At that time, the Khmer Rouge trained the children to surveil the people. [...] All these children were militiamen who monitored under peoples’ houses at night.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A45, EN 01057768 [in Kampong Siem District, 1977: “Yes, we were monitored every day. I never saw them spying on us when we stayed together, but my mother and other elder people talked about this all the time.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A19, EN 01054034 [in Kampong Siem District, 1978 (see A3): “They spied on us after we made our vows. If they found out that we did not have sexual intercourse with each other as husband and wife, they would take us to be killed.”]; **D117/68** Va Linhun Written Record of Interview, 15 September 2014, A34, EN 01046944 [in Kampong Siem District, late 1977: “After the hand-holding ceremony ended, my mother and my mother-in-law took me to my mother-in-law’s house. At that time, we realised that militiamen were following us to our house because my older brother-in-law who lived nearby told us.”], A35-37, EN 01046944-45 [“We slept together at my mother-in-law’s house the first night. We had no emotions at the time, but if I had refused it would have been made known to Chhen, and Chhen would have killed me. [...] [My husband] was shy, and I was afraid. Q: Why were you afraid? Because there had been an example among the ‘base people.’ That couple was Ycay Yim and Ta Nan. They had not sleep together after the marriage day. Later their not getting along was known to others, and they both were called to be re-educated.”] A48, EN 01046947 [“The militiamen still kept their eye on us for a long time too. I found this out from my older brother-in-law who had seen militiamen around my house every night. [...] We constantly lived in fear”]; **D219/405** Chhim Bunserey Written Record of Interview, 29 June 2015, A56, EN 01148845 [in Prey Chhor District after the arrival of the Southwest cadres: “The new couples were secretly observed and eavesdropped on by militiamen under their houses for two or three days. If any couples had arguments or disagreed with each other, they would be taken to be educated once or twice. After education, if they still could not get along with each other, they would disappear.”]; **D219/159** Ni Huon Written Record of Interview, 29 January 2015, A135, EN 01067868 [in Prey Chhor District after the Southwest cadres arrived: “After the sun set, people came to monitor our activity by hiding under our house.”], A136-137, EN 01067869 [“A: [We knew that people hid under our house] [b]ecause dogs were barking and when I looked under my house, I saw people trying to eavesdrop. If we had said anything wrong, they would have reported us to the upper echelon. Q: Do you mean to say that because they spied on both of you, you had to sleep with your husband? A: Yes, I do.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A28, EN 01050698 [in Prey Chhor District, 1978: “After the wedding, they ordered each couple to stay in a room. [...] At night, two village militiamen spied on us. I knew this because the couples who had been married for four or five months before I did told me that if the wives did not agree to sleep with the husbands, the militiamen would report it to the village chief and the commune chief.”], A29, EN 01050699 [“When I stayed there, I looked through the holes in the palm-leaf wall and saw the militiamen there, just as people had told me.”], A39, EN 01050700 [“A woman who got married after me told me that there were 2 militiamen listening to them secretly while they were staying in that hall. That woman told me that, even if her husband had only one leg or one eye, she would not dare to refuse to have sex with her husband.”]; **D5/1337** Khauv [Khoy] Net Civil Party Application, 22 January 2010, EN 01143721 [in Prey Chhor District, 1978: “On the first night, I did not agree to live as husband and wife, but I did not dare to scream because the militiamen walked around to eavesdrop on us.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A81-82, EN 01214825-26 [in Prey Chhor District after the arrival of the Southwest cadres (see A67-69 regarding timeframe): “We were forced to consummate our marriage. [...] Well, if we didn’t agree to consummate our marriage, we would be in trouble. Spies kept their watchful eyes on us. They were afraid that we would not consummate our marriage.”]; **D5/1491** Dan Mom Civil Party Application, 19 March 2014, EN 01145642 [in Kampong Siem District: “In 1978, I was assigned to marry [...] After the marriage, they assigned militiamen

to monitor us in order to check whether we got along well with each other or not. Otherwise, we would be 're-educated', or other actions would definitely be taken on us.”]; **D5/1498** Kas Hon Civil Party Application, 19 March 2014, EN 01090075 [in Kampong Siem District, 1977: “After the wedding, during the honeymoon, the militiamen followed us up in order to make sure whether consummate our marriage.”]; **D5/172.1** Nhup Try Civil Party Application Supplementary Information, 5 May 2010, EN 01195898 [in Kampong Siem District, 1978: “On the night of the day when we made our vows, militiamen spied on us to ensure that we consummated our marriage. If they had found out that any couple did not do so, that couple were taken to be killed.”]. See also in regard to the JCE charge: **D219/702.1.106** Meas Layhuor, T. 26 May 2015, 09.46.36-09.48.56, EN 01478064 [at the 1st January Dam, Sector 42, Central Zone, 1978: “Q: [...] Did you have the impression back then that the militiamen were monitoring the fact that you consummated your marriage with your husband? A: Perhaps so. They came to watch over whether we got along with each other and whether we consummated our marriage. [...] We were not the only couple being watched over by militiamen, the militiamen would come to watch over every newlywed couple.”]; **D342/1.1.17** Om Yoeun, T. 23 August 2016, 09.18.26-09.20.29, EN 01369650-51 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “at night time, the guards monitored us. And if we did not consummate our marriage, then measures would be taken. And for that reason, I agreed to sleep with my husband because, during the night time, I went downstairs -- went out the house to relieve myself, and I noticed that there were militiamen there.”]; **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “After eating, they ordered me to stay at a mobile with my husband. During the night, some militiamen patrolled the area because they wanted to know whether we loved each other or not.”].

1604 **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A41, EN 01044591; see also A3 regarding the time frame and location.

1605 **D219/888.1.8** Precap Sokhocurn, T. 24 October 2016, 10.47.05-10.48.43, EN 01362095 [in Prey Chhor District, approximately two months after the Civil Party’s marriage in 1977: “[Local authorities] simply gave a general advice that anyone who did not get along with the spouse would have the same fate like Comrade Rin [who disappeared after she did not get along with her husband]. They raised about that during a meeting. [...] It was Comrade Thav who emphasized that point. Thav said that any female comrades who were arranged to get married must follow Angkar’s order, had to get along with her spouse. Anyone who did not get along with each other would face the same fate like Comrade Rin.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A21-22, EN 01054034-35 [in Kampong Siem District, 1978: “A village militiaman told me that after the wedding I had to have sexual intercourse with my husband, because if I did not have sexual intercourse with my husband, we would be taken away. At that time, the phrase ‘being taken away’ meant ‘being taken to be killed.’ That militiaman told me after the wedding and again after my husband came to visit me for the first time because I had refused to have sexual intercourse with my husband. [...] The unit chief, Chut, [also] told me that if we did not agree to take each other as husband and wife, we would be taken to be killed. He told us after the wedding because he knew that we had not gotten along together. Those were the exact words that he said to me.”], A24-A25, EN 01054035 [“Around half a month after they told me, I had sexual intercourse with my husband [...] I did not like him, and he also knew that I did not want to have sexual intercourse. However, he was also under the same pressure as me. I told him what they had told me.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A29, EN 01057764-65 [in Kampong Siem District, 1977: “Later Comrade Rom and Comrade Voeun patrolled various units to find the newlyweds who still stayed there. Comrade Rom came to my mobile unit on horseback with her messengers. She then asked me why I had not gone with my husband. I responded that I preferred to stay in my unit. She said it was not right to do so. Then she asked me if I was not satisfied with the marriage. I did not respond. However, later she said that if I did not agree to the marriage, ‘Would you rather go to a new worksite?’ I thought those words meant they would take me to be killed. She did not say anything more, and then she had the messengers send me to my husband’s place.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A41-42, EN 01072531-32 [in Kampong Siem District, late 1978: “Q: Why do you think that you would have been punished if you had refused living with your husband? A: My village chief threatened me every day. One month after getting married, he said that when *Angkar* ordered us to do something, we had to do it. I was afraid of being re-educated [...] Q: When you said that you lived together as husband and wife, what did you mean? A: I meant that we lived [together] and had sexual intercourse.”], A43, EN 01072532 [“The chief of my village told me to have sexual intercourse with my husband. He said

that my husband had met him and told him that I refused to have sex with him (my husband). If I remained stubborn, the village chief would report to upper echelon and they would come to take me away that night. When they used the word ‘upper echelon,’ we understood that they referred to Yut and Rom.”]; **D219/24** Preap Sokhoeurn Written Record of Interview, 8 October 2014, A36, EN 01050570 [in Prey Chhor District, 1977: “Sau [the unit chief] told a messenger to call me from my unit and told me that I had to sleep in a hall with my husband. [...] When I was reluctant, Sau warned me. ‘Look at those who were reluctant and disappeared.’”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A42, EN 01046946 [in Kampong Siem District, late 1977: “My unit chief, Chhen, told me straightaway that after the hand-holding ceremony, if I did not get along with my husband, I would be taken to be killed. He raised the case of Yim and Nan as an example, and he warned me that if I had the same problem as those two, I would be killed.”].

1606 **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 14.35.06-14.37.33, EN 01361552 [in Prey Chhor District, after the Civil Party’s 1977 wedding: “One day, there was [an] oxcart coming to get me [...] that happened at 10 p.m. [...] [After the oxcart took me to Prey Toteung] there were Ta Horn (phonetic) and Yeay Kim (phonetic) [...] they said that comrade, in this period, after the marriage, you had to have sexual intercourse; otherwise, you would be killed if you opposed Angkar. They repeatedly said that to me.”].

1607 **D219/136** Than Yang Written Record of Interview, 22 December 2014, A43, EN 01072532.

1608 **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.27.07-15.27.53, EN 01361567 [Prey Chhor District, prior to the Civil Party’s 1977 wedding: “At that time, I knew that some people who got married did not go along together because they had their fiancé at the village. And the women did not agree to go along with the man she was arranged to be married to and, later on, she disappeared from the union. [...] [The name of one person who refused to get married and then disappeared] was Proeung, Comrade Proeung.”]; **D219/888.1.8** Preap Sokhoeurn, T. 24 October 2016, 09.21.45-09.23.38, EN 01362065 [“Comrade Proeung got married already and the husband was Oeun, who was short and had a slim build. And she said she did not want to have him as a husband because he looked like a kid. She refused and kept refusing and, later on, both of them, Proeung and the husband, disappeared.”]; **D219/702.1.87** You Vann, T. 14 January 2016, 15.41.44-15.45.38, EN 01438521-22 [in Kampong Siem District: “Yes, there were [people who refused to sleep together]. They would be refashioned for one and for two times and then they would agree to do so. [...] When they agreed to sleep with one another then they did not disappear.”]; **D219/138** You Vann Written Record of Interview, 8 January 2015 A78, EN 01059291 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “Some couples did not get along well, meaning that they did not agree to sleep together as a couple. Mostly, the husbands came to complain to me that their wives did not agree to sleep together. Later, I told the village chiefs to take them to be re-educated sending both the husband and wife to meet with the village chief in person. [...] If the first reeducation by village chiefs failed, they would be sent to see the commune chiefs to be re-educated in the same way. In the end, some couples agreed to sleep together and have children together.”]. A81, EN 01059292 [“Children of Cham or former Lon Nol soldiers who married and did not get along after being re-educated by village chiefs, would surely disappear if they still did not get along.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A31, EN 01044589 [in Kampong Siem District, after the Civil Party Applicant’s marriage in 1977: “Some other couples did not get on well with each other, and after the Khmer Rouge had investigated and learned that, they were taken to be educated. They ordered militiamen to track any couples who did not get on well with each other and to report them to the unit chief of the village so that the chief would take them to be educated.”]. A35, EN 01044590 [prior to the witness’s marriage in 1977: “Q: You said the couples who did not get on well with each other were taken to be educated. Did you see that first-hand or hear it from others? A: I saw a couple in my village taken to be educated because they did not get on well with each other.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A69-71, EN 01057771-72 [in Kampong Siem District: “Q: [...] Were there any cases of forced marriage in which [couples] did not agree to live with each other as husband and wife? And what happened to those couples? A: Such cases happened a lot. Later Angkar called them for re-education, and those couples did not have any choice other than living together. [...] When a wife was summoned to be re-educated. That meant they called her for a meeting and Angkar would ask her why they did not agree to live with each other. In some cases they reduced their food rations until they agreed to live together. [...] I also talked directly to those who were called to attend re-education meetings”]. See also in regard to the JCE charge: **D342/1.1.17** Om Yoeun, T. 23 August 2016, 09.11.33-09.14.42, EN 01369648-49 [in Chamkar Leu District, Sector 42, Central Zone, late

1977 or early 1978: “[When my husband left the room because I resisted consummating the marriage] [h]e went to report the matter to his chief. [...] Then Comrade Phan called me to see him. [...] I was called to a quiet room and when I was in the room, I was questioned why I didn’t consent to have sex with my husband. He did not ask me further, then [Comrade Phan] simply forced upon me and raped me in that very room. [...] He said that if he -- he raped me and I shouted, then I would be shot dead. And after that warning, after the rape, that I had to shut my mouth and that I had to agree to live with my newlywed husband.”], 11.11.12-11.12.54, EN 01369682 [“I was asked the reasons that I refused to consummate the marriage, and then I told him the reasons and then he forced upon me and he wanted to -- to rape me. I resisted, but I failed. And he had a pistol with him. And I was afraid that I would be killed. For that reason, I let him raped me. And that was also the reason that I decided to live with my husband because I was afraid that I would be killed.”].

1609 **D219/888.1.8** Preap Sokhourn, T. 24 October 2016, 10.47.05-10.48.43, EN 01362095 [Comrade Thav said that female comrades had to get along with their spouse or face the same fate as Comrade Rin]; **D219/24** Preap Sokhourn Written Record of Interview, 8 October 2014, A21, EN 01050565 [in Prey Chhor District, prior to the witness’s 1977 wedding: “Because of this experience [of seeing someone in my unit taken away for refusing to have sex], I was very frightened.”], A27, EN 01050567 [“Back then, if any side showed that he or she did not want to live with their partner, Angkar would kill both people without asking who created the problem. I knew that because, before that, Angkar had taken a married couple who had not agreed to live with each other. We saw it as a model. That was why we were frightened. In the union, many couples were killed. For example, Neary Rin disappeared from the unit. When I asked Ni Li, ‘Where has Comrade Rin gone? Why?’ Comrade Li told me that they had taken her because she had not agreed to have sexual intercourse with her partner after the wedding.”]. **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A35-37, EN 01046944-45 [in Kampong Siem District, late 1977: “we slept together at my mother-in-law’s house the first night. We had no emotions at the time, but if I had refused it would have been made known to Chhen, and Chhen would have killed me. [...] I was afraid. Q: Why were you afraid? A: Because there had been an example among the ‘base people.’ That couple was Yeay Yim and Ta Nan. They had not sleep together after the marriage day. Later their not getting along was known to others, and they both were called to be re-educated.”], A38-41, EN 01046945-46 [“Initially Yim had not consented to sleep with Nan. Several months later, Ta Nan told his friends about this, and the unit chief learned of the matter. Then the unit chief called them both to be re-educated. [...] They told them both, ‘After you two held one another’s hands as a couple, you have to get along well and live together for life.’ [...] If they still had not gotten along [after being refashioned], they would [have] been killed.”].

1610 **D219/888.1.7** Preap Sokhourn, T. 20 October 2016, 14.37.33-14.39.18, EN 01361553 [in Prey Chhor District, 1977: “On that night, my husband was trying to convince me and touch me, but I did not allow him to touch my body. But if I tried to jump from the back door, he said if I jumped, there would be someone there to catch me. And I could see there was a person around the house. [...] And a little bit later, I went up into the house and then my husband convinced me to sleep and I slept very tightly on that night and when I woke up, I saw his hands on my body. I tried to resist him. At that time, he tore my clothes, my shirt, my trousers, and took off my bra and then he raped me. I shouted. I was shouting at the time and he asked me not to shout because he said that he and I became husband and wife already. That was the first day that he raped me.”], 15.12.50-15.15.38, EN 01361561 [“I did not know whether Angkar instructed him to do that [rape] or not, the only thing I knew was that he, himself, did that to me for his own purpose, but when I cried and started to scream and he said that what he did was following Angkar’s instructions otherwise we both would be killed. So I did not know whether Angkar instructed him to do or whether he did it on his own initiative.”]; **D219/24** Preap Sokhourn Written Record of Interview, 8 October 2014, A43-45, EN 01050572-73 [the witness described the rape and said, “Back then, I did not agree to sleep with him for the first five or six nights. One night, he tore my clothes apart and told me that if I was not willing to have sexual intercourse with him, he had to use force. I did not know what to do except cry. After the rape, he apologised me by telling me that he followed Angkar’s direction. He said to me, ‘According to our Khmer tradition, people have sexual intercourse when they are married.’ [...] At [the] time I did not want to have sexual intercourse with him.”], A48, EN 01050574 [“Q: When your husband told you that he had followed Angkar’s order, did you think that it was true? A: According to his personality as I knew it, I did not believe that he told a lie. If he wanted to rape me, he would have done so right after the wedding. He explained to me that he pitied me because I was young, but he had to obey Angkar’s order.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A42, EN 01072532 [in Kampong Siem District, late 1978: “We had sex with

each other the first time at night and the next day after getting married. At the beginning, I did not want to do it. That is why it happened on the second night. My husband threatened me that if I disagreed, he would complain. If my husband complained to the village chief, I would have been arrested and re-educated. If I had continued to refuse having sex with him, they would have held a public meeting to inform other people not to follow me. In that meeting, the village chief would have warned that if we continued to disobey Angkar, they would take us to be killed because Yeay Yut organised the wedding for us, but we were stubborn.”], A45-47. EN 01072532-33 [“Q: How did you feel when you had sexual intercourse that you did not want? A: I felt afraid. I cried, but my husband covered my mouth so that other people would not hear. After that, I always had that kind of feeling, but I dared not tell anyone. Q: Did you continue having sex with your husband during the three months? A: Yes, I did. Q: Did you want to have sex? A: No, I felt afraid. I continued to be afraid, and to cry during the three-month period.”]. See also in regard to the JCE charge: **D342/1.1.17** Om Yocun, T. 23 August 2016, 09.08.47-09.11.33, EN 01369647-48 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “when I entered the room, my husband was there. [...] I was frightened. I resisted his advance. He was upset [...] He simply wanted to rape me violently.”], 11.11.12-11.15.02, EN 01369682-83 [after the Civil Party refused to have sex with her husband, he informed the village chief, who subsequently raped the witness and threatened her with death. The witness then agreed to sleep with her husband.]: **D5/1168** Oam Pove Civil Party Application, 13 October 2009, EN 01143527 [in Chamkar Leu District, Sector 42, Central Zone, 1978: “After eating, they ordered me to stay at a mobile with my husband. During the night, some militiamen patrolled the area because they wanted to know whether we loved each other or not. That same night, my husband forced me to have sex with him, saying that if I denied him, he would tell Angkar. After hearing this, I was so terrified that Angkar would know and take me to be killed. So I agreed to follow his words.”].

¹⁶¹¹ **D219/888.1.7** Preap Sokhocum, T. 20 October 2016, 14.37.33-14.39.18, EN 01361553, 15.12.50-15.15.38, EN 01361561.

¹⁶¹² See para. 440 above and the evidence cited therein.

¹⁶¹³ See, e.g., **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A28, EN 01050698 [in Prey Chhor District, 1978: “[After the wedding] [w]e lived with each other for a week, and then they separated us from each other.”] and **D5/1337** Khauv [Khov] Net Civil Party Application, 22 January 2010, EN 01143721 [“we were separated to work at our respective workplaces. I went to Boeung Kravan Cooperative, Lvea Commune, whilst my husband went to Boeung Touch Cooperative.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A81, EN 01214825 [in Prey Chhor District after the arrival of the Southwest cadres: “[After the wedding] [m]y wife was sent to her sewing section while I returned to my workshop.”]; **D219/293** Clean Pao Written Record of Interview, 4 May 2015, A33, EN 01111821 [in Prey Chhor District after the arrival of the Southwest cadres: “The Khmer Rouge permitted the newlyweds to have one week off so that they could stay together. [...] After spending their first night[s] together as husband and wife, they were separated and put to work in their own units.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A27, EN 01054035 [in Kampong Siem District, 1978: “My husband came to visit me once a week or a month until the Vietnamese arrived.”]; **D5/13** Va Limhun Civil Party Application, 14 January 2010, EN 01133256 [in Kampong Siem District, late 1977: “Two or three days after the marriage, I was separated from my husband.”]; **D191.1.67** Peanh Srun Civil Party Application Supplementary Information, 20 August 2010, EN 00596482 [in Kampong Siem District, 1977: “After the ceremony the applicant didn’t live with his wife because everyone had to work separately.”]; **D191.1.36** Khy Hean Civil Party Application Supplementary Information, 5 April 2010, EN 01140028 [in Kampong Siem District, late 1977: “After the wedding, we did not live with each other.”]; **D5/655** Khy Srean Civil Party Application, 18 December 2009, EN 01320609 [in Prey Chhor District (see EN 01320608): “In 1977, my elder sister, Khi Hean, was forced to get married. [...] One day later, they separated those couples to work in different places.”]. See also in regard to the JCE charge: **D5/1495** Chhuon SaVocurn Civil Party Application, 19 March 2014, EN 01145651 [in Cheung Prey District, Sector 41, Central Zone, 1978: “[The 71 couples married at the wedding] did not live with one another after marriage.”]; **D342/1.1.17** Om Yocun, T. 23 August 2016, 09.15.51-09.18.26, EN 01369650 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “Q: After you were threatened and resulted in you being raped, did you return to live with your husband and did you continue to live with your husband and, if so, where? A: He remained in the military unit while I was transferred back to my old civilian Unit 7.”]; **D219/702.1.105** Kong Uth, T. 25 June 2015, 11.10.47-11.13.00, EN 01503899 [at the 1st January Dam, Sector 42, Central Zone, 1977: “We were told to

stay together for three days and after that we went our different ways to do our work assignments”]; **D219/762** Saray Hean Written Record of Interview, 19 May 2016, A111, EN 01309805 [the witness was a Southwest Zone cadre who moved to Sector 42 of the Central Zone in 1978: “[After the wedding the husband and wife] stayed together maybe three or four nights, and then they were separated to work at their respective tasks.”].

¹⁶¹⁴ *See, e.g.*, **D219/702.1.94** You Vann, T. 18 January 2016, 13.38.33-13.40.20, EN 01431640-41 [the witness worked as a messenger for Kampong Siem District Secretary Prak Yut and later served on the Ro’ang Commune Committee there: “I allowed [married couples] to go [visit each other] upon their request.”]; **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.10.15-15.11.22, EN 01361560 [in Prey Chhor District, 1977: “After we got married, Comrade Sau convened a meeting and we were told that for the newly married people you could not sleep together, stay together every time, and that there would be an arrangement for us to meet, that is, we could meet three nights per month and if we did more than that we would be disciplined. And that also happens to other couples who got married later on.”]; **D219/24** Preap Sokhoeum Written Record of Interview, 8 October 2014, A34, EN 01050570 [“Back then, they ordered the newly-wed couples to sleep with each other once a month.”]; **D219/113** Keo Theary Written Record of Interview, 8 December 2014, A50-51, EN 01057768 [in Kampong Siem District, 1977: “We met every one, two, or three weeks. We had to ask for permission from the worksite chairperson by saying that we requested to ‘visit home’. My husband needed to ask for permission from his group chief to visit home to see me. [...] If we did not ask for their permission, they would not allow us to visit home either.”]; **D219/47** Khauv Net Written Record of Interview, 20 October 2014, A41, EN 01050700-01 [in Prey Chhor District, 1978: “My husband came to my parents’ house once a month. And I asked for permission to leave my unit to go to my house, and I stayed at my house for two days. During those two days, we did not work. After that, I returned to my unit and my husband returned to his fishing unit.”]; **D219/687** Mao Saroeung Written Record of Interview, 15 February 2016, A81, EN 01214825 [in Prey Chhor District after the arrival of the Southwest cadres: “We saw each other once every half a month or once a month.”]. *See also* in regard to the JCE charge: **D219/702.1.105** Kong Uth, T. 25 June 2015, 11.10.47-11.13.00, EN 01503899 [at the 1st January Dam, Sector 42, Central Zone, 1977: “we were allowed to meet each other every tenth day.”]; **D342/1.1.17** Om Yoeun, T. 23 August 2016, 09.15.51-09.20.29, EN 01369650-51 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “Between 10 to 15 days, we were allowed to meet each other. [...] Yes, we [would have sexual intercourse]. I was afraid that I was being monitored because when we came there were seven or eight others who also came and I was afraid that I was being monitored. [...] And if we did not consummate our marriage, then measures would be taken.”].

¹⁶¹⁵ **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.06.30-15.08.15, EN 01361558 [in Prey Chhor District, Sector 41, Central Zone, 1977: “After I got married, I was scared. I was thinking every moment, I could not sleep well, I could not eat well”]; **D219/888.1.1** Om Yocun, T. 22 August 2016, 15.54.28-15.56.06, EN 01361717-18 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “I was terribly worried. I did not want to get married to my husband. [...] I did not like him. I was forced to get married so I was so angry and I could not eat.”]; **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.14.46-09.17.45, EN 01371141 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “My body shook, my heart was pumping blood quickly. However, I dared not to weep. And when we were told to make a commitment, I just said what I was told to do. I almost fainted.”]; **D342/1.1.24** Say Naroeun, T. 25 October 2016, 10.39.00-10.41.03, EN 01371172 [in Chamkar Leu District, Sector 42, North Zone, 1975: “I started to know that perhaps it was a marriage ceremony, so I started to feel fearful. My body was trembling. My body was cold because I was so fearful. I kept on sitting still, but I knew that the condition inside my body was strange.”].

¹⁶¹⁶ **D342/1.1.24** Say Naroeun, T. 25 October 2016, 10.39.00-10.41.03, EN 01371172.

¹⁶¹⁷ **D219/888.1.7** Preap Sokhoeum, T. 20 October 2016, 15.06.30-15.08.15, EN 01361558; **D219/888.1.1** Om Yocun, T. 22 August 2016, 15.54.28-15.56.06, EN 01361717-18. *See also* **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.00.52-11.03.00, EN 01382718 [in Samlaut District, Battambang Province, Northwest Zone, 1978: “And I was very upset, and we all were very upset and we didn’t eat meals for three or few days after the ceremony. We were all forced to get married. We did not want to get married at that time.”].

¹⁶¹⁸ **D219/888.1.1** Om Yoeun, T. 22 August 2016, 15.54.28-15.56.06, EN 01361718 [Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “Q: What aspect that you were disappointed or upset about? A: Because we did not know each other and he was not the guy I loved.”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 10.41.32-10.43.35, EN 01382711 [in Samlaut District, Battambang Province, Northwest

Zone, 1978: “I got married in Samlout among other 40 couples. [...] Some of them even cried during the wedding. Some ran away. Two people ran away. [...] I also cried. I was disappointed, very disappointed since I had never seen my would-be husband before the marriage day”]. 10.50.31-10.53.10, EN 01382715 [“Everyone got angry, frankly speaking. Everyone got angry because we were asked to get married. All women got angry.”]; **D219/888.1.8** Nget Chat, T. 24 October 2016, 16.02.04-16.06.35, EN 01362180-81 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “I looked at the face of my spouse and he’s very old. I was only 20 years-old and he was over 40, about 18 years older than me [...] I cannot find any words to describe my feeling, but what I can tell you is that when I saw [him], I felt intimidated and frightened.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 14.14.05-14.15.48, EN 01370000 [in Phnom Penh, 1975: “When Angkar organized the marriages I was not happy and I had only tears – actually I wept almost every day. I felt the pain but I could not do anything.”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 13.42.57-13.45.49, EN 01361414 [in Bakan District, Pursat Province, Northwest Zone, 1978: “At that time, I was very young and I was also scared.”], 15.39.05-15.40.30, EN 01361450 [“Both the male and the female side wept. Every one of the 12 couples including me who were paired-up to get married on that day were not informed beforehand.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.27.44-14.28.57, EN 01362146 [in Mondulakiri Province, Northeast Zone, 1977: “During the wedding day, I went there and I respected the organization; although I, myself, felt the sorrow and pain inside me.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 15.49.18-15.51.07, EN 01385326 [in Siem Reap Province, North Zone, late 1975: “I knew that they were all forced [to marry] because the 60 couples all wept, they all wept. When we were standing together, we all wept, and only when [the cadres] arrived then we wiped our tear and stopped weeping. [...] Anyone would weep, regardless whether you were a single virgin or whether you are a widow. [...] All 60 of us stood together and wept.”]; **D342/1.1.17** Sou Sotheavy, T. 23 August 2016, 15.14.21-15.16.23, EN 01369725 [in Bati District, Kampong Speu Province, Southwest Zone, 1978: “There was none of the 107 couples who refused, however, we could see that some people shed their tears quietly, especially the women. As for men, some of them also wept although they did not dare to speak out.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A26-27, EN 01072529 [in Kampong Siem District, Sector 41, Central Zone, late 1978: “I was very disappointed. [...] The women who got married were 22 to 23 years old and [the] men were 35 years old. Some did not like their spouses and cried during the wedding.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A9, EN 01054032 [in Kampong Siem District, Sector 41, Central Zone, 1978: “I felt angry because I did not like that wedding, and I did not love my husband.”], A40, EN 01054037 [“At the time, I felt angry and sad. About four to five years later, I felt angry once in a while.”]; **D219/687** Mao Saroeun Written Record of Interview, 15 February 2016, A78, EN 01214825 [in Prey Chhor District, Sector 41, Central Zone, after the arrival of the Southwest cadres: “I felt as if I were being taken to be killed.”]; **D117/60** Sum Pet Written Record of Interview, 4 August 2014, A31, EN 01044589 [in Kampong Siem District, Sector 41, Central Zone, 1977: “it felt troubled [...] My wife also felt frightened”]; **D6.1.676** Cheang Sreimom Written Record of Interview, 11 December 2009, A8, EN 00410264 [in Takeo Province, Southwest Zone, 1977: “I was very shocked when I was told that they arranged the wedding for me that night. Ol told me that I had to marry Tri Tuoch, [...] I hated him very much. I did not have other choices. I cried in my mind, and I was very sad.”]; **D219/99** Khet Sokhan Written Record of Interview, 27 November 2014, A84, EN 01077083 [in Kampot Province, Southwest Zone, 1978: “I felt very upset inside my heart, and I also secretly cried, but I did not let anyone know I was crying.”]. **D342/1.1.21** Mom Vun, T. 16 September 2016, 15.49.18-15.51.07, EN 01385326.

¹⁶¹⁹ **D219/687** Mao Saroeun Written Record of Interview, 15 February 2016, A78, EN 01214825.

¹⁶²⁰ **D219/888.1.3** Kasumi Nakagawa, T. 14 September 2016, 09.25.06-09.26.36, EN 01361850 [“When I asked the specific question about the time of the marriage in the Khmer Rouge, they don’t have any happy memory. They were very sad to look back on the past, and they were – many were very angry that they were forced into the marriage. Some had -- as I said yesterday, some still had -- have had mental or physical problems that they had to carry on until today or emotional trauma that they had to carry on today.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 14.17.12-14.20.00, EN 01370001-02 [the Civil Party was forcibly married in Phnom Penh, 1975: “Every time I think of what happened that I did not like my husband, that I was organized to marry him by Angkar, I feel the pain in my chest. I could not find the right words to describe the pain.”]; **D5/190/5** Em Oeun, T. 23 August 2012, 15.57.58-15.59.41, EN 00841957 [the Civil Party Applicant was forcibly married in Sector 20, East Zone, 1977 or 1978: “if I recall my past, I sometime cannot hold my tears. And I was a man; I suffer from it, but I could also imagine the feeling of the lady: she was suffering from it as

well.”]; **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.18.45-09.20.50, EN 01371142-43 [the Civil Party was forcibly married in Bakan District, Pursat Province, Northwest Zone, August 1978: “Q: [...] when you were separated from your husband, and [...] forced to marry another man without your knowledge, can you tell the Chamber the pain or the suffering that you endured? A: I endured the pain the most. I told my children that it was a great misery, and it stays inside me.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A15, EN 01054033 [the witness was forcibly married in Kampong Siem District, Sector 41, Central Zone, 1978 (see A3): “Q: Do you feel angry or unhappy when you think of that marriage? A: Yes. Q: If you could divorce your husband, would you marry another man after the divorce? A: The people in the village would not say anything [...], but I would not want to marry again. I would rather live alone than live with a man I did not love.”]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 26:15-26:38 [Pen Sochan, who was forced to marry in Bakan District, Pursat Province, Northwest Zone, 1978: “If I talk about it, I cry. The tears flow like the words. I feel so much regret. If I talk about it, I start to cry. [...] So I try to hide this story and suffer all alone.”].

1622 **D219/101** Sorn Kao Written Record of Interview, 29 November 2014, A48, EN 01075228 [in Kampot Province, Southwest Zone, 1976: “I did not love him since I had been engaged with another man in another village. Due to the fact that my fiancé lived in another village, my marriage with him was not allowed, so I had to get married with a man in the same village.”], A57, EN 01075229 [“Q: You loved one man and married another man. How did you feel at that time? A: I felt sad, but because I was afraid of them, I dared not refuse.”]; **D219/306** Soen Ban Written Record of Interview, 8 May 2015, A16, EN 01111916 [in Battambang Province, Northwest Zone, February 1978: “My fiancée was forced to get married with another man. I was not happy but I had no choice. I was afraid that if I did not follow their orders they would take me to be killed”]; **D219/217** Chhen Ham Written Record of Interview, 11 March 2015, A120, EN 01088548 [in Prey Chhor District, Sector 41, North Zone, 1976: “I would like to describe it as follows: At 2.00 p.m., I was to attend a meeting. About 15 minutes later, they came to ask me, ‘Do you want to get married?’ I replied, ‘I do not want to get married yet.’ Then they said, ‘You have to get married.’ I replied, ‘I have already had a fiancé. Can I marry my fiancé?’ They replied, ‘No, you cannot.’ I still insisted, ‘I do not agree to get married.’ Then they drove a motorbike to the sector office. About 30 minutes later, they came back, held my hands, and asked me, ‘I want to ask you a short question: Who are you living with now?’ I replied, ‘I am living with *Angkar*.’ They threw a set of clothes and a scarf to me, and then we travelled to the wedding venue at about 6.00 p.m. Neither of us had ever known each other before. They called us to exchange resolution, but I did not agree and told them, ‘I do not agree. Let others make the resolution instead of me.’”]. See also **D219/323** Sophon Mut Written Record of Interview, 15 May 2015, A28, EN 01113699 [in Kampong Siem District, Sector 41, Central Zone, 1977: “My current wife was a former mobile unit worker who lived behind the school. Yeay Yuth saw her walking and selected her for me straight away. Yeay Yuth knew that at that time, she and her fiancé were supposed to get married that day. So Yeay Yuth told them that they would not be getting married because that woman had already been selected to marry me. She told my wife’s fiancé to choose another woman. He cried.”].

1623 **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.24.56-14.27.44, EN 01362145-46 [in Mondulakiri Province, Northeast Zone, 1977: “I did not know what to do since I had a fiancée at my village. So, after the three-day period, they asked me again and I replied that I agreed to the arrangement for the marriage despite my unsettling feeling, since I had a fiancée at my village. Because I did that in order to survive [...] And when I went to my village, my fiancée remained unmarried and I apologized to her that I had married another woman and that would mean that it’s a dishonour on my side to her. She did not blame me. And of course, this unsettling feeling remains with me until the present day.”].

1624 **D342/1.1.21** Mom Vun, T. 16 September 2016, 11.13.35-11.16.02, EN 01385272 [in Siem Reap Province, North Zone, late 1975: “After my husband was called for re-education, that is, two or three months after that, I was forced to remarry. I refused because I was afraid that my husband would return, but they said that I had to remarry someone else.”], 11.16.56-11.18.38, EN 01385273 [“Upon hearing that [I had to remarry], I was afraid; I was worried because my husband had just left and if he were to return, then there would be big trouble.”]; **D118/276** Uk Him Written Record of Interview, 14 July 2014, A14, EN 01031760 [in Tram Kak District, Takeo Province, Southwest Zone, 1975: “my husband was called to attend study sessions and disappeared since then. Approximately one month later they forced me to remarry”]; **D310/1.1.6** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421893 [one respondent stated: “My husband was a French

soldier. They hanged my husband. Five months later they told me I had to marry”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045709 [“Previous research and the Khmer Rouge’s own documentation show that the regime forced many single or widowed people to marry for ‘Angkar’. This sometimes followed execution by the Khmer Rouge of a person’s husband or wife from a previous marriage, particularly if the spouse was deemed an enemy of the revolution.”], EN 1045712 [describing a case in which a Khmer Krom woman’s husband was executed just prior to her being asked by the regime to marry.].

1625 **D342/1.1.24** Nget Chat, T. 25 October 2016, 09.56.48-09.58.09, EN 01371161 [in Bakan District, Northwest Zone, August 1978].

1626 **D219/888.1.6** Peggy Levine, T. 12 October 2016, 09.06.41-09.08.45, EN 01361351 [in regard to forced marriages: “What I discovered was that there was a dramatic change in the ritual structure, in the access people had to rituals formally. Many sought rituals secretly, sometimes at the risk of feeling very afraid. [...] I was interested in what particular texture or kind of anxiety people experienced by not having a particular kind of protection that is embedded for centuries in Cambodia.”], 09.12.00-09.13.14 [“I think that word [dread], in many ways, describes the experiences that people spoke about”]; **D342/1.1.20** Nop Ngim, T. 5 September 2016, 11.27.22-11.28.00, EN 01382729 [forcibly married in Samlaut District, Battambang Province, Northwest Zone, 1978: “Frankly speaking, of course, in my heart, I wanted my marriage to be held according to the tradition, but how could I do? I had no choice. I wanted it to be held according to our practice, but I had no choice.”]; **D342/1.1.19** Chea Dieb, T. 30 August 2016, 14.15.48-14.17.12, EN 01370001 [forcibly married in Phnom Penh, 1975: “Of course I felt upset when I thought of the way that I was married [as compared] to the current practice. I am upset with my destiny.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A44, EN 01046946 [forcibly married in Kampong Siem District, Sector 41, Central Zone, late 1977: “Yes, I was disappointed that I had not been able to marry traditionally. However, due to fear, I was able to accept it accordingly.”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A4, EN 01054030 [forcibly married in Kampong Siem District, Sector 41, Central Zone, 1978 (see A3): “I expected that my wedding would be a normal wedding with traditional music. I wanted to get married to a man that I loved. A couple should have the right to choose to whom to get married. However, I had no choice”]; **D219/99** Khet Sokhan Written Record of Interview, 27 November 2014, A83, EN 01077083 [forcibly married in Kampot Province, Southwest Zone, 1978: “I felt regret because I was not able to have a proper ceremony in accordance with our tradition.”]; **D219/115.1** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 01045727 [“respondents continue to live with regret and sorrow that they were not able to marry traditionally or someone that they loved.”], EN 01045727 [Khmer Krom female respondent: “I’ve been disappointed as from my birth to adulthood [that] I couldn’t get married legally and in accordance with the tradition as well, so different from other people. What suffering I had!”]; **D219/738.1.43** CDP Questionnaire No. 107 Transcript, 30 November 2013, A44, EN 01221260 [the respondent was forcibly married in Sangkae District, Battambang Province, Northwest Zone, 1975: “Q: You were forced to get married to a man who didn’t please you. Any rituals were not introduced in your marriage. Have all these caused any impact on your mental health[h] since? A: I am really angry with them. At that time, I didn’t dare to cry. I didn’t say anything about it. Now, when I hear Khmer traditional wedding music for the wedding ceremony I get upset.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482424 [“This study uncovered a type of spirit-based anxiety related to the breakdown of protective rituals, which continues to interfere with some respondents’ sense of safety and predictable future.”], EN 00482475 [“Respondents emphasised that absence of rituals during the Khmer Rouge led them to worry about themselves, their family, and ancestors. Rituals are tied to the mundane, and the sacred and magical. Overtime, I was able to document the relationship between the absence of ritual participation and people’s distress.”].

1627 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 15.33.50-15.35.32, EN 01361828 [“I have many accounts from the women who were married and whose parents were not there. They were very sad. They regretted that their parents were not there to stay with them and they still carry on this legacy [of] remorse until now.”]; **D219/444.1.8** Chum Neou, T. 24 August 2009, 10.31.10-10.34.14, EN 00370660 [in Phnom Penh, 1976: “We were noticed in the morning that the marriage would be at 2 p.m. I was shocked and I asked [...] them whether my relatives or my parents were invited from the village. He said ‘no.’ So I was not happy during my marriage on the wedding day. But because the time was set [...] I could not refuse and I was

explained [...] that we should regard Angkar as our parents who arrange our marriage and we should just agree to the proposal. So actually I was tearful during the wedding day. I was upset that none of my relatives from my village was informed.”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 13.55.20-13.58.03, EN 01361419 [forcibly married in Bakan District, Pursat Province, Northwest Zone, 1978: “That’s the point that made me [suffer]. That wedding took place without the participation of my siblings and relatives. None of my relatives was aware of the marriage.”]; **D219/494.1.11** Yi Laisov, T. 20 August 2015, 14.14.31-14.16.03, EN 01499110 [forcibly married in Paoy Char Commune, Battambang Province, Northwest Zone, late 1978: “A: My relatives or siblings did not attend the wedding at the time. Q: How did you feel at the time when you saw no one from your family in the wedding? A: I was really disappointed because my parents were not allowed to attend the occasion at the time.”]; **D219/494.1.3** Khin Vat, T. 29 July 2015, 15.38.30-15.40.38, EN 01437857 [forcibly married in Kampong Chhnang Province, West Zone, late 1977: “It was unfortunate enough that my parents were not aware of my marriage; moreover, I had to remain committed, and ready to endure all sorts of hardship ahead.”]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 15.49.18-15.51.07, EN 01385326 [in Siem Reap Province, North Zone, late 1975: “there was no permission at all from our parents, they just mixed and matched us, and that’s how we all wept.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A20, EN 01046941 [in Kampong Siem District, Sector 41, Central Zone, late 1977: “I would have been happier if my parents had arranged the marriage for me no matter if the groom were rich or poor.”]; **D219/738.1.35** CDP Questionnaire No. 92 Transcript, 29 November 2013, A44, EN 01221163 [in Battambang Province, Northwest Zone, 1978: “I was so angry that I was forced [...] to get married and my parents weren’t involved in my marriage.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037042 [“Toy-Cronin points out how many of her respondents complained bitterly that ‘their parents were not allowed to fulfill their traditional role in arranging the wedding and attending the ceremony.’ Forced marriages were considered by many victims as disobedient acts against parents and ancestors”], EN 01037043 [“Other women attempted to remedy the damaged ‘karmic status’ of the forced marriage by remarrying with choice and with the involvement of the ancestors and parents through traditional ceremonies.”], EN 01037075 [“Disappointment is the prevailing emotional response of case study interviewees to their forced marriages – at having lost the opportunity to exert control over a major life decision such as marriage and to not have that life decision validated and legitimized by family and ancestors.”].

1628 **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037073.

1629 **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.06.30-15.08.15, EN 01361558 [in Prey Chhor District, Sector 41, Central Zone, 1977: “the only thing that I was thinking is [...] that if I did not go along well with him and Angkar knew about it, Angkar would send me to be killed, but I tried to behave myself not to allow any of my peer to know my true feeling.”]; **D342/1.1.17** Om Yocun, T. 23 August 2016, 09.15.51-09.20.29, EN 01369650-51 [in Chamkar Leu District, Sector 42, Central Zone, late 1977 or early 1978: “I was afraid that I was being monitored [...] at night time, the guards monitored us. And if we did not consummate our marriage, then measures would be taken. And for that reason, I agreed to sleep with my husband”], 13.34.47-13.36.01, EN 01369693 [“I did not shout nor did I protest because I was frightened. So I agreed to – I finally agreed to let him do it. But I was so upset. I was so angry”]; **D342/1.1.24** Say Nareoun, T. 25 October 2016, 10.48.09-10.49.44, EN 01371175 [in Chamkar Leu District, Sector 42, North Zone, 1975: “Q: How did you feel when you consummated your marriage with the man whom you did not love? A: I felt difficult to breathe in my heart because in my whole life, I never encountered such an incident. And as a Khmer woman, nothing is more important than our body. Although I was fearful and trembling, I thought to myself that I had to give my body to my husband in order to fulfil the requirement of Angkar. It was so painful for me.”]; **D219/888.1.8** Ngct Chat, T. 24 October 2016, 16.03.42-16.06.35, EN 01362181-82 [in Bakan District, Pursat Province, Northwest Zone, August 1978: “We consulted among each other [about whether to consummate the marriage] that we should not oppose and we should [keep] quiet because there were young militiamen walking nearby listening to us. [...] So we did not dare to make any noise. We kept quiet because we saw cases where people were taken away to be killed. So we did not dare to even whisper to each other.”]; **D219/702.1.104** Chum Samoeurn, T. 24 June 2015, 14.25.08-14.27.34, EN 01478287 [in Kampong Chhnang Province, West Zone, 1978: “after the marriage we were asked to go to our sleeping quarter -- that is, our room, my whole body was trembling and I was very afraid and I told him, ‘please don’t

do anything to me'. and the man did not do anything to me. I was fortunate enough for that. Then I heard footsteps outside the room, I began to tremble again.”], 14.29.45-14.31.35, EN 01478289 [“There were militias who came to eavesdrop on us, but they did nothing. I did not know whether these militias were armed because I did not see them. I only heard their footsteps. [...] They wanted to know whether we consummate[d] the marriage.”], 14.31.35-14.32.40, EN 01478290 [“In fact we did not consummate our marriage as I was afraid of him. Of course we Cambodian girls would not willingly give ourselves to the men that we just knew and for that reason my body was trembled and I actually begged him to keep a secret that we did not consummate our marriage.”]; **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A36 and A42-43, EN 01046945-46 [in Kampong Siem District, Sector 41, Central Zone, late 1977: “Q: Did your husband wan[t] to sleep together? A: He was shy, and I was afraid. [...] My unit chief, Chhen, told me straightaway that after the hand-holding ceremony, if I did not get along with my husband, I would be taken to be killed. [...] Q: How did you feel after the first night having slept with your husband? A: I was still frightened, and I was always thinking of when I would be taken to be killed.”].

1630 **D342/1.1.24** Say Nareun, T. 25 October 2016, 10.48.09-10.49.44, EN 01371175; **D219/702.1.104** Chum Samoeun, T. 24 June 2015, 14.25.08-14.27.34, EN 01478287 and EN 01478290.

1631 **D117/68** Va Limhun Written Record of Interview, 15 September 2014, A43, EN 01046946.

1632 **D219/888.1.7** Preap Sokhoeun, T. 20 October 2016, 14.31.22-14.35.06, EN 01361550-51 [in Prey Chhor District, Sector 41, Central Zone, 1977: “I often went outside. I would be asked where I was going. At that time, I did not have any feelings toward my partner. I lied to them that I went out to relieve myself. I actually went outside to pass the time so that I did not have to be near with the man. [...] I did not have any feeling to have sexual intercourse with the man whom I did not love. When he was sleeping, I would sit up and if he sat up, I would go outside because I was afraid he would force himself on me. When I was at the union, I usually went outside. I rarely slept near him.”]; **D219/702.1.10** Cheang Sreimom, T. 2 February 2015, 09.27.16-09.29.40, EN 01146857 [in Nhaeng Nhang Commune, Takeo Province, Southwest Zone, 1977: “We had to decide to follow and to agree and to be together regardless whether there was love in between the couple. Although we physically stayed together as a husband and wife, but inside, our feeling was different. But because of the fear, we decided to follow the instruction of Angkar; otherwise we would be in danger – that is, fatal danger.”]; **D5/190/5** Em Oeun, T. 23 August 2012, 15.55.36-15.59.41, EN 00841957-58 [in Sector 20, East Zone, either 1977 or 1978: “it was very difficult at the time. My wife did not love me either, so, whenever we stayed together at night, we [cried] to each other. [...] And I was a man; I suffer from it, but I could also imagine the feeling of the lady; she was suffering from it as well. And when we – at night, we discuss to each other, and if we refused [to consummate], then we would be killed eventually. So we had to force ourselves in order to satisfy those who arranged for us. So we had to concede to this. It took me approximately two weeks or so to decide to consummate the marriage with my wife. This was the suffering I had to endure at that time.”], 15.59.41-16.01.45, EN 00841958 [“We understood that we would be under constant watch, days and nights, and we thought that we would be killed if we did not express our love to one another, just to pretend we love one another to please the others.”]; **D219/494.1.3** Khin Vat, T. 29 July 2015, 15.38.30-15.40.38, EN 01437856-57 [in Kampong Chhnang Province, West Zone, late 1977: “My husband advised me not [to] say anything as he would not harm me although I did not love him, and I would be dead if I happened tell anyone that I did not love him. He said people who were living around us were actually monitoring us, and trying to listen to us. Having heard that, I got scared. I then forced myself to accept him as my husband. On the other hand I also felt pity on him.”]; **D219/306** Soen Ban Written Record of Interview, 8 May 2015, A33, EN 01111917 [in Battambang Province, Northwest Zone, February 1978: “it was very hard for me to have to get married with the person I did not love. But because I was afraid of being killed, I had to do it.”]; **D310/1.1.9R** DVD, 2013 *Women’s Hearing with the Young Generation on Gender-Based Violence during the Khmer Rouge Regime*, 24 September 2013, 08:36-08:47 [Mom Vun, who was forcibly married in Siem Reap Province, North Zone, late 1975, recalled: “At night when we were going to bed as a couple who did not love each other, we told each other now we pretend to live together until we were free, when we could live separately.”]; **D5/1169** Ing Mom Civil Party Application, 4 August 2009, EN 01143535 [in Tonle Bet District, Kampong Cham Province, East Zone, 1978: “During the Khmer Rouge regime, they abused me physically and emotionally by forcing me to marry a man I did not love [...]. Forcing myself to live with a person I did not love was extremely hard.”].

1633 **D219/888.1.2** Kasumi Nakagawa, T. 13 September 2016, 15.50.21-15.51.20, EN 01361834 [“a loss of parental consent to the husband was a big traumatic experience and now that she was forced to actually have

the relationship, sexual relationship, with the man by breaking her virginity without her parents' consent [...] put her into another traumatic experience.”]; **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.41.55-15.43.36, EN 01361573 [in Prey Chhor District, Sector 41, Central Zone, 1977: “As a woman, I usually respected the tradition and adhere[d] to the advice of my parents that I should only give my virginity to the man only when my parents were present [at the wedding], but at the time, my parents were not there. I still feel regret today. I should not have lost my virginity without the presence of my parents in the wedding day according to Cambodian tradition and customs.”].

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D219/888.1.2 Kasumi Nakagawa, T. 13 September 2016, 15.45.55-15.48.27, EN 01361832-33 [“forcing a man to rape somebody is [an] inhuman act. Not all men could do it, first of all, but they were forced to do that. And the fear is unmeasurable how he was scared if he failed to do it. And many women were apparently very scared or they were showing the emotion that they don't want to accept the husband. And under such terrible circumstances, men had to complete it. [...] And I'm sure that it impacted over the marriage life, that the husband might have been feel[ing] guilty to the wife or [...] scared that his wife would never love him and that might have remained as a scar or a trauma for a long period of time”], 15.48.27-15.51.20, EN 01361833-34 [“Some rape happened in a very violent way as I have documented. The husband used violence, but some rapes were not violent as I documented, but the men were forced to rape their wife and the wife had to be raped by the husband. This leaves a lot of traumatic experience for the wife.”]; **D219/888.1.7** Preap Sokhoeurn, T. 20 October 2016, 15.11.22-15.15.38, EN 01361561-62 [in Prey Chhor District, Sector 41, Central Zone, 1977: “I cried and I said my father would not allow any man to do that to me because I was a woman and that he was a man, but he says that that was Angkar's instructions and that he had to follow that instruction. I kept weeping that night, throughout the whole night. [...] I hurt physically and morally. First, it was the pain that he inflicted upon me physically, and second, morally I was hurt[.] I did not intend to have a husband and wife relationship at all and there was nothing I could do besides weeping and I regretted for what happened and that I betrayed my father's words. So all these things added together caused me [to worry] and I could not sleep and I could not eat and I became pale.”]; **D219/888.1.6** Pen Sochan, T. 12 October 2016, 14.22.27-14.24.17, EN 01361428 [in Bakan District, Pursat Province, Northwest Zone, 1978: “he beat me during the very first night. I begged him and I wore two layers of pants and I begged him to stop mistreating me. So that night, he slapped me; he beat me up, but he didn't do anything else since I begged him. I wept and after that, since he was also exhausted, then he slept”], 14.39.32, EN 01361433 [“On the third night, I remember[ed] that from the words of Comrade Om that if I continued to refuse, I would die. On that night, I went [in to] sleep there, but I still did not want to do it. I wore two trousers and there were three militiamen [who] came to tie my hands to a pillar [...] and I was raped successfully [by my husband]. I was bleeding for more than one month as a result of that incident.”], see also the documentary focused on Pen Sochan's experience in which she describes her anguish: **D310/1.1.11R** DVD, *Red Wedding*, 2011, 11:00-11:34 [“I feel sorry for myself because I was forced to marry! [...] I feel sorry for my body. And I hate them. I want to cut the parts of my body that my husband touched at that time. Without tranquilizers, I can't sleep. I take them every day.”], 26:15-26:38 [“If I talk about it, I cry. The tears flow like the words. I feel so much regret. [...] So I try to hide this story and suffer all alone.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A45 and A47, EN 01072532-33 [in Kampong Siem District, Sector 41, Central Zone, late 1978: “Q: How did you feel when you had sexual intercourse that you did not want? A: I felt afraid, I cried, but my husband covered my mouth so that other people would not hear. After that, I always had that kind of feeling, but I dared not tell anyone. [...] I continued to be afraid, and to cry during the three-month period. [...] when I think of this experience, I almost shed tears.”].

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D219/888.1.7 Preap Sokhoeurn, T. 20 October 2016, 15.12.50-15.15.38, EN 01361561-62.

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D301/2.1.21 Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037059.

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D301/2.1.21 Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037059. See also **D219/738.1.4** CDP Questionnaire No. 16 Transcript, 13 November 2013, A44, EN 01220833-34 [Khmer Krom respondent forcibly married in Kirivong District, Takeo Province, Southwest Zone: “I have nursed these sufferings and hatreds of A Pot (called Pol Pot with anger). We were forced to [...] sleep with husband, and the village militiamen spied into my sexual activity. I have got me[n]tal depression”]; **D267.1.78** Yim Sotheary, *The Past and Present of Forced Marriage Survivors*, EN 01003539 [regarding a respondent who was forcibly married in Bakan District, Pursat Province, Northwest Zone, late 1977: “She used to regularly experience suicidal thoughts”],

EN 01003560 [in regard to another respondent who was forcibly married in Bakan District, Pursat Province, Northwest Zone, 1977: "Sometimes she thinks about killing herself but it is impossible because she worries a lot about her children and their future life."], EN 01003572 [a respondent who was forcibly married in Battambang Province, Northwest Zone, 1977: "has never thought of getting married again as she's afraid that a new man might hurt her and her children."]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 11:00-11:34 [Pen Sochan, forcibly married in Bakan District, Pursat Province, Northwest Zone, 1978: "I want to cut the parts of my body that my husband touched at that time. Without tranquilizers. I can't sleep. I take them every day."], 20:36-21:16 ["What happened under the Khmer Rouge remains in my heart forever. I can't sleep at night. I have nightmares. I wake up with headaches and dizziness. [...] My whole life I will carry my sufferings from the Khmer Rouge time."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037073 [respondent from Case Study 8, a Muslim Khmer woman, told researchers: "It is because of forced marriage that I can't marry a better man. I did not remarry after the divorce because I was afraid my next husband would harm me again and might not be good to my children."].

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D342/1.1.22 Mom Vun, T. 20 September 2016, 09.49.26-09.51.21, EN 01370078 [in Siem Reap Province, North Zone, late 1975: "I was asked to get married with my husband, and I was forced to consummate my marriage with my husband like a pig. It is a[n] indefinable shame for me."]; **D342/1.1.21** Mom Vun, T. 16 September 2016, 14.39.23-14.41.16, EN 01385304 ["Q: Earlier, you glossed over the shame that you talked about when you were talking about your first night together and how the militiamen took your husband's member and put it inside of you. [...] Given the context of having to have sex and having to do it while being watched by militiamen [...] Can you tell us what effect this had on you and your self-confidence afterwards? A: After that day I felt humiliated. I felt the pain. I wanted to protest but I did not dare because I was afraid I would be killed. And I just pretend[ed] it was my bad luck, the only humiliation that I face in this life."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037035 ["case studies illuminate the internalized disappointment and shame many victims carry as a result of the assigned match."], EN 01037076 ["Self-blame and isolation [...] are a few of the costs paid by women due to the stigma attached to Khmer Rouge forced marriages"], EN 01037076 [noting that in certain cases, feelings of shame are intrinsically linked to the fact that victims did not experience a traditional Khmer wedding, and that their marriages were not approved by family and ancestors.]; **D267.1.78** Yim Sotheary, *The Past and Present of Forced Marriage Survivors*, EN 01003539 [the respondent was forcibly married in Bakan District, Pursat Province, Northwest Zone, late 1977: "[Lay Kimchean] felt like she was not a valuable or strong person, and would always compare herself to other people, getting upset because she felt lonely, weak, as she was forced to marry. She thought that because of these reasons people did not value her as a person."], EN 01003560 [the respondent was forcibly married in Bakan District, Pursat Province, Northwest Zone, 1977: "[Om Yan] continues to suffer from this marriage, and feels that she is not a valuable person and that is why her husband's family does not accept her."], EN 01003572 [the respondent was forcibly married in Battambang Province, Northwest Zone, 1977: "Ms. Pheap [...] feels she had shamed her children by failing to marry a good man."].

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D342/1.1.21 Mom Vun, T. 16 September 2016, 11.13.35-11.16.02, EN 01385272 ["I did not dare to speak about the second marriage because I was ashamed of it. [...] when I was called to attend a TPO forum, younger women spoke openly about forced marriage and when I observed that then I raised my hand and I said that I was also forced to marry and that's how it went."]. *see also* the video of the TPO forum featuring Mom Vun at **D310/1.1.9R** DVD, *Women's Hearing with the Young Generation on Gender-Based Violence during the Khmer Rouge Regime*, 24 September 2013, 09:42-10:04 [Mom Vun: "I feel so embarrassed and regretful in my life. I was so unfortunate to suffer all this. I will never forget even when I die. I can't hide it anymore. I want the public to know it."]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A39, EN 01054037 [the witness was forcibly married in Kampong Siem District, Sector 41, Central Zone, 1978 (see A3): "Q: Do your children know about your marriage [being forced]? A: No, they do not because I do not want them to know about this. I have never told my family members or friends about this because I think that telling them has no merit."]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037035 ["Parents in particular reported in case studies difficulty in sharing the truth about the forced marriage with children born out of the union. Of those who have not shared their forced marriage experience with others, more than half (52.6%) reported feelings of shame, while more than one-third (36.8%) reported fear of stigma and

discrimination.”]; **D267.1.78** Yim Sotheary, *The Past and Present of Forced Marriage Survivors*, EN 01003572 [a respondent forcibly married in Battambang Province, Northwest Zone, 1977: “Ms. Pheap feels ashamed talking to others (especially her neighbors) or being reminded about her experience of forced marriage.”]; **D310/1.1.12R** DVD, *Women and Transitional Justice*, 2012, 04:00-04:09 [“Often survivors have not spoken of their experiences due to feelings of shame for themselves and their families, and fear of discrimination.”]; **D310/1.1.11R** DVD, *Red Wedding*, 2011, 25:45-26:11 [Pen Sochan, who was forced to marry in Bakan District, Pursat Province, Northwest Zone, 1978: “If I talk about it to my children, who love me, they will be ashamed. [...] I will regret it all my life. That’s why I don’t talk about it to anyone, not even to my children.”].

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D342/1.1.22 Mom Vun, T. 20 September 2016, 09.49.26-09.51.21, EN 01370078 [the Civil Party was forcibly married in Siem Reap Province, North Zone, late 1975: “I was looked down [on] by others.”]; **D219/136** Than Yang Written Record of Interview, 22 December 2014, A57-58, EN 01072534 [the Civil Party Applicant was forcibly married in Kampong Siem District, Sector 41, Central Zone, late 1978: “My daughter knew that I was forced to get married. She felt the pain of that. People looked down on both children and parents who were forced to get married. [...] It affected us. Some people said that I got married because I was afraid of having no husband. But I explained to them that I was forced to get married.”]; **D301/2.1.21** Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037059 [“Respondents reported forced married couples being looked down upon and ostracized by the community, with one respondent saying, ‘There is a lot of discrimination against my family because I was forced to marry during the Khmer Rouge time.’”], EN 01037076 [“It seems women in particular have carried the shame and stigma associated with forced marriages, which translated into a more general devaluation of women’s social status. [...] Shame and blame shifted [o]nto (female) victims by the community is mentioned in the majority of interviews with the women in the sample.”], EN 01037076 [“loss of access to spiritual arenas, love and rituals of love; loss of emotional support and economic opportunities are a few of the costs paid by women due to the stigma attached to Khmer Rouge forced marriages [...] Children also faced community stigma and discrimination. [One respondent recounted:] ‘Some people in the village do not want their children to marry my children. I heard this with my own ears.’ [...] [another female respondent stated:] ‘My daughter and son are also not invited to be in wedding parties, as a bride’s maid and groom’s man, because they have no father. Even at my own daughter’s wedding, I could not participate in the rituals [...] All because I made a mistake with that marriage [...] This affects both children and mother for the rest of our lives. If Pol Pot had not forced me to marry, I could have had a traditional wedding and my children and I would now have a good reputation.’”]; **D310/1.1.12R** DVD, *Women and Transitional Justice*, 2012, 04:08-04:41 [forced marriage victim Hang Orn explains: “My community says I’m not a good woman. They say I didn’t get married traditionally. They look down on me. Moreover, they look down on my kids, too. For weddings, they don’t ask us to be bridesmaids. They don’t consider us as normal like everyone else.”].

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D301/2.1.21 Theresa De Langis *et al.*, *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037036.

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D342/1.1.24 Say Nareoun, T. 25 October 2016, 11.15.50-11.17.20, EN 01371186-87 [the Civil Party was forcibly married in Chamkar Leu District, Sector 42, North Zone, 1975: “After the liberation year, I decided to remain in the relationship because I had pity for my child, who was born during the war time. On the other hand, I am a Cambodian woman, I do not want to see my child having a second father or for me to have a second husband. And for that reason, I remained in relationship, although my feeling hurt. Everything was done for the sake of my child, and I tried to survive with the pains that I carry every day.”]; **D219/888.1.8** Kul Nem, T. 24 October 2016, 14.39.41-14.42.55, EN 01362152 [the Civil Party was forcibly married in Monduliri Province, Northeast Zone, 1977: “Q: Earlier, you spoke of the fact that you had a fiancée in the village and that you saw her after the regime. Did you think, at any point, after the regime of getting separated from your wife? A: I wanted to separate from her, but I could not because we got married already. I did not dare. I was afraid. I had to stay with her because I thought that my mother was a woman and my wife was also a woman, so I chose to apologize to my fiancée and compensated to her with 3 ‘chi’ (phonetic) of gold after the Vietnamese liberated the country”]; **D219/83** Suon Yim Written Record of Interview, 24 November 2014, A14, EN 01054033 [the witness was forcibly married in Kampong Siem District, Sector 41, Central Zone, 1978 (*see* A3): “[After the Vietnamese arrived] I wanted a divorce, but my husband did not agree, so I decided to stop thinking about divorce. If only one side wanted a divorce, they could not divorce.”]

This was not a legal requirement, but we lived in the same house with each other, so if I wanted a divorce I had to leave this village. We have two children. [...] I did not want my children to have a difficult life, so I decided to continue living with him.”]; **D267.1.78** Yim Sotheary, *The Past and Present of Forced Marriage Survivors*, EN 01003549 [Heng Kuylang was forcibly married in Battambang Province, Northwest Zone, 1977: “Despite the forced circumstances of their marriage, she and her husband are still together to this day. The relationship with her husband is not good and they do not love each other. [...] The biggest reason she feels unable to break up with her husband is the children. [...] Their marriage, at one point, nearly ended. She couldn’t do it because she did not want others to look down on her children as the children of a single mother.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037043 [“Toy-Cronin’s research discusses the variety of reasons as to why couples may have remained together, focusing attention on women: a desire to maintain the family unit especially when children were born out of the marriage, financial necessity, a need for protection and mutual care, or the influence of cultural norms against separation.”], EN 01037071 [“Children are mentioned as a prime motivation by all of the interviewees when recounting marriages that remained intact for at least for a period of time.”], EN 01037075 [“Some couples remained together out of love, for the sake of children or out of a sense of duty.”], EN 01037079 [“More than one-half of all respondents (53.1%) stayed in their forced marriages after the fall of the Khmer Rouge regime, largely motivated by children born in the marriage, as described in case studies. Other motivations to stay in the marriage included pity, trans-generational karmic consequences, the importance of shared traumatic experiences during the regime, and, after all, love.”]; **D219/882.1.21** Kasumi Nakagawa, *Motherhood at War: Pregnancy during the Khmer Rouge Regime*, EN 01322857 [“It was socially unacceptable for women to remain single.”], EN 01322885 [“Ms. Bun Phalla was forced to marry and consequently had a baby girl from the forced marriage, and she stayed with her husband after the KR regime. About this marriage, Ms. Bun said, ‘My husband loved me and took good care of our children. That was why I stayed with him.’ Many women shared the same view as her when asked why they remained married to a man whom they were forced to marry. She never loved this husband that she was forced to marry, but until his death a few years ago they stayed together as a couple. Some women also said that they preferred to keep stability in their lives, particularly when they already had a child.”]; **D219/882.1.24** Peggy Levine, *A Contextual Study into the Wedding and Births under the Khmer Rouge: The Ritual Revolution*, EN 00482550 [noting that pity for the other person was one of the reasons given for staying with a spouse: “the person with tertiary or secondary education tended to pity the partner who had less education. Those who had city-life experiences tended to look down on (or pity) those who never lived in the city. Also, those with surviving parents tended to pity partners whose parents had died, particularly if both parents had died.”].

¹⁶⁴³ **D5/1234/4.1** Sieng Chanthly, T. 1 March 2016, 10.46.05-10.47.17, EN 01454555 [the Civil Party’s sister was forcibly married in Svay Rieng Province, East Zone, 1978: “Yes, [my sister and her husband] are still husband and wife, but the – but her husband constantly harms her physically and psychologically. He is always drunk, and causes all sorts of problems each and every day. My sister has to endure all of these things, but both of them still live together for the sake of her children and grandchildren. My sister bears the suffering, and lives with her husband.”]; **D219/738.1.13** CDP Questionnaire No. 56 Transcript, 26 November 2013, A44, EN 01220941 [the respondent was forcibly married in Bakan District, Pursat Province, Northwest Zone: “Though I live with my husband until today, we have many problems. He always threatens/bullies the children. For sex, I only agree to have sex with him after his threat/bully.”]; **D301/2.1.21** Theresa De Langis et al., *Like Ghost Changes Body - A Study on the Impact of Forced Marriage under the Khmer Rouge Regime*, EN 01037075 [“Those marriages that did remain intact, even for a period of time, were likely to be abusive, according to the case study interviews (and validated by quantitative study results).”], EN 01037071 [“Abusive forced marriage can be expected to be among the hardest to dissolve due to retaliation, economic dependency, fear of relinquishing children and trauma resulting from the abuse.”], EN 01037079 [“Many of the forced marriages that remained intact are reported as dysfunctional, with more than half (52.9%) in the survey sample reporting spousal abuse”]; **D267.1.78** Yim Sotheary, *The Past and Present of Forced Marriage Survivors*, EN 01003549 [Heng Kuylang was forcibly married in Battambang Province, Northwest Zone, 1977: “Despite the forced circumstances of their marriage, she and her husband are still together to this day. [...] The biggest reason she feels unable to break up with her husband is the children. Ms. Kuylang endures suffering from abuse of a mental, physical and sexual nature.”].

¹⁶⁴⁴ Case 001-E188 Duch TJ, para. 480; Tadić AJ, para. 188; Nahimana AJ, para. 478.

1645 Case 002-D427 Closing Order, para. 1431; *Gacumbitsi* AJ, para. 60; *Seromba* AJ, para. 161. See also ICC Statute, art. 25(3)(a) confirming that a perpetrator may commit crimes “through another person”. The concept of perpetrator-by-means is recognised by the world’s major legal systems. See, e.g., Model Penal Code (US, 1962), section 2.06(1)-(2); Archbold: *Criminal Pleading, Evidence and Practice* (UK, 2007), §18-7.

1646 As set out below, under ECCC Law, art. 4, “attempts to commit acts of genocide: conspiracy to commit acts of genocide; [and] participation in acts of genocide” are punishable at the ECCC.

1647 See VII Law – A. Crimes – 1. Genocide – Actus Reus section below.

1648 *Krstić* AJ, para. 20; *Croatia v. Serbia*, para. 132; *Al Bashir* First Arrest Warrant Decision, para. 139; Darfur Commission Report, para. 491.

1649 Although the Genocide Convention and ECCC Law use the term “ethnic”, much of the jurisprudence refers to “ethnic” groups, in keeping with modern linguistic usage.

1650 *Stakić* AJ, paras 16-28; *Karadžić* TJ, para. 541; *Brdanin* TJ, para. 685; *Al Bashir* First Arrest Warrant Decision, para. 135; *Bosnia v. Serbia*, paras 193-196.

1651 *Stakić* AJ, para. 28; *Karadžić* TJ, para. 541; *Brdanin* TJ, para. 686.

1652 *Krstić* TJ, para. 556; *Brdanin* TJ, para. 682.

1653 UNGA Resolution 96(1), 11 December 1946. UN doc. A/RES/96(1), p. 188 (*emphasis added*).

1654 The Relations between the Convention on Genocide on the one hand and the Formulation of the Nurnberg Principles and the Preparation of a Draft Code of Offences against Peace and Security on the Other, 12 April 1948, E/AC.25/3/Rev.1, p. 6 “[genocide] aims at the systematic extermination of human groups. ... The victim of the crime of genocide is a human group”].

1655 ICJ Genocide Advisory Opinion, p. 23 [“The origins of the Convention show that it was the intention of the United Nations to condemn and punish genocide as ‘a crime under international law’ involving a denial of the right of existence of entire human groups.” (*emphasis added*)].

1656 *Croatia v. Serbia*, paras 87, 504; *Bosnia v. Serbia*, paras 161, 194, 422.

1657 See, e.g., *Krstić* AJ, para. 36 [“its perpetrators identify entire human groups for extinction”].

1658 See, e.g., *Akayesu* TJ, para. 522; *Kayishema* TJ, para. 99.

1659 *Krstić* TJ, para. 556.

1660 *Jelisić* TJ, para. 69.

1661 *Akayesu* TJ, paras 511, 516, 702; *Musema* TJ, para. 162.

1662 Darfur Commission Report, paras 498, 501.

1663 *Gacumbitsi* TJ, para. 254; *Semanza* TJ, para. 317; *Blagojević* TJ, para. 667; ISIS-Yazidi Report, para. 105; Darfur Commission Report, paras 499-501.

1664 *Kamuhanda* TJ, para. 630; *Semanza* TJ, para. 317; *Rutaganda* TJ, para. 373; *Musema* TJ, para. 163; *Krstić* TJ, para. 557.

1665 *Stakić* AJ, para. 25; *Musema* TJ, para. 161; *Rutaganda* TJ, para. 56; *Brdanin* TJ, para. 683; *Krstić* TJ, para. 557; *Jelisić* TJ, para. 70; *Kayishema* TJ, para. 98; ISIS-Yazidi Report, para. 104; Darfur Commission Report, para. 499.

1666 ISIS-Yazidi Report, para. 104; Darfur Commission Report, para. 511.

1667 *Brdanin* TJ, para. 683; *Musema* TJ, para. 161; *Rutaganda* TJ, para. 56; *Kayishema* TJ, para. 98; *Krstić* TJ, para. 559.

1668 *Bagilishema* TJ, para. 65.

1669 *Akayesu* TJ, para. 512.

1670 Schabas, *Genocide in International Law* (2000), 115; Shaw, *Genocide and International Law*, in Yoram Dinstein, ed. *International Law at a Time of Perplexity (Essays in Honour of Shabtai Rosenne)*, pp. 797-820 at p. 807.

1671 *Oppenheim’s International Law*, Vol. 1, p. 857 (Robert Jennings & Arthur Watts eds., 9th ed. 1992).

1672 *Krstić* TJ, paras 559-560. The finding that Bosnian Muslims were a protected group was not disturbed on appeal. See *Krstić* AJ, paras 6, 15.

1673 *Blagojević* TJ, para. 667. The Trial Chamber did not specify that the Bosnian Muslims constituted a national group. Rather, it found them to simply be a ‘protected group’, citing the *Krstić* Trial Judgment in support.

1674 *Brdanin* TJ, paras 734-736. The Trial Chamber found there to be two protected groups: Bosnian Muslims and Bosnian Croats but provided no conclusion or analysis as to which of the four groups the Bosnian Croats fell under. At fn. 1784, the Trial Chamber confirmed that the Bosnian Croats “didn’t have a motherland. They

didn't have any prospect to be supported by other communities outside Bosnia-Herzegovina and its own nationality as Bosnian Muslims".

- 1675 *Popović* TJ, para. 840.
- 1676 *Karadžić* TJ, para. 2574.
- 1677 *Tolimir* TJ, para. 750, confirmed on appeal: *Tolimir* AJ, para. 185.
- 1678 See, e.g., *Blagojević* TJ, paras 94, 155, 674; *Popović* TJ, paras 991, 995, 1193, 1194, 1331, 1398, 1426; *Tadić* TJ, paras 56-57, 83; *Brđanin* TJ, paras 58, 80, fn. 93; *Tolimir* TJ, paras 159, 813, 1190; *Karadžić* TJ, paras 32, fn. 60 [the Chamber acknowledging that the term "ethnic" may not comprehensively describe the distinguishing features of Bosnian Muslims, Bosnian Croats and Bosnian Serbs, since other factors such as religion and nationality were relevant to the definitions of the groups, but confirming that it would use the term "ethnic" throughout the judgment "for the sake of brevity"], 603, 2598.
- 1679 *Bosnia v. Serbia*, para. 196.
- 1680 *Akayesu* TJ, para. 513; *Kayishema* TJ, para. 98. To describe the intangible term "culture", the UN Committee on Economic, Social and Cultural Rights has provided: "The Committee considers culture ... encompasses, inter alia, ways of life, language, oral and written literature, music and song, non-verbal communication, religion or belief systems, rites and ceremonies, sport and games, methods of production or technology, natural and man-made environments, food, clothing and shelter and the arts customs and traditions through which individuals, groups of individuals and communities express their humanity and the meaning they give to their existence." See UNESCO, Committee on Economic, Social and Cultural Rights, General comment No. 21 – Right of everyone to take part in cultural life, E/C.12/GC/21, paras 12-13. The Universal Declaration on Cultural Diversity, 2 November 2001 (Preamble) defines culture as "the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs".
- 1681 *Akayesu* TJ, paras 170-171, 702.
- 1682 *Al Bashir* First Arrest Warrant Decision, para. 137.
- 1683 *Akayesu* TJ, para. 514; *Kayishema* TJ, para. 98.
- 1684 IMT Judgment, p. 304.
- 1685 ICEAFRD, art. 1(1).
- 1686 *Akayesu* TJ, para. 515; *Kayishema* TJ, para. 98.
- 1687 ISIS-Yazidi Report, paras 103-105.
- 1688 *Karadžić* TJ, para. 542.
- 1689 *Karadžić* Rule 98bis AJ, para. 23, referred to in *Karadžić* TJ, para. 542. However, the scale of atrocities is relevant to the assessment of the *mens rea* of genocide.
- 1690 *Nahimana* AJ, para. 496; *Muhimana* TJ, para. 500; *Brđanin*, TJ, paras 689-690, 692. See also ICC Elements of Crimes, art. 6(a)-(c), Element 2, as applied in *Al Bashir* Second Arrest Warrant Decision, paras 10-12.
- 1691 *Bagilishema* TJ, para. 65; *Gacumbitsi* TJ, para. 255; *Muhimana* TJ, para. 500; *Ndindabahizi* TJ, paras 468-9; *Kajelijeli* TJ, para. 813; *Seromba* TJ, para. 318; *Rutaganda* TJ, para. 56.
- 1692 *Kayishema* AJ, para. 151; *Stakić* TJ, para. 515; *Muvunyi* I TJ, para. 486; *Kajelijeli* TJ, para. 813; *Krstić* TJ, paras 572, 711 (see also *Krstić* AJ, paras 256-259); *Seromba* TJ, para. 317; *Semanza* TJ, para. 319.
- 1693 *Semanza* TJ, para. 320; *Tolimir* AJ, para. 203 [referring specifically to mental harm].
- 1694 *Tolimir* AJ, para. 203 [referring specifically to mental harm]; *Bagosora* TJ, para. 2117; *Semanza* TJ, paras 320-322; *Bagilishema* TJ, para. 59; *Akayesu* TJ, para. 502.
- 1695 *Seromba* AJ, para. 46; *Tolimir* AJ, para. 203 [referring specifically to mental harm].
- 1696 *Seromba* AJ, para. 46; *Karadžić* Rule 98bis AJ, para. 33; *Bagosora* TJ, para. 2117; *Gacumbitsi* TJ, para. 291; *Ntagerura* TJ, para. 664.
- 1697 *Seromba* AJ, para. 46; *Muhimana* TJ, para. 502.
- 1698 *Akayesu* TJ, para. 503 citing *Eichmann* Judgment (Israel, 1961).
- 1699 *Tolimir* AJ, para. 227; *Akayesu* TJ, para. 505; *Kayishema* TJ, para. 116; *Stakić* TJ, para. 518.
- 1700 *Tolimir* AJ, para. 225; *Kayishema* TJ, para. 548.
- 1701 *Tolimir* AJ, para. 228; *Kayishema* TJ, paras 115-116; *Akayesu* TJ, para. 506; *Brđanin* TJ, para. 691.
- 1702 *Tolimir* AJ, para. 225 [quoting TJ summary of jurisprudence]; *Brđanin* TJ, para. 691.
- 1703 The definition of genocide in Article II of the Genocide Convention, and in the Statutes of the ICTY, the ICTR and the ICC (ICTY Statute, art. 4; ICTR Statute, art. 2; ICC Statute, art. 6) contain the phrase "as such" immediately following the words "national, ethnical, racial or religious group". This is also reflected in the

- French version of the ECCC Law [“On entend par crime de génocide, qui est imprescriptible l'un quelconque des actes ci-après, commis dans l'intention de détruire, en tout ou en partie, un groupe national, ethnique, racial ou religieux, *comme tel* ...” (*emphasis added*)].
- 1704 Jelisić TJ, para. 66; *Kayishema* TJ, para. 91; *Croatia v. Serbia*, paras 132, 139.
- 1705 See para. 476.
- 1706 *Brdanin* TJ, para. 698; *Sikirica Acquittal Judgment*, para. 89; *Stakić* TJ, para. 521.
- 1707 *Bagilishema* TJ, para. 64; *Jelisić* TJ, para. 79; ILC 1996 Draft Code (with commentaries), p. 45. See further *Blagojević* TJ, para. 665; *Brdanin* TJ, para. 698.
- 1708 See, e.g., *Niyitegeka* AJ, para. 50; *Akayesu* TJ, para. 521.
- 1709 *Niyitegeka* AJ, para. 53.
- 1710 *Bosnia v. Serbia*, para. 187. See also *Jelisić* TJ, para. 79; *Akayesu* TJ, para. 522.
- 1711 *Jelisić* TJ, para. 79;
- 1712 *Karadžić* Rule 98bis AJ, para. 22; *Stakić* AJ, paras 33-35; *Croatia v. Serbia*, para. 130.
- 1713 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 48.
- 1714 See, e.g., *Krstić* AJ, para. 25; *Karadžić* TJ, para. 553; *Croatia v. Serbia*, para. 136.
- 1715 *Blagojević* TJ, para. 666.
- 1716 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 49.
- 1717 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 50. See further *Düsseldorf 1999 Judgment*, para. 38. [“[D]er Tatbestand [des Gesetzes] [setzt] nicht zwingend voraus, daß der Täter die körperliche Vernichtung, die physische Zerstörung der Gruppe anstrebt. Es reicht aus, daß er handelt um die Gruppe in ihrer sozialen Existenz (“als solche”), als soziale Einheit in ihrer Besonderheit und Eigenart und in ihrem Zusammengehörigkeitsgefühl zu zerstören.” Unofficial translation: “It is not necessary that the perpetrator seeks the physical destruction of the group. It suffices that he acts to destroy the social existence of the group (“as such”), in its capacity as a social unit with its peculiarities and feeling of belonging together.”]; *Jorgić* Judgment, paras 20, 22, 28, 33; Nazi and Nazi Collaborators (Punishment) Law 1950, art. 1(b)(6) [considering “destroying or desecrating Jewish religious or cultural assets or values” to be genocidal acts, if performed with the requisite intent].
- 1718 Genocide Convention, art. II(e).
- 1719 3 Official Records of the General Assembly Summary of the Sixth Committee (1948) (83rd Meeting), p. 195 (Venezuela).
- 1720 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 50. See also *Düsseldorf 1999 Judgment*, para. 38.
- 1721 3 Official Records of the General Assembly Summary of the Sixth Committee (1948) (83rd Meeting), p. 195 (Venezuela). See also 82nd Meeting, p. 186 (Greece and France) (classifying the forced transfer of children as cultural genocide).
- 1722 ISIS-Yazidi Report, para. 148.
- 1723 *Blagojević* TJ, para. 666; *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, paras 45-58; *Tolimir* AJ, para. 254; *Düsseldorf 1999 Judgment*, para. 38.
- 1724 *Krstić* AJ, para. 31.
- 1725 See **Bolivia**: Penal Code - promulgated by Decree Law No. 10426 of August 23, 1972, art. 138; **El Salvador**: Penal Code Of The Republic Of El Salvador (Decree N° 1030) – 1973, art. 361; **Ethiopia**: Penal Code of Ethiopia of 1957, art. 281; **Guatemala**: Penal Code of Guatemala, Decree No. 17-73 (1973), Chapter IV, art. 376; **Nicaragua**: Penal Code of the Republic of Nicaragua (1974), art. 549.
- 1726 ISIS-Yazidi Report, para. 159.
- 1727 *Tolimir* AJ, para. 254; *Karadžić* TJ, para. 553; *Krstić* AJ, paras 33, 133; *Krstić* TJ, para. 580; *Blagojević* AJ, para. 123;
- 1728 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 53.
- 1729 *Bosnia v. Serbia*, para. 344, quoting *Krstić* TJ, para. 580.
- 1730 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 35. See further Final Report of the Commission of Experts, Established Pursuant to Security Council Resolution 780 (1992), UN Doc. S/1994/674, 27 May 1994, para. 94.
- 1731 *Seromba* TJ, para. 319; *Semanza* TJ, para. 316; *Bagosora* TJ, para. 2115.
- 1732 *Karadžić* TJ, para. 555; *Krstić* AJ, para. 8; *Bagosora* TJ, para. 2115; *Gacumbitsi* AJ, para. 44; *Bosnia v. Serbia*, paras 198, 200-201; *Croatia v. Serbia*, para. 142. (*Emphasis added.*)

- 1733 *Krstić* AJ, para. 12; *Karadžić Rule 98bis* AJ, para. 66.
- 1734 *Krstić* AJ, paras 8, 12, 28-29; *Karadžić* TJ, para. 555; *Bosnia v. Serbia*, para. 200; *Croatia v. Serbia*, para. 142.
- 1735 *Krstić* AJ, para. 14; *Bosnia v. Serbia*, para. 201.
- 1736 *Karadžić* TJ, para. 555; *Krstić* AJ, paras 8, 12; *Tolimir* TJ, para. 749; *Jelisić* TJ, para. 82; *Bosnia v. Serbia*, paras 193, 198; *Karadžić Rule 98bis* AJ, para. 66.
- 1737 *Jelisić* TJ, para. 82; *Sikirica Acquittal Judgment*, para. 77; *Milošević Acquittal Decision*, para. 132.
- 1738 *Jelisić* TJ, paras 80, 83; *Krstić* TJ, paras 589-590; *Bosnia v. Serbia*, para. 199.
- 1739 *Krstić* AJ, para. 13; *Karadžić* TJ, para. 555; *Tolimir* TJ, para. 749; *Bosnia v. Serbia*, para. 199; *Croatia v. Serbia*, para. 142.
- 1740 *Karadžić* TJ, para. 555; *Krstić* AJ, para. 14.
- 1741 *Karadžić Rule 98bis* AJ, para. 80, citing *Gacumbitsi* AJ, para. 40; *Rutaganda* AJ, para. 525; *Kayishema* AJ, para. 159.
- 1742 *Tolimir* AJ, para. 254; *Krstić* AJ, para. 33. See also *Croatia v. Serbia*, paras 162-163, 478; *Bosnia v. Serbia*, para. 190.
- 1743 *Karadžić* TJ, para. 550; *Karadžić Rule 98bis* AJ, para. 80; *Tolimir* AJ, para. 246; *Popović* AJ, para. 468; *Hategekimana* AJ, para. 133; *Jelisić* AJ, para. 47; *Seromba* AJ, para. 176; *Gacumbitsi* AJ, paras 40-41; *ISIS-Yazidi Report*, para. 152.
- 1744 *Gacumbitsi* AJ, para. 43; *Kamuhanda* AJ, paras 81-82; *Karadžić* TJ, para. 550; *Tolimir* TJ, para. 745.
- 1745 *Seromba* AJ, para. 176.
- 1746 *Karadžić* TJ, para. 550; *Stakić* AJ, para. 55; *Karadžić Rule 98bis* AJ, para. 56; *Tolimir* AJ, paras 246-247; *Mpambara* TJ, para. 121. See further *Croatia v. Serbia*, para. 419. See also **VII. Law – A. Crimes – 1. Genocide – Mens Rea – 1. Intent to Destroy the Group “As Such”** section above.
- 1747 *Popović* AJ, para. 430; *Jelisić* AJ, para. 48; *Kayishema* AJ, para. 138; *Simba* AJ, para. 260.
- 1748 *Jelisić* AJ, para. 48; *Semanza* AJ, para. 260; *Rutaganda* AJ, para. 525; *Bosnia v. Serbia*, para. 373.
- 1749 *Karadžić* TJ, para. 554; *Simba* AJ, paras 88, 269; *Kayishema* AJ, para. 161; *Stakić* AJ, para. 45; *Jelisić* AJ, para. 49.
- 1750 *Kayishema* AJ, para. 149; *Akayesu* TJ, paras 192-193; *Muhimana* AJ, para. 32; *Rutaganda* AJ, para. 537; *Ntabakuze* AJ, para. 241.
- 1751 *Ndindabahizi* AJ, para. 135; *Mpambara* TJ, para. 8.
- 1752 *Krstić* AJ, para. 32.
- 1753 *Krstić* AJ, para. 32.
- 1754 *Black’s Law Dictionary*, 9th ed. (2009).
- 1755 See, e.g., *Kayishema* AJ, para. 185; *Musema* TJ, para. 114; *Kamuhanda* TJ, para. 588; *Čelebići* AJ, para. 351.
- 1756 ECCC Law, art. 29^{new}.
- 1757 ECCC Law, art. 29^{new} [“The fact that any of the acts referred to in Article[] 4 ... of this law were committed by a subordinate does not relieve the superior of personal criminal responsibility”].
- 1758 *Krstić* AJ, paras 138-139.
- 1759 General discussion of those modes of responsibility is found below. See **VII. Law – B. Modes of Responsibility – 1. Individual Criminal Responsibility** section.
- 1760 Case 002-D97/15/9 PTC JCE Decision, para. 49; Case 001-E188 *Duch* TJ, para. 511; Case 002-E100/6 TC JCE Decision, para. 22; Case 002-E313 Case 002/01 TJ, para. 690.
- 1761 *Tadić* AJ, para. 188; *Rwamakuba* JCE Genocide Decision, para. 31.
- 1762 See, e.g., *Karadžić* TJ, para. 5831; *Karempera* TJ, paras 1616-1617, 1623, 1628, 1634, 1639, 1644, 1648, 1653, 1657-1658.
- 1763 Case 001-F28 *Duch* AJ, paras 101-104; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Appeal Decision, para. 133; Case 002-E313 Case 002/01 TJ, para. 176; Case 001-E188 *Duch* TJ, paras 283-296; Case 002-D427 Closing Order, paras 1299, 1306, 1313.
- 1764 ECCC Law, art. 5; Case 001-F28 *Duch* AJ, para. 106.
- 1765 Case 002-F36 Case 002/01 AJ, paras 711-721; Case 003-D87/2/1,7/1/1/7 PTC Nexus Decision; Case 002-E95/8 TC Nexus Decision; Case 003-D87/2/1,7/1 OCIJ Nexus Decision
- 1766 Case 001-E188 *Duch* TJ, para. 298; Case 002-E313 Case 002/01 TJ, para. 178; *Kordić* AJ, para. 666; *Kumarac* AJ, para. 86; *Nahimana* AJ, paras 916-918; *Taylor* TJ, para. 506.

- 1767 Case 001-E188 *Duch* TJ, para. 298; Case 002-E313 Case 002/01 TJ, para. 178; *Nahimana* AJ, paras 916, 918; *Kordić* AJ, para. 666; *Taylor* TJ, para. 506.
- 1768 Case 001-E188 *Duch* TJ, para. 299; Case 002-E313 Case 002/01 TJ, para. 178; *Kumarac* AJ, para. 86; *Tadić* AJ, para. 251; *Sesay* TJ, para. 77.
- 1769 Case 001-E188 *Duch* TJ, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kumarac* AJ, para. 93.
- 1770 Case 001-E188 *Duch* TJ, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kordić* AJ, para. 94; *Nahimana* AJ, para. 920; *Taylor* TJ, para. 511.
- 1771 Case 001-E188 *Duch* TJ, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Blagojević* TJ, para. 545.
- 1772 Case 001-E188 *Duch* TJ, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kordić* AJ, para. 94; *Nahimana* AJ, para. 920; *Sesay* TJ, para. 78.
- 1773 Case 002-E313 Case 002/01 TJ, para. 179; *Kordić* AJ, para. 94.
- 1774 Case 001-E188 *Duch* TJ, paras 305, 308; Case 002-E313 Case 002/01 TJ, para. 182; *Kumarac* AJ, para. 91; *Taylor* TJ, para. 507.
- 1775 *Akayesu* TJ, para. 582; *Bisengimana* TJ, para. 48; *Tadić* TJ, para. 639; *Limaj* TJ, para. 186; *Blaškić* TJ, para. 214; *Kordić* AJ, para. 421.
- 1776 *Blaškić* TJ, para. 214.
- 1777 Case 002-F36 Case 002/01 AJ, para. 738; Case 001-E188 *Duch* TJ, para. 304; Case 002-E313 Case 002/01 TJ, paras 185-186.
- 1778 Case 002-E313 Case 002/01 TJ, para. 187; Case 001-E188 *Duch* TJ, para. 312; *Vasiljević* TJ, para. 33; *Semanza* TJ, para. 330.
- 1779 Case 001-E188 *Duch* TJ, para. 312; Case 002-E313 Case 002/01 TJ, para. 187; *Mrkšić* TJ, para. 441; *Kumarac* TJ, para. 423.
- 1780 **D347.1** ICIJ Decision on Status of State's Own Armed Forces. The Co-Prosecutor adopts the position set out by the International Co-Prosecutor in his recent filing on this issue: **D306/2** Submissions on Status of State's Own Armed Forces.
- 1781 From their inception, CAH were intended to protect the human rights of every national of a state, including military personnel, against the widespread or systematic brutality of governmental or other organisations. In the 1919 Commission Report on the responsibility of Germany and its allies for crimes committed during World War I, the Commission recognised a species of international crime "against the laws of humanity" (see, e.g., 1919 Commission Report, pp. 113, 115) applicable to the attacks by Turkey against its own nationals, chiefly Armenians, on its own territory. In formulating those conclusions, the Commission relied on evidence that the Turks had targeted Armenians *within the Ottoman army* by disarming Armenian soldiers, transferring many to labour brigades and subjecting many to eventual execution. See 1919 Commission Report, pp. 112-113 and Annex I, p. 30, referring to the report of the British Commission under Viscount Bryce on the Treatment of Armenians in the Ottoman Empire, in particular "A Summary of Armenian History up to and Including the Year 1915 - Part VI: The Deportations of 1915: Procedure", paras 3, 4, 7.
- 1782 **D347.1** ICIJ Decision on Status of State's Own Armed Forces, paras 35-43; **D306/2** Submissions on Status of State's Own Armed Forces, para. 8.
- 1783 **D347.1** ICIJ Decision on Status of State's Own Armed Forces, paras 44-45; **D306/2** Submissions on Status of State's Own Armed Forces, para. 9.
- 1784 **Right to life:** ICCPR, art. 6(1); ECHR, art. 2; UDHR, art. 3; **Freedom from torture:** ICCPR, art. 7; UDHR, art. 5(2); ECHR, art. 3; **Freedom from cruel, inhuman or degrading treatment:** UDHR, art. 5; ECHR, art. 3; ICCPR, art. 10; **Freedom of choice in marriage:** UDHR, art. 16; ICCPR, art. 23(3); **Freedom from forced labour:** ICCPR, art. 8(3); ECHR, art. 4; **Freedom from slavery:** ICCPR, art. 8(1); UDHR, art. 4; ECHR, art. 4; **Freedom from arbitrary arrest or imprisonment:** UDHR, arts 9, 10; ICCPR, arts 9, 14; UDHR, art. 3; ECHR, arts 5, 7; **Freedom of thought, conscience and religion:** ICCPR, arts 18, 27; UDHR, art. 18; ECHR, art. 9; **Freedom from discrimination:** ICCPR, art. 26; UDHR, arts 2, 7; ECHR, art. 14; ICEAFRD.
- 1785 UDHR, preamble (recital 1) ["recognition of the inherent dignity and of the equal and inalienable rights of *all members of the human family* is the foundation of freedom, justice and peace in the world" (*emphasis added*)], art. 2 ["*Everyone* is entitled to all the rights and freedoms set forth in this Declaration, *without distinction of any kind*, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." (*emphasis added*)]; ICCPR, preamble (recital 1), art. 2:

ICEAFRD, preamble (recital 3) (“*all human beings are equal before the law and are entitled to equal protection of the law against any discrimination*”); ECHR, arts 1, 14 (*see also Engel Judgment*, para. 54 [“the Convention applies in principle to members of the armed forces and not only to civilians”]; *Grigoriades Judgment*, para. 45 [“Article 10 does not stop at the gates of army barracks. It applies to military personnel as to all other persons within the jurisdiction of the Contracting States”]).

- 1786 Case 002-F36 Case 002/01 AJ, paras 738, 740; Case 002-E313 Case 002/01 TJ, para. 183; Case 001-E188 *Duch* TJ, paras 305-306; *Milošević (Dragomir)* AJ, paras 50-51, 58; *Blaškić* AJ, para. 113; *Mrkšić* AJ, para. 31; *Taylor* TJ, para. 507.
- 1787 Case 002-F36 Case 002/01 AJ, para. 740; Case 001-E188 *Duch* TJ, para. 311; Case 002-E313 Case 002/01 Judgment, paras 187, 194; *Popović* AJ, para. 569; *Martić* AJ, paras 307-314; *Mrkšić* AJ, paras 28-29, 32-33; *Tolimir* AJ, paras 141-143; *Taylor* TJ, para. 507.
- 1788 Case 001-E188 *Duch* TJ, para. 311; Case 002-E313 Case 002/01 Judgment, paras 187, 194; *Mrkšić* AJ, paras 28-29; *Martić* AJ, paras 311, 313-314.
- 1789 ECCC Law, art. 5.
- 1790 Case 002-F36 Case 002/01 AJ, paras 744-745; Case 001-E188 *Duch* TJ, paras 313-314; Case 002-E313 Case 002/01 TJ, para. 188. Despite differences in wording, Article 3 of the ICTR Statute provides for a similar requirement, adjudged by the Tribunal to be a jurisdictional requirement, and not one required by CIL: *Akayesu* AJ, paras 464-465. Although the ICTR made reference to these grounds as “discriminatory”, the SCC has held that it is not bound by the ICTR’s characterisation of its own jurisdictional requirement. *See* Case 002-F36 Case 002/01 AJ, para. 748.
- 1791 Case 002-F36 Case 002/01 AJ, paras 752-753; Case 001-E188 *Duch* TJ, para. 318; Case 002-E313 Case 002/01 TJ, para. 190; *Kunarac* AJ, paras 85, 99; *Martić* AJ, para. 316.
- 1792 Case 002-F36 Case 002/01 AJ, para. 752; Case 001-E188 *Duch* TJ, para. 319; Case 002-E313 Case 002/01 TJ, para. 191; *Kunarac* AJ, paras 85, 99; *Taylor* TJ, paras 513, 515.
- 1793 Case 001-E188 *Duch* TJ, para. 318; Case 002-E313 Case 002/01 TJ, para. 190; *Kunarac* AJ, para. 100; *Mrkšić* AJ, para. 41; *Semanza* TJ, para. 326.
- 1794 Case 002-F36 Case 002/01 AJ, para. 754.
- 1795 Case 001-E188 *Duch* TJ, para. 319; Case 002-E313 Case 002/01 TJ, para. 191; *Kunarac* AJ, para. 102; *Taylor* TJ, para. 513.
- 1796 Case 001-E188 *Duch* TJ, para. 319; *Limaj* TJ, para. 190; *Taylor* TJ, para. 513.
- 1797 *Kordić* AJ, para. 99; *Tadić* AJ, paras 248, 252.
- 1798 Case 001-E188 *Duch* TJ, para. 319; Case 002-E313 Case 002/01 TJ, para. 191; *Kunarac* AJ, para. 103; *Sesay* TJ, para. 90.
- 1799 Case 001-E188 *Duch* TJ, para. 319; *Kunarac* AJ, para. 103.
- 1800 *See* Case 002-E313 Case 002/01 TJ, para. 411, and citations therein; Case 001-E188 *Duch* TJ, para. 331; Case 002-D427 Closing Order, para. 1314, fn. 5186. Murder was also criminalised under Cambodian Law in 1975: 1956 Penal Code, Articles 501, 503-508.
- 1801 *See* Case 002-E313 Case 002/01 TJ, para. 411; Case 002-F36 Case 002/01 AJ, para. 765.
- 1802 Case 002-E313 Case 002/01 TJ, para. 412; Case 001-E188 *Duch* TJ, para. 331; Case 002-D427 Closing Order, para. 1374; *Milošević (Dragomir)* AJ, para. 108; *Taylor* TJ, para. 412; ICC Elements of Crimes, art. 7(1)(a), Element 1; *Bemba* TJ, para. 87.
- 1803 Case 002-F36 Case 002/01 AJ, para. 420; Case 002-E313 Case 002/01 TJ, para. 413; Case 001-E188 *Duch* TJ, para. 332; *Lukić* AJ, paras 149, 208, 249, 316; *Bemba* TJ, para. 88.
- 1804 Case 001-E188 *Duch* TJ, para. 331; *Milutinović* TJ (Vol 1), para. 137; *Čelebići* TJ, para. 424, fn. 435; *Taylor* TJ, para. 413.
- 1805 Case 002-E313 Case 002/01 TJ, para. 413; Case 001-E188 *Duch* TJ, para. 332; Case 002-F36 Case 002/01 AJ, para. 420; *Šainović* AJ, para. 545; *Dorđević* AJ, para. 763; *Bemba* TJ, para. 88. Circumstances from which deaths can be inferred include (i) incidents of mistreatment directed against the victim; (ii) patterns of mistreatment and disappearances of other individuals; (iii) a general climate of lawlessness at the place where the acts were allegedly committed; (iv) the length of time that has elapsed since the person disappeared; and (v) the fact that the victim has failed to contact other persons that he or she might have been expected to contact, such as family members. *See* Case 001-E188 *Duch* TJ, para. 332; *Krnjelac* TJ, para. 327; *Brima* TJ, para. 689.

1806 Case 002-F36 Case 002/01 AJ, para. 420 citing *Stakić* TJ, para. 201. See also Case 002-F36 Case 002/01 AJ,
 1807 para. 421.
 1808 *Krnjelac* TJ, para. 329.

1809 ICCPR, art. 6(2) ["In countries which have not abolished the death penalty, sentence of death may be
 imposed *only for the most serious crimes* in accordance with the law in force at the time of the commission of
 the crime and *not contrary to the provisions of the present Covenant and to the [Genocide Convention]. This
 penalty can only be carried out pursuant to a final judgement rendered by a competent court. (emphasis
 added)*]. The Human Rights Committee has confirmed that executions carried out in breach of the fair trial
 guarantees contained in the ICCPR will breach ICCPR, art. 6(2). See *Mbenge v. Zaire*, para. 17 ["the failure
 of the State party to respect the relevant requirements of article 14(3) leads to the conclusion that the death
 sentences pronounced against [Mbenge] were imposed contrary to the provisions of the Covenant, and
 therefore in violation of article 6 (2)."]; ECHR, art. 2(1) ["Everyone's right to life shall be protected by law.
 No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his
 conviction of a crime for which this penalty is provided by law" (*emphasis added*)]; ACHR, art. 4(2); GCs
 Common Article 3 ["the following acts are and shall remain prohibited at any time and in any place
 whatsoever ... the carrying out of executions without previous judgment pronounced by a regularly
 constituted court, affording all the judicial guarantees which are recognized as indispensable by civilised
 peoples" (*emphasis added*)].

1810 ICCPR, arts 6(1) ["Every human being has the inherent right to life. This right shall be protected by law. No
 one shall be arbitrarily deprived of his life"]. 4(2) ["No derogation from [art. 6] ... may be made under this
 provision"]; ECHR, arts 2(1), 15(2) ["No derogation from Article 2, except in respect of deaths resulting
 from lawful acts of war"]; ACHR, arts 4, 27(2) ["The foregoing provision [regarding derogation of
 obligations in times of war, public danger, or other emergency that threatens the independence or security of
 a State Party] does not authorize any suspension of ... Article 4 (Right to Life)"].

1811 ICCPR, art. 6(2).

1812 Case 002-E313 Case 002/01 TJ, para. 412; *Dorđević* AJ, paras 551-552; *Akayesu* TJ, para. 588; *Brima* TJ,
 para. 690.

1813 Case 002-F36 Case 002/01 AJ, paras 409-410. See further Case 002-E313 Case 002/01 TJ, para. 412; Case
 001-E188 *Duch* TJ, para. 333; Case 002-D427 Closing Order, para. 1379; *Kvočka* AJ, paras 259, 261;
Milošević (Dragomir) AJ, para. 108; *Semanza* AJ, para. 320; *Brima* TJ, paras 688, 690.

1814 Case 002-E313 Case 002/01 TJ, para. 415 and citations therein; Case 001-E188 *Duch* TJ, para. 334; Case
 002-D427 Closing Order, para. 1314, fn. 5187.

1815 See Case 002-E313 Case 002/01 TJ, para. 415.

1816 Case 002-F36 Case 002/01 AJ, para. 525; *Seromba* AJ, para. 189; *Ntakirutimana* AJ, para. 516.

1817 Case 001-E188 *Duch* TJ, para. 334; Case 002-E313 Case 002/01 TJ, para. 416; Case 002-D427 Closing
 Order, para. 1382; *Seromba* AJ, para. 189; ICC Elements of Crimes, art. 7(1)(b), Elements 1-2.

1818 Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 335; Case 002-D427 Closing
 Order, para. 1382; *Seromba* AJ, para. 189; *Ndindabahizi* AJ, fn. 268; *Brđanin* TJ, para. 389.

1819 Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 335; Case 002-D427 Closing
 Order, para. 1382; *Brđanin* TJ, para. 389; *Krstić* TJ, paras 498, 503; ICC Statute, art. 7(2)(b); ICC Elements
 of Crimes, art. 7(1)(b), Element 1.

1820 Case 002-E313 Case 002/01 TJ, paras 421-424.

1821 Case 002-F36 Case 002/01 AJ, para. 421; *Ntakirutimana* AJ, para. 521; *Gacumbitsi* AJ, para. 89; *Sesay* TJ,
 para. 132.

1822 Case 002-F36 Case 002/01 AJ, para. 421. See further *Justice Judgment*, pp. 1046, 1053-1054, 1079 (the
 accused were found guilty of CAH including extermination even though there were no findings beyond a
 reasonable doubt of each individual unlawful killing.); *Gacumbitsi* AJ, para. 89 (finding that there was no
 need to prove the deaths of individuals named in the indictment to secure a conviction for extermination,
 rather that a finding beyond reasonable doubt that "many refugees were killed" suffices); *Kajelijeli* TJ, para.
 886.

1823 Case 002-F36 Case 002/01 AJ, para. 421; *Ntakirutimana* AJ, paras 518, 521, cited with approval in *Stakić*
 AJ, fn. 552; *Sesay* TJ, para. 132; Case 002-D427 Closing Order, para. 1382.

1824 *Rukundo* AJ, paras 187, 189; *Stakić* TJ, paras 654-655; Case 002-D427 Closing Order, para. 1382.

- 1824 Case 002-F36 Case 002/01 AJ, para. 551; Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 336; Case 002-D427 Closing Order, para. 1383; *Lukić* AJ, para. 537; *Ndindabahizi* AJ, para. 135.
- 1825 *Lukić* AJ, para. 537; *Krstić* TJ, paras 79, 84, 426, 505; *Ntakirutimana* AJ, para. 521.
- 1826 For example, in *Lukić* AJ, paras 540-544, the killings of “59 persons” and “at least 60 persons” were sufficiently large-scale to constitute extermination. In *Brdanin*, the killing of between 68 and 300 individuals “in light of the circumstances in which they occurred, [met] the required threshold of massiveness for the purposes of extermination” (*Brdanin* AJ, para. 472). Similarly, the ICTR has found the killing of about 30-40 individuals to be sufficiently large-scale to amount to extermination (*Setako* TJ, para. 481 (this finding was upheld on appeal, *Setako* AJ, para. 301)).
- 1827 *Ndindabahizi* AJ, para. 135.
- 1828 Case 002-F36 Case 002/01 AJ, paras 527-528.
- 1829 Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 336; *Lukić* AJ, para. 538; *Sesay* TJ, para. 132.
- 1830 Case 002-F36 Case 002/01 AJ, para. 551; Case 002-E313 Case 002/01 TJ, para. 416; *Lukić* AJ, para. 538.
- 1831 Case 002-F36 Case 002/01 AJ, para. 551; Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 337; *Lukić* AJ, para. 538; *Nahimana* TJ, para. 1061.
- 1832 Case 002-F36 Case 002/01 AJ, para. 551; Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 337; *Lukić* AJ, para. 538; *Stakić* TJ, paras 639, 653.
- 1833 See Case 002-F36 Case 002/01 AJ, paras 519-520, citing ILC 1996 Draft Code (with commentaries), p. 48.
- 1834 Case 001-E188 *Duch* TJ, para. 337; *Musema* AJ, para. 366; *Stakić* TJ, para. 639.
- 1835 *Lukić* AJ, para. 538, citing *Krstić* TJ, para. 501.
- 1836 Case 002-F36 Case 002/01 AJ, para. 552 [“The events that form the basis for the accused’s responsibility must be found to “constitute one and the same crime sharing the same *actus reus*”].
- 1837 Case 002-F36 Case 002/01 AJ, paras 521-522, 525, relying on *Krstić* TJ, para. 503; *Ntakirutimana* AJ, para. 522; *Gacumbitsi* AJ, para. 86.
- 1838 Case 002-F36 Case 002/01 AJ, para. 520.
- 1839 *Stakić* AJ, paras 260-261.
- 1840 Case 002-F36 Case 002/01 AJ, paras 527-528; Case 002-E313 Case 002/01 TJ, para. 419; Case 001-E188 *Duch* TJ, para. 337; *Stakić* AJ, para. 259.
- 1841 Case 001-F28 *Duch* AJ, paras 131-132, 139, 144, 152, 161-162 and citations therein; Case 001-E188 *Duch* TJ, para. 342; Case 002-D427 Closing Order, para. 1314, fn. 5188.
- 1842 Case 001-F28 *Duch* AJ, paras 161-162.
- 1843 Case 001-F28 *Duch* AJ, paras 152-153; Case 001-E188 *Duch* TJ, para. 342; Case 002-D427 Closing Order, para. 1392; *Kunarac* AJ, paras 116-117; *Sesay* TJ, paras 197-198; ICC Statute, art. 7(2)(c); ICC Elements of Crimes, art. 7(1)(c), Element 1.
- 1844 Case 001-F28 *Duch* AJ, para. 154; Case 001-E188 *Duch* TJ, para. 342; *Kunarac* AJ, para. 119; *Sesay* TJ, para. 199.
- 1845 Case 001-E188 *Duch* TJ, para. 344; *Kunarac* AJ, para. 123; *Sesay* TJ, para. 203.
- 1846 Case 001-F28 *Duch* AJ, paras 155-156. Although the notion of enslavement centred on ownership is not coterminous with “chattel slavery”: Case 001-F28 *Duch* AJ, para. 155; *Kunarac* AJ, para. 117.
- 1847 Case 001-F28 *Duch* AJ, para. 156.
- 1848 Case 001-F28 *Duch* AJ, paras 157-158.
- 1849 *Kunarac* AJ, paras 121, 356; *Taylor* TJ, para. 447.
- 1850 Case 001-E188 *Duch* TJ, paras 342, 344; *Kunarac* AJ, para. 119; *Krnjelac* TJ, para. 359; *Simić* TJ, para. 85; *Sesay* TJ, paras 199, 202.
- 1851 Case 001-E188 *Duch* TJ, para. 344; *Krnjelac* AJ, paras 194-195; *Sesay* TJ, para. 202; *Taylor* TJ, para. 448.
- 1852 *Sesay* AJ, para. 1082; *Kunarac* AJ, para. 119; Case 002-D427 Closing Order, para. 1394.
- 1853 Case 001-E188 *Duch* TJ, para. 343; *Kunarac* AJ, para. 120; *Sesay* AJ, para. 734; *Taylor* TJ, para. 447.
- 1854 Case 001-E188 *Duch* TJ, para. 343; *Kunarac* AJ, para. 120.
- 1855 *Krnjelac* AJ, para. 194.
- 1856 *Kunarac* AJ, para. 120; *Krnjelac* AJ, paras 194-195.
- 1857 *Krnjelac* AJ, paras 193-195.
- 1858 Case 001-F28 *Duch* AJ, paras 152-153; Case 001-E188 *Duch* TJ, para. 345; Case 002-D427 Closing Order, para. 1395; *Kunarac* AJ, paras 116, 122; *Taylor* TJ, para. 446.

- 1859 Case 001-E188 *Duch* TJ, para. 347; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 317-327, 332 and citations therein; Case 002-D427 Closing Order, para. 1314, fn. 5190; *Krnjelac* TJ, para. 109 and citations therein.
- 1860 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 328-332.
- 1861 A more descriptive name for the crime would be “imprisonment without due process” or, as the ICTY Trial Chamber in *Karadžić* articulated, “arbitrary imprisonment”: *Karadžić* TJ, para. 519.
- 1862 Case 001-E188 *Duch* TJ, paras 347-348; Case 002-D427 Closing Order, para. 1403; *Kordić* AJ, para. 116; *Krnjelac* TJ, paras 113-115.
- 1863 Case 001-E188 *Duch* TJ, para. 348; *Krnjelac* TJ, para. 114; *Ntagerura* TJ, para. 702.
- 1864 *Ntagerura* TJ, para. 702.
- 1865 *Ntagerura* TJ, para. 702; ICCPR, art. 9(2); ECHR, art. 5(2).
- 1866 *Krnjelac* TJ, para. 121; *Ntagerura* TJ, para. 702; ICCPR, art. 9(2); ECHR, arts 5(2), 6(3)(a).
- 1867 *Krnjelac* TJ, para. 121; *Ntagerura* TJ, para. 702.
- 1868 ECHR, art. 6(3)(c).
- 1869 ICCPR, art. 9(3); ECHR, arts 5(3)-(4); *Kulomin v. Hungary*, para. 11.3.
- 1870 ICCPR, art. 9(4); ECHR, art. 5(4).
- 1871 ECHR, arts 5(3), 6(1); ICCPR, art. 9(3).
- 1872 ICCPR, art. 14(2); ECHR, art. 6(2).
- 1873 Case 001-E188 *Duch* TJ, para. 350; *Simić* TJ, para. 64; *Krnjelac* TJ, para. 115.
- 1874 Case 001-F28 *Duch* AJ, paras 188, 196, 205-206; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 342-351 and citations therein; Case 002-D427 Closing Order, para. 1314, fn. 5191.
- 1875 1956 Penal Code, art. 500.
- 1876 Case 001-F28 *Duch* AJ, paras 211-212; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 352-356.
- 1877 Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 355; Case 001-F28 *Duch* AJ, paras 196, 205.
- 1878 *Belgium v. Senegal* Judgment, para. 99, citing exclusively human rights and IHL instruments concluded before 1975. See UDHR (1948), art. 5; GC I (1949), arts 3, 12, 50; GC II (1949), arts 3, 12, 51; GC III (1949), arts 3, 17, 87, 130; GC IV (1949), arts 3, 32, 147; ICCPR (1966), art. 7; 1975 Declaration on Torture. See also ECHR (1950), art. 3; ACHR (1969), art. 5(2); *Furundžija* TJ, paras 143-146.
- 1879 International instruments expressly proscribing derogations from the prohibition against torture include ICCPR, arts 7, 4(2); ECHR, arts 3, 15(2). See also *Ireland v. United Kingdom* Judgment, para. 163 [“The Convention prohibits in absolute terms torture and inhuman or degrading treatment or punishment, irrespective of the victim’s conduct. Unlike most of the substantive clauses ..., Article 3 ... makes no provision for exceptions and, under Article 15 para. 2 [...], there can be no derogation therefrom even in the event of a public emergency threatening the life of the nation.” (emphasis added)]
- 1880 Case 001-F28 *Duch* AJ, paras 191-192, 195-196, 201, 205; Case 001-E188 *Duch* TJ, paras 353-354; Case 002-D427 Closing Order, para. 1409; 1975 Declaration on Torture, art. 1; *Kunarac* AJ, paras 142-144, 149; *Čelebići* TJ, para. 468; *Ntagerura* TJ, para. 703; ICC Elements of Crimes, art. 7(1)(f), Element 1. See also 1984 Torture Convention, art. 1.
- 1881 Case 001-E188 *Duch* TJ, para. 355; *Kvočka* TJ, para. 143.
- 1882 Case 001-E188 *Duch* TJ, para. 355; *Kvočka* TJ, para. 143.
- 1883 Case 001-E188 *Duch* TJ, para. 355; *Krnjelac* TJ, para. 182.
- 1884 *Krnjelac* TJ, para. 182.
- 1885 Case 001-E188 *Duch* TJ, para. 355; *Kunarac* AJ, para. 149.
- 1886 Case 001-E188 *Duch* TJ, para. 355; *Kunarac* AJ, para. 150.
- 1887 *Kunarac* AJ, para. 149; *Kvočka* TJ, para. 143; *Brdanin* TJ, para. 483.
- 1888 Case 001-E188 *Duch* TJ, para. 355; *Kvočka* TJ, para. 148; *Brdanin* TJ, para. 484.
- 1889 Case 001-E188 *Duch* TJ, para. 355; *Čelebići* TJ, para. 467; *Kvočka* TJ, para. 151; *Krnjelac* TJ, para. 255.
- 1890 *Hajrulahu* Judgment, paras 101-102.
- 1891 See, e.g., *Estrella v. Uruguay*, paras 1.6, 8.3, 10; *Maritza Urrutia v. Guatemala*, paras 58.6, 85, 94.
- 1892 *Kayishema* TJ, para. 153.
- 1893 Case 001-E188 *Duch* TJ, para. 355; *Kunarac* AJ, paras 150-151.
- 1894 *Kunarac* AJ, para. 150.
- 1895 Case 001-E188 *Duch* TJ, para. 355; *Kvočka* TJ, para. 144.

- 1896 *Kunarac* AJ, para. 148; *Kvočka* AJ, para. 284; *Semanza* AJ, paras 248, 286.
- 1897 Case 001-F28 *Duch* AJ, paras 191-192, 195-197, 205; 1975 Declaration on Torture, art. 1.
- 1898 This issue is irrelevant to the adjudication on the current case as all of the acts of torture alleged were committed by officials or foot soldiers of the regime. However, as a point of law, the Co-Prosecutor submits that, while the reference to torturers being officials of a state reflects CIL as far as the obligation of States is concerned, the ICTY and ICTR have correctly rejected the public official requirement in customary international criminal law. The 1975 Declaration on Torture, and later 1984 Torture Convention, were addressed to States and sought to regulate their conduct. In that context, it is understandable that they deal with the acts of individuals acting in an official capacity, however, as a CAH it is illogical to distinguish individuals who are public officials from others who are not but who commit the same acts, with the same intent and with the same consequence for victims whose suffering is hardly relieved by the knowledge that the individual is not a public official.
- 1899 Case 001-F28 *Duch* AJ, paras 191-192, 195-196, 201, 205; Case 001-E188 *Duch* TJ, para. 358; Case 002-D427 Closing Order, para. 1413; 1975 Declaration on Torture, art. 1; *Krnjelac* TJ, para. 179; *Furundžija* TJ, para. 162.
- 1900 Case 001-F28 *Duch* AJ, paras 192, 205; Case 001-E188 *Duch* TJ, para. 356; Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 355; 1975 Declaration on Torture, art. 1; 1984 Torture Convention, art. 1; *Kunarac* AJ, paras 142, 144; *Ntagerura* TJ, para. 703. Although the SCC has held that the definition of torture contained in the 1975 Declaration on Torture is reflective of CIL in 1975, and highlighted the narrower purpose stipulation that omits express reference to the discriminatory reasons contained in the 1984 Torture Convention (Case 001-F28 *Duch* AJ, para. 192), the Co-Prosecutor notes that the purpose stipulation contained in the 1975 Declaration on Torture is representative rather than exhaustive (*Čelebići* TJ, paras 470-472) and does not therefore preclude acts or omissions conducted on discriminatory grounds.
- 1901 Case 001-E188 *Duch* TJ, para. 356; *Čelebići* TJ, paras 470-472.
- 1902 Case 001-E188 *Duch* TJ, para. 356; *Kunarac* TJ, para. 486.
- 1903 Case 001-F28 *Duch* AJ, paras 216-225 and citations therein; Case 002-E313 Case 002/01 TJ, para. 426; Case 001-E188 *Duch* TJ, para. 374; Case 002-D427 Closing Order, para. 1314, fn. 5193.
- 1904 Case 001-F28 *Duch* AJ, paras 261, 279-280; Case 002-E313 Case 002/01 TJ, para. 426. Religious persecution was a crime under Cambodian Law in 1975. See 1956 Penal Code, arts 209-210.
- 1905 Case 001-F28 *Duch* AJ, paras 257, 261-262, 271; Case 001-E188 *Duch* TJ, para. 376; Case 002-E313 Case 002/01 TJ, para. 427; Case 002-D427 Closing Order, para. 1415; *Stakić* AJ, para. 327; *Nahimana* AJ, para. 985.
- 1906 Case 001-F28 *Duch* AJ, paras 244-245, 253-254, 257-259, 261; Case 002-E313 Case 002/01 TJ, paras 432-433; Case 001-E188 *Duch* TJ, para. 378; *Kordić* AJ, paras 102, 671; *Blaškić* AJ, paras 135, 138; *Popović* AJ, para. 766; *Nahimana* AJ, para. 987 [confirming that it is the cumulative effect of all the underlying acts of persecution that must reach a level of gravity equivalent to that for other CAH].
- 1907 Case 001-F28 *Duch* AJ, paras 258, 260; *Krnjelac* AJ, para. 219; *Brdanin* AJ, para. 296.
- 1908 Case 001-F28 *Duch* AJ, paras 244-245, 261; Case 002-E313 Case 002/01 TJ, para. 433; *Nahimana* AJ, para. 985; *Brdanin* AJ, para. 296.
- 1909 *Brdanin* AJ, para. 295.
- 1910 Case 002-E313 Case 002/01 TJ, para. 433; *Nahimana* AJ, para. 987.
- 1911 Case 001-F28 *Duch* AJ, para. 259.
- 1912 Case 001-F28 *Duch* AJ, para. 259.
- 1913 Case 001-F28 *Duch* AJ, para. 254, following a review of jurisprudence at paras 242-253.
- 1914 Some of which have been cited with approval by the ECCC Trial Chamber. See Case 001-E188 *Duch* TJ, para. 378.
- 1915 *Kordić* TJ, para. 206.
- 1916 *Kvočka* AJ, paras 323-325; *Kvočka* TJ, paras 190-192; *Stakić* TJ, paras 758-760, 807-808.
- 1917 *Karadžić* TJ, paras 530-534; *Blaškić* AJ, paras 146, 149.
- 1918 *Krnjelac* AJ, paras 198-203.
- 1919 *Krnjelac* AJ, para. 222; *Blaškić* AJ, para. 153.
- 1920 *Karadžić* TJ, para. 514; *Krajišnik* TJ, paras 755-756; *Nikolić (Dragan)* SJ, para. 69.
- 1921 *Gotovina* TJ, para. 1839.
- 1922 *Brdanin* AJ, paras 294-297; *Stanišić & Župljanin* TJ, Vol. I, paras 91-92.

- 1923 *Nahimana* AJ, paras 986-988.
- 1924 ICCPR, arts 18, 27; UDHR, art. 18; ECHR, art. 9.
- 1925 Case 001-F28 *Duch* AJ, para. 267; Case 002-F36 Case 002/01 AJ, para. 667; Case 002-E313 Case 002/01 TJ, para. 427.
- 1926 Case 001-F28 *Duch* AJ, para. 267; Case 001-E188 *Duch* TJ, para. 377.
- 1927 Case 001-F28 *Duch* AJ, paras 272-273; Case 002-F36 Case 002/01, paras 667, 669, 690. *See also* Case 002-E313 Case 002/01 TJ, para. 428; Case 001-E188 *Duch* TJ, para. 377; Case 002-D427 Closing Order, para. 1415; *Karadžić* TJ, para. 498; *Kvočka* AJ, paras 363, 366, 455; *Blagojević* TJ, para. 583.
- 1928 Case 001-F28 *Duch* AJ, paras 274-276; Case 002-F36 Case 002/01 AJ, para. 667; Case 002-E313 Case 002/01 TJ, para. 428.
- 1929 Case 001-F28 *Duch* AJ, paras 272-273; *Kvočka* AJ, paras 363, 366, 455; *Simić* TJ, para. 49; *Stakić* TJ, para. 734.
- 1930 Case 002-F36 Case 002/01 AJ, para. 678.
- 1931 Case 002-F36 Case 002/01 AJ, para. 669.
- 1932 Case 002-F36 Case 002/01 AJ, para. 669; Case 001-F28 *Duch* AJ, para. 272; Case 002-E313 Case 002/01 TJ, para. 430, fn. 1290 and citations therein.
- 1933 Case 001-F28 *Duch* AJ, para. 272; Case 002-F36 Case 002/01 AJ, para. 669.
- 1934 Case 001-F28 *Duch* AJ, paras 236-240; Case 002-E313 Case 002/01 TJ, para. 427; Case 001-E188 *Duch* TJ, para. 379; Case 002-D427 Closing Order, para. 1423. *See also, e.g., Stakić* AJ, paras 327-328; *Nahimana* AJ, para. 985.
- 1935 Case 001-E188 *Duch* TJ, para. 379; *Kordić* AJ, para. 111; *Blaškić* AJ, para. 165; *Karadžić* TJ, para. 500.
- 1936 Case 001-E188 *Duch* TJ, para. 379; *Kordić* AJ, para. 111; *Blaškić* AJ, para. 165.
- 1937 *Simić* TJ, para. 51.
- 1938 *Karadžić* TJ, para. 500; *Popović* TJ, para. 967.
- 1939 *Kvočka* AJ, paras 232-233.
- 1940 Case 002-F36 Case 002/01 AJ, para. 576; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 371, 379-385, 395-396, 398 and citations therein; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, paras 156-157, 165; Case 002-E313 Case 002/01 TJ, para. 435; Case 001-E188 *Duch* TJ, para. 367; Case 002-D427 Closing Order, para. 1314, fn. 5194. *See also Stakić* AJ, paras 315-316, fn. 649; *Brima* AJ, para. 183, fn. 275.
- 1941 Case 002-F36 Case 002/01 AJ, paras 577-586; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 165; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 396, 398; Case 002-E313 Case 002/01 TJ, para. 435; *Stakić* AJ, para. 315.
- 1942 Case 002-F36 Case 002/01 AJ, para. 576.
- 1943 Case 002-F36 Case 002/01 AJ, para. 584; Case 002-E313 Case 002/01 TJ, para. 436; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 371, 378; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 156; *Stakić* AJ, paras 315-316.
- 1944 Case 002-F36 Case 002/01 AJ, paras 576, 578; Case 002-E313 Case 002/01 TJ, para. 437; Case 001-E188 *Duch* TJ, para. 367; *Stakić* AJ, paras 315-316; *Kordić* AJ, para. 117; *Brima* AJ, paras 183, 198.
- 1945 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 395-396; Case 001-E188 *Duch* TJ, para. 367; Case 002-E313 Case 002/01 TJ, paras 438, 440; D257/1/8 Forced Marriage Considerations: International Judges, para. 15; *Krajišnik* AJ, para. 331; *Brima* AJ, para. 198; *Lukić* TJ, para. 960; ICC Elements of Crimes, art. 7(1)(k), Element 2.
- 1946 Case 002-F36 Case 002/01 AJ, para. 580.
- 1947 *See, e.g.,* Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 397; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 166. *See also D257/1/8* Forced Marriage Considerations: International Judges, para. 18.
- 1948 Case 001-E188 *Duch* TJ, para. 369; Case 002-E313 Case 002/01 TJ, para. 438; D257/1/8 Forced Marriage Considerations: International Judges, para. 16; *Kordić* AJ, para. 117; *Lukić* TJ, para. 961.
- 1949 Case 002-F36 Case 002/01 AJ, para. 590.
- 1950 Case 001-E188 *Duch* TJ, para. 369; Case 002-E313 Case 002/01 TJ, para. 438; *Vasiljević* AJ, para. 165; D257/1/8 Forced Marriage Considerations: International Judges, para. 16 quoting Case 001-E188 *Duch* TJ, para. 369.

- 1951 Case 001-E188 *Duch* TJ, para. 369; Case 002-E313 Case 002/01 TJ, para. 439; *Vasiljević* AJ, para. 165; *Lukić* TJ, para. 961, fn. 2887.
- 1952 Case 002-F36 Case 002/01 AJ, paras 584-585.
- 1953 Case 002-F36 Case 002/01 AJ, para. 585.
- 1954 Case 002-F36 Case 002/01 AJ, para. 589 (*emphasis in original*).
- 1955 Case 002-F36 Case 002/01 AJ, para. 589
- 1956 Case 002-F36 Case 002/01 AJ, para. 590.
- 1957 *Kupreškić* TJ, para. 566; *Kvočka* TJ, para. 208.
- 1958 *Kupreškić* TJ, para. 566; *Kvočka* TJ, para. 208.
- 1959 *Blaškić* TJ, para. 239; *Kayishema* TJ, para. 151.
- 1960 Case 001-E188 *Duch* TJ, para. 370; *Muvunyi I* TJ, para. 528; *Kvočka* TJ, para. 208; *Tadić* TJ, para. 730.
- 1961 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Krnojelac* TJ, para. 133.
- 1962 *Muvunyi I* TJ, para. 528; *Brima* AJ, paras 184, 186.
- 1963 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Naletilić* TJ, para. 245; *Blaškić* TJ; *Kordić* TJ, para. 773.
- 1964 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Kupreškić* TJ, para. 819; *Kayishema* TJ, para. 153; *Brima* AJ, para. 199.
- 1965 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Kenyatta* Confirmation of Charges Decision, paras 270-273.
- 1966 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Kenyatta* Confirmation of Charges Decision, paras 276-277.
- 1967 Case 002-F36 Case 002/01 AJ, para. 581 *citing* *Kenyatta* Confirmation of Charges Decision, para. 280.
- 1968 *Akayesu* TJ, para. 697; *Brdanin* TJ, para. 1013.
- 1969 **D303** Written Record of Further Appearance.
- 1970 Case 002-E313 Case 002/01 TJ, paras 456-458.
- 1971 Case 001-E188 *Duch* TJ, para. 370; *Krnojelac* TJ, para. 133; *Kvočka* TJ, para. 209.
- 1972 *Blaškić* AJ, para. 155; *Karadžić* TJ, para. 514; *Krajišnik* TJ, paras 745-747, 755-756; *Stanišić and Župljanin* TJ, paras 203, 226-227, 678-679, 681, 683, 701; *Kvočka* TJ, para. 209.
- 1973 *Prljić* TJ, Vol 3, paras 1159, 1161, 1164, 1167-1168, 1170-1172, 1176-1178, 1181-1182, 1184, 1192-1194, 1197-1199, 1201-1202, 1204-1205; *Limaj* TJ, paras 288-289, 333, 652; *Čelebići* TJ, para. 1119. *See further*, *Prljić* TJ, Vol 3, paras 1102-1111, 1114-1116, 1118-1120, 1124-1126, 1129-1130, 1132-1133, 1135-1137, 1140-1142, 1145-1147, 1149-1150, 1152-1153 [finding the treatment also constituted the offence of inhuman treatment as a grave breach of the Geneva Conventions].
- 1974 *Karadžić* Rule 98bis AJ, paras 48-49; *Brdanin* TJ, para. 691; *Kayishema* TJ, paras 115-116.
- 1975 *Brima* AJ, paras 198-201; *Sesay* TJ, paras 2306-07; Case 002-D427 Closing Order, paras 1314, 1442-1443, fn. 5195.
- 1976 UDHR, art 16(2) ["Marriage shall be entered into only with the free and full consent of the intending spouses"].
- 1977 *See, e.g.*, 1962 Convention on Consent to Marriage (the Preamble of the Convention recalls article 16 of the UDHR). Article 1 states that "[n]o marriage shall be legally entered into without the full and free consent of both parties"; ICCPR, art. 23(3) ["[n]o marriage shall be entered into without the free and full consent of the intending spouses"]; ECHR, arts 8 [details the "right to respect for private and family life", stating that "[e]veryone has the right to respect for his private and family life", and "[t]here shall be no interference by a public authority with the exercise of this right except such as in accordance with the law"], 12 [deals with the "right to marry", providing that "[m]en and women of marriageable age have the right to marry and to found a family"].
- 1978 *Brima* AJ, para. 196; *Sesay* AJ, paras 735-736.
- 1979 *Brima* AJ, para. 195.
- 1980 *Brima* AJ, para. 190.
- 1981 *Brima* AJ, para. 201.
- 1982 *Brima* AJ, para. 195.
- 1983 *Sesay* AJ, para. 736; *Stakić* AJ, para. 281.
- 1984 Case 001-E188 *Duch* TJ, para. 363; *Gacumbitsi* AJ, para. 151; *Taylor* TJ, para. 416. Although this finding relates to rape, it is equally applicable in the context of forced marriage.
- 1985 *Krnojelac* AJ, para. 194.
- 1986 *Sesay* AJ, para. 736. *See also* *Kvočka* AJ, para. 396; *Kumarac* AJ, paras 132-133; *Muhimana* TJ, para. 545; *Krnojelac* AJ, paras 194-195, 226-233.

- 1987 *Brima* AJ, para. 190.
- 1988 Case 001-F28 *Duch* AJ, paras 183, 213; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 154; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 364-365, 371.
- 1989 Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 372; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 154.
- 1990 ICTY: ICTY Statute, art. 5(g); *Kunarac* AJ, para. 179; ICTR: ICTR Statute, art. 3(g); *Akayesu* TJ, para. 596; SCSL: SCSL Statute, art. 2(g); *Sesay* TJ, para. 144; ICC: ICC Statute, art. 7(1)(g).
- 1991 Case 001-F28 *Duch* AJ, paras 207-208, 211; Case 001-E188 *Duch* TJ, paras 355, 366; *Akayesu* TJ, para. 687.
- 1992 *Akayesu* TJ, para. 598 [defining rape as “a physical invasion of a sexual nature, committed on a person under circumstances which are coercive”].
- 1993 Referring to the factual findings in Case 002-D427 Closing Order, para. 858.
- 1994 Case 002-D427 Closing Order, para. 1431; *see also* para. 1427.
- 1995 As reflected in the ICC Elements of Crimes, fn. 15. *See* fn. 1997 below.
- 1996 Case 001-E188 *Duch* TJ, para. 362; *Kunarac* AJ, para. 127.
- 1997 ICC Elements of Crimes, art. 7(1)(g)-1, Element 1. At fn. 15, it is clarified that “the concept of ‘invasion’ is intended to be broad enough to be gender-neutral”.
- 1998 Requiring others to have sexual intercourse with one another has also been found to constitute sexual assault punishable as an underlying act of persecution as a CAH. *See Brdanin* TJ, paras 1012-1013.
- 1999 *Kunarac* AJ, paras 127-128; *Taylor* TJ, para. 416.
- 2000 Case 001-E188 *Duch* TJ, para. 363; *Kunarac* AJ, paras 129-130; *Taylor* TJ, para. 416; *Brima* TJ, para. 694.
- 2001 Case 001-E188 *Duch* TJ, para. 363; *Kunarac* AJ, para. 128; *Gacumbitsi* AJ, para. 155; *Taylor* TJ, para. 416.
- 2002 *Sesay* TJ, para. 148; *Taylor* TJ, para. 416. *See also* ICC Elements of Crimes, art. 7(1)(g)-1, Element 2, fn. 16.
- 2003 Case 001-E188 *Duch* TJ, para. 363; *Gacumbitsi* AJ, para. 151; *Taylor* TJ, para. 416.
- 2004 Case 001-E188 *Duch* TJ, para. 364; *Muhimana* AJ, paras 48-49; *Sesay* TJ, para. 149.
- 2005 Case 002-E313 Case 002/01 TJ, paras 444-448 and citations therein; Case 002-D427 Closing Order, paras 1314, 1470-1471, 1476, fn. 5197; *Brima* AJ, para. 184; *Kupreškić* TJ, para. 566; *Kvočka* TJ, paras 206-209; *Gotovina* TJ, para. 1838. In *Gotovina* TJ, paras 1838-1839, the ICTY Trial Chamber found that enforced disappearances, carried out on discriminatory grounds, and for which the general elements of CAH are fulfilled, constitute the crime of persecution.
- 2006 ICC Statute, art. 7(1)(i).
- 2007 Case 002-E313 Case 002/01 TJ, para. 448; Case 002-D427 Closing Order, para. 1471; *Gotovina* TJ, para. 1837; ICC Statute, art. 7(2)(i); ICC Elements of Crimes, art. 7(1)(i), Elements 1-4; ICPPED, art. 2.
- 2008 *See, e.g.*, Case 001-E188 *Duch* TJ, paras 372-373; *Kvočka* AJ, para. 435; *Brima* AJ, paras 184, 205-206; *Tadić* TJ, paras 728-730; *Blaškić* TJ, paras 239-242; *Lukić* TJ, paras 977-981, 989-991; *Muvunyi I* TJ, paras 528, 530.
- 2009 *See, e.g.*, *Krnjelac* AJ, paras 186, 188; *Lukić* TJ, paras 1024-1026, 1038-1040; *Tadić* TJ, para. 710; *Kupreškić* TJ, para. 594.
- 2010 *See, e.g.*, *Čelebići* TJ, paras 548-552; *Orić* TJ, paras 352, 412-425; *Tadić* TJ, paras 725-726; *Lukić* TJ, paras 977-981, 989-991; *Taylor* TJ, paras 434-435, 1210, 1227-1231, 1277, 1289-1291, 1353-1354.
- 2011 *See, e.g.*, *Lukić* AJ, paras 631-634; *Krnjelac* TJ, paras 130-131, 194, 196, 200, 202, 204, 208-209, 211, 213-215, 219-220.
- 2012 *Lukić* AJ, para. 634; *Krnjelac* TJ, para. 176.
- 2013 *Krnjelac* TJ, para. 359; *Sesay* TJ, para. 202. Note that there are in fact some circumstances where individuals may be lawfully made to work without compensation. *See Krnjelac* AJ, para. 200 [the work required of a person in the ordinary course of lawful detention is not regarded as forced or compulsory labour]; *Blaškić* AJ, para. 597 [forced labour may not cause serious mental or physical suffering or injury or constitute a serious attack on human dignity; the labour may not be connected with war operations or have a military character or purpose]; *Krnjelac* TJ, para. 360 [regarding conditions and safeguards that must be observed].
- 2014 This has been the approach used in analysing whether forced labour constitutes enslavement, but also addresses all of the relevant criteria applicable outside of the context of enslavement. *See, e.g.*, *Krnjelac* TJ, paras 359, 372; *Sesay* TJ, para. 202.
- 2015 *Krnjelac* TJ, paras 359, 372; *Sesay* TJ, para. 202; *Taylor* TJ, para. 448.

2016 *Krnojelac* AJ, paras 194-195; *Krnojelac* TJ, paras 359, 372; *Krajišnik* TJ, paras 758, 815; *Sesay* TJ, para.
2017 202. *Krnojelac* TJ, para. 373.

2018 Kunarac AJ, para. 123; *Sesay* TJ, para. 203. Both cite the WWII case *US v. Oswald Pohl and Others*,
Judgement of 3 November 1947, reprinted in *Trials of War Criminals Before the Nuremberg Military*
2019 *Tribunals under Control Council No. 10, Vol. 5* (1997), p. 970.

2020 See the VII. Law – A. Crimes – 2. Crimes Against Humanity – Specific Offences – 3. Enslavement
section.

2021 See, e.g., Case 001-E188 *Duch* TJ, para. 378; *Krnojelac* AJ, paras 199-203; *Blaškić* AJ, paras 154-155;
Krajišnik TJ, paras 760-761, 816-818.

2022 As set out in the VII. Law – A. Crimes – 2. Crimes Against Humanity – Specific Offences – 7. Other
Inhumane Acts section.

2023 Case 002-D97/15/9 PTC JCE Decision, para. 49; Case 001-E188 *Duch* TJ, para. 511; Case 002-E100/6 TC
JCE Decision, para. 22; Case 002-E313 Case 002/01 TJ, para. 690.

2024 Case 001-D99/3/42 Case 001 Closing Order Decision, para. 132; Case 001-E188 *Duch* TJ, para. 507; Case
002-D97/15/9 PTC JCE Decision, para. 37; Case 002-E313 Case 002/01 TJ, para. 690; *Tadić* AJ, paras 196-
201; *Vasiljević* AJ, para. 97; *Gacumbitsi* AJ, para. 158.

2025 Case 001-D99/3/42 Case 001 Closing Order Decision, para. 132; Case 001-E188 *Duch* TJ, para. 507; Case
002-D97/15/9 PTC JCE Decision, para. 37; Case 002-E313 Case 002/01 TJ, para. 690; *Tadić* AJ, paras 202-
203; *Vasiljević* AJ, para. 98.

2026 Case 002-D97/15/9 PTC JCE Decision, paras 57-72; Case 001-E188 *Duch* TJ, paras 511-512; Case 002-
E100/6 TC JCE Decision, para. 22; Case 002-E313 Case 002/01 TJ, para. 691; Case 002-F36 Case 002/01
AJ, paras 779-789, 807-810.

2027 Case 002-F36 Case 002/01 AJ, para. 1093; Case 002-D97/15/9 PTC JCE Decision, para. 72; Case 001-E188
Duch TJ, para. 512; Case 002-E313 Case 002/01 TJ, para. 691.

2028 Case 002-F36 Case 002/01 AJ, paras 791-807; Case 002-D97/15/9 PTC JCE Decision, paras 77, 83, 87-88;
Case 002-E100/6 TC JCE Decision, para. 38.

2029 Case 001-E188 *Duch* TJ, para. 508; Case 002-D97/15/9 PTC JCE Decision, para. 38; Case 002-E313 Case
002/01 TJ, para. 692; *Tadić* AJ, para. 227; *Brđanin* AJ, para. 430; *Munyakazi* AJ, para. 160; *Brima* AJ, para.
75.

2030 Case 001-E188 *Duch* TJ, para. 508; *Tadić* AJ, para. 227; *Vasiljević* AJ, para. 100.

2031 Case 001-E188 *Duch* TJ, para. 508; Case 002-E313 Case 002/01 TJ, para. 692; *Brđanin* AJ, para. 430;
Nizeyimana AJ, para. 318.

2032 I.e. this purpose must be shared. It is not sufficient that the alleged members of the plurality separately have
the same purpose. See *Brđanin* AJ, para. 430; *Sesay* AJ, paras 1034, 1140.

2033 Case 002-F36 Case 002/01 AJ, para. 807 [“the common purpose ‘amounts to’ the commission of a crime if
the commission of the crime is the, or among the, primary objective(s) of the common purpose”].

2034 Case 002-F36 Case 002/01 AJ, para. 808 [“the common purpose ‘involves’ the commission of a crime if the
crime is a means to achieve an ulterior objective (which itself may not be criminal)”] citing *Brima* AJ, para.
80.

2035 Case 002-F36 Case 002/01 AJ, paras 789, 814; Case 002-D97/15/9 PTC JCE Decision, para. 38; Case 001-
E188 *Duch* TJ, para. 508; Case 002-E100/6 TC JCE Decision, para. 17; Case 002-E313 Case 002/01 TJ,
para. 692; *Tadić* AJ, para. 227; *Vasiljević* AJ, para. 100; *Munyakazi* AJ, para. 160; *Brima* AJ, para. 75.

2036 Case 002-F36 Case 002/01 AJ, para. 808 (*emphasis added*).

2037 Case 002-F36 Case 002/01 AJ, para. 809 (*emphasis added*).

2038 Case 002-F36 Case 002/01 AJ, para. 789; Case 002-E100/6 TC JCE Decision, para. 17; Case 002-E313 Case
002/01 TJ, para. 696; *Sesay* AJ, para. 300. See also *Taylor* JCE Appeal Decision, para. 15, fn. 63; *Brima* AJ,
paras 76, 80.

2039 Case 002-F36 Case 002/01 AJ, para. 1075.

2040 *Rwamakuba* JCE Genocide Decision, para. 25. See also *Brđanin* AJ, para. 425; *Sesay* AJ, paras 106, 316.

2041 Case 001-E188 *Duch* TJ, para. 508; *Tadić* AJ, para. 227; *Brđanin* AJ, paras 417-419; *Šainović* AJ, para. 609.

2042 Case 002-D97/15/9 PTC JCE Decision, para. 38; Case 001-E188 *Duch* TJ, para. 508; Case 002-E313 Case
002/01 TJ, paras 692-693; *Tadić* AJ, para. 227; *Stakić* AJ, para. 64; *Munyakazi* AJ, para. 160.

2043 *Simba* AJ, para. 250.

- 2043 Case 001-E188 *Duch* TJ, para. 508; Case 002-E313 Case 002/01 TJ, para. 693; *Tadić* AJ, paras 227, 229; *Šainović* AJ, para. 985; *Sesay* AJ, para. 611.
- 2044 *Šainović* AJ, para. 1823; *Kvočka* AJ, para. 192.
- 2045 *Kvočka* AJ, paras 112-113, 276; *Krnjelac* AJ, para. 81; *Simba* AJ, para. 296. Although it may be an indicator of a co-perpetrator's contribution.
- 2046 *Popović* AJ, para. 1615.
- 2047 Case 002-D97/15/9 PTC JCE Decision, para. 38; Case 001-E188 *Duch* TJ, para. 508; Case 002-E313 Case 002/01 TJ, para. 693; *Tadić* AJ, para. 229(iii); *Brđanin* AJ, para. 427; *Popović* AJ, para. 1378; *Krajišnik* AJ, para. 218; *Simba* AJ, para. 250; *Sesay* AJ, paras 611, 1034.
- 2048 Case 002-F36 Case 002/01 AJ, paras 983-984.
- 2049 *Kvočka* AJ, paras 187, 421. See also Case 002-E313 Case 002/01 TJ, para. 693.
- 2050 *Sesay* AJ, paras 1035, 1063.
- 2051 Case 002-F36 Case 002/01 AJ, para. 980; Case 002-E313 Case 002/01 TJ, para. 692; Case 001-E188 *Duch* TJ, para. 508; Case 002-D97/15/9 PTC JCE Decision, para. 38; *Brđanin* AJ, paras 427, 430, 432; *Simba* AJ, para. 303; *Sesay* AJ, para. 611.
- 2052 Case 002-F36 Case 002/01 AJ, para. 810 ["it is sufficient to establish that accused were held criminally liable for crimes committed in the course of the implementation of a common purpose to which they had made some kind of contribution beyond being a bystander"]; para. 980; Case 001-E188 *Duch* TJ, para. 508; Case 002-E313 Case 002/01 TJ, para. 692; *Brđanin* AJ, para. 430; *Popović* AJ, para. 1378; *Simba* AJ, para. 303.
- 2053 Case 001-E188 *Duch* TJ, para. 508; Case 002-F36 Case 002/01 AJ, para. 980; *Kvočka* AJ, para. 98; *Sesay* AJ, para. 401.
- 2054 Case 002-E313 Case 002/01 TJ, para. 693; Case 002-F36 Case 002/01 AJ, para. 980; *Kvočka* TJ, paras 292, 311; *Kvočka* AJ, paras 101, 192; *Krstić* TJ, para. 642.
- 2055 Case 002-F36 Case 002/01 AJ, para. 980 citing *Kvočka* AJ, para. 95; *Šainović* AJ, paras 920, 970-972; *Krajišnik* AJ, para. 217.
- 2056 Case 002-F36 Case 002/01 AJ, para. 984.
- 2057 Case 002-F36 Case 002/01 AJ, para. 982 citing *Krajišnik* AJ, paras 216-217.
- 2058 Case 002-F36 Case 002/01 AJ, para. 1040; Case 002-E313 Case 002/01 TJ, para. 225; *Brđanin* AJ, paras 410-414, 418, 430; *Krajišnik* AJ, para. 225; *Đorđević* AJ, para. 165; *Sesay* AJ, paras 398-400.
- 2059 *Brđanin* AJ, para. 413; *Martić* AJ, para. 169; *Sesay* AJ, para. 414.
- 2060 *Brđanin* AJ, para. 410; *Sesay* AJ, para. 414.
- 2061 *Krajišnik* AJ, para. 226; *Popović* AJ, para. 1414; *Sesay* AJ, para. 414.
- 2062 *Krajišnik* AJ, para. 226; *Popović* AJ, para. 1414; *Sesay* AJ, para. 414.
- 2063 *Martić* AJ, paras 169, 195; *Stakić* AJ, paras 79-85; *Sesay* AJ, para. 414.
- 2064 *Martić* AJ, paras 195, 205; *Sesay* AJ, para. 414.
- 2065 *Šainović* AJ, para. 1368; *Kvočka* AJ, para. 144.
- 2066 *Sesay* AJ, paras 414, 907.
- 2067 *Brđanin* AJ, paras 415, 418.
- 2068 Case 002-F36 Case 002/01 AJ, para. 809.
- 2069 *Karadžić* Rule 98bis AJ, para. 79; *Krajišnik* AJ, para. 226. See also *Brđanin* AJ, para. 410.
- 2070 *Karadžić* Rule 98bis AJ, para. 79.
- 2071 Case 002-F36 Case 002/01 AJ, para. 1042.
- 2072 Case 002-F36 Case 002/01 AJ, para. 1042.
- 2073 Intent for JCE I, a form of committing, encompasses both (i) direct intent that the crime be committed (*dolus directus* of the first degree), and (ii) awareness that the crime will occur in the ordinary course of events, or phrased another way, awareness of a substantial likelihood that it will occur (*dolus directus* of the second degree). See Case 002-F36 Case 002/01 AJ, para. 1054; *Lukić* TJ, para. 900; *Limaj* TJ, para. 509; *Kvočka* TJ, para. 251. See also ICC Statute, art. 30(2)(b). This definition of intent is consistent with the *mens rea* requirements of the other direct modes of responsibility: planning, instigating and ordering.
- 2074 Case 002-F36 Case 002/01 AJ, para. 1082.
- 2075 Case 002-F36 Case 002/01 AJ, para. 1053; Case 002-D97/15/9 PTC JCE Decision, paras 37, 39; Case 001-E188 *Duch* TJ, para. 509; Case 002-E313 Case 002/01 TJ, paras 690, 694; *Tadić* AJ, paras 196, 220, 228; *Brđanin* AJ, para. 365; *Šainović* AJ, para. 1470; *Popović* AJ, para. 1369; *Munyakazi* AJ, para. 160; *Sesay* AJ, paras 474-475.

- 2076 Case 001-E188 *Duch* TJ, fn. 897; Case 002-E100/6 TC JCE Decision, para. 16; Case 002-E313 Case 002/01 TJ, para. 694; *Kvočka* AJ, para. 110; *Krnojelac* AJ, para. 111.
- 2077 *Popović* AJ, fn. 2971; *Krnojelac* AJ, para. 100.
- 2078 *Šainović* AJ, para. 1491; *Kvočka* AJ, para. 276; *Sesay* AJ, para. 906.
- 2079 *Popović* AJ, para. 1369; *Đorđević* AJ, para. 512; *Krajišnik* AJ, paras 202, 697.
- 2080 Case 002-E313 Case 002/01 TJ, para. 694; *Kvočka* AJ, paras 97, 188.
- 2081 Case 002-E313 Case 002/01 TJ, para. 698; Case 001-E188 *Duch* TJ, para. 518; *Taylor* AJ, paras 368, 494; *Kordić* AJ, para. 26; *Milošević (Dragomir)* AJ, para. 268; *Nahimana* AJ, para. 479.
- 2082 *Taylor* AJ, para. 494; *Boškoski* AJ, para. 154.
- 2083 *Boškoski* AJ, fn. 418; *Taylor* AJ, para. 494.
- 2084 *Bagilishema* TJ, para. 30; *Semanza* TJ, para. 380.
- 2085 *Nahimana* AJ, paras 958-959; *Brima* AJ, para. 301; *Blašić* TJ, para. 279.
- 2086 *Kanyarukiga* AJ, para. 258.
- 2087 Case 001-E188 *Duch* TJ, para. 518; Case 002-E313 Case 002/01 TJ, para. 698; *Kordić* AJ, para. 26; *Nahimana* AJ, paras 479, 492, fn. 2116; *Sesay* AJ, paras 687, 1170.
- 2088 *Sesay* AJ, para. 769; *Taylor* AJ, para. 494.
- 2089 *Boškoski* AJ, para. 172; *Taylor* AJ, paras 493-494.
- 2090 *Taylor* AJ, para. 493; *Boškoski* AJ, para. 171.
- 2091 Case 001-E188 *Duch* TJ, para. 519; Case 002-E313 Case 002/01 TJ, para. 698; *Kordić* AJ, paras 29, 31, 112; *Boškoski* AJ, paras 68, 174; *Milošević (Dragomir)* AJ, para. 268; *Nahimana* AJ, para. 479; *Taylor* AJ, para. 494.
- 2092 *Galić* TJ, para. 172; *Čelebići* TJ, para. 328.
- 2093 *Boškoski* AJ, para. 67.
- 2094 Case 001-E188 *Duch* TJ, para. 522; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić* AJ, paras 27, 32; *Taylor* AJ, paras 368, 589; *Nzabonimana* AJ, para. 146.
- 2095 *Seromba* TJ, para. 304; *Mpambara* TJ, para. 18.
- 2096 *Akayesu* AJ, paras 478-483.
- 2097 *Nahimana* AJ, para. 595; *Taylor* AJ, para. 589 upholding *Taylor* TJ, para. 472; *Brdanin* TJ, para. 269.
- 2098 Case 001-E188 *Duch* TJ, para. 522; Case 002-E313 Case 002/01 TJ, para. 700; *Taylor* AJ, para. 589 upholding *Taylor* TJ, para. 472; *Brdanin* TJ, para. 269.
- 2099 *Semanza* AJ, para. 296.
- 2100 Case 001-E188 *Duch* TJ, para. 522; *Mpambara* TJ, para. 18; *Galić* TJ, para. 168.
- 2101 *Karera* AJ, para. 318; *Boškoski* AJ, para. 75.
- 2102 Case 001-E188 *Duch* TJ, para. 522; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić* AJ, para. 27; *Karera* AJ, para. 317; *Taylor* AJ, para. 589.
- 2103 *Kordić* AJ, para. 27; *Nyiramasuhuko* AJ, para. 3327; *Nahimana* AJ, paras 480, 502, 660.
- 2104 *Boškoski* AJ, para. 172; *Taylor* AJ, para. 493.
- 2105 Case 001-E188 *Duch* TJ, para. 524; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić* AJ, paras 29, 32; *Boškoski* AJ, paras 68, 174; *Nahimana* AJ, para. 480; *Taylor* AJ, para. 589.
- 2106 *Boškoski* AJ, para. 67.
- 2107 Case 001-E188 *Duch* TJ, paras 527-528; Case 002-E313 Case 002/01 TJ, para. 702; *Kordić* AJ, paras 28, 32; *Milošević (Dragomir)* AJ, para. 267; *Nahimana* AJ, para. 481; *Renzaho* AJ, para. 315; *Taylor* AJ, para. 589.
- 2108 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702 and citations therein; *Kordić* AJ, para. 28; *Galić* AJ, para. 176; *Renzaho* AJ, para. 315; *Sesay* AJ, para. 164.
- 2109 *Seromba* AJ, para. 202; *Kamuhanda* AJ, para. 75.
- 2110 Case 001-E188 *Duch* TJ, para. 527; *Boškoski* AJ, para. 164; *Setako* AJ, para. 240. Whether such authority exists is a question of fact: *Semanza* AJ, para. 363. See also *Gacumbitsi* AJ, para. 182 [ordering “requires merely authority to order, a more subjective criterion that depends on the circumstances and the perceptions of the listener”].
- 2111 *Semanza* AJ, para. 363; *Setako* AJ, para. 240.
- 2112 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Boškoski* AJ, para. 160; *Kamuhanda* AJ, para. 76.
- 2113 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Galić* AJ, para. 178; *Kamuhanda* AJ, para. 76; *Ndindiliyimana* AJ, para. 291; *Sesay* AJ, para. 164.

- 2114 *Galić* TJ, paras 171, 741; *Milošević (Dragomir)* AJ, paras 272-273.
- 2115 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Milutinović* TJ (Vol 1), para. 87; *Blaškić* TJ, para. 282; *Taylor* AJ, para. 589, upholding *Taylor* TJ, para. 476.
- 2116 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Boškoski* AJ, para. 160; *Hategekimana* AJ, para. 67; *Taylor* AJ, paras 368, 589.
- 2117 *Taylor* AJ, para. 589, upholding *Taylor* TJ, para. 477; *Milutinović* TJ (Vol 1), para. 88.
- 2118 *Kordić* AJ, paras 28, 32; *Blaškić* AJ, para. 42; *Milošević (Dragomir)* AJ, para. 267; *Nahimana* AJ, para. 481; *Nyiramasuhuko* AJ, para. 1895; fn. 4448; *Taylor* AJ, para. 589.
- 2119 *Milošević (Dragomir)* AJ, para. 267.
- 2120 *Boškoski* AJ, para. 172; *Taylor* AJ, para. 493.
- 2121 Case 001-E188 *Duch* TJ, para. 528; Case 002-E313 Case 002/01 TJ, para. 702; *Kordić* AJ, paras 29-30; *Martić* AJ, paras 221-222; *Boškoski* AJ, para. 68; *Renzaho* AJ, para. 315; *Taylor* AJ, para. 589.
- 2122 Aiding and abetting are not synonymous; aiding involves the provision of assistance, while abetting involves facilitating, encouraging, advising on or providing moral support to the commission of a crime (Case 001-E188 *Duch* TJ, para. 533; *Milutinović* TJ (Vol 1), fn. 107; *Akayesu* TJ, para. 484; *Gacumbitsi* TJ, para. 286).
- 2123 Case 001-E188 *Duch* TJ, para. 533; Case 002-E313 Case 002/01 TJ, para. 704; *Blaškić* AJ, para. 46; *Šainović* AJ, para. 1649; *Popović* AJ, paras 1732, 1783; *Taylor* AJ, para. 368.
- 2124 Case 002-E313 Case 002/01 TJ, paras 707-710; *Taylor* AJ, para. 481; *Šainović* AJ, paras 1649, 1663; *Popović* AJ, para. 1758; *Stanišić & Simatović* AJ, paras 106, 108.
- 2125 Case 001-E188 *Duch* TJ, para. 534; *Krstić* AJ, para. 143; *Brđanin* AJ, para. 355.
- 2126 Case 001-E188 *Duch* TJ, para. 534; Case 002-E313 Case 002/01 TJ, para. 704; *Tadić* AJ, para. 229(ii); *Brđanin* AJ, para. 263; *Seromba* AJ, para. 57.
- 2127 *Tadić* AJ, para. 229(ii); *Kalimanzira* AJ, para. 87; *Brđanin* AJ, para. 263.
- 2128 See, e.g., *Tadić* AJ, para. 229(iii); *Gotovina* AJ, para. 127; *Ntawukuliyayo* AJ, para. 214; *Taylor* AJ, para. 481.
- 2129 *Popović* AJ, paras 1740, 1783; *Ndahimana* AJ, para. 149; *Taylor* AJ, para. 522.
- 2130 *Lukić* AJ, para. 438; *Kalimanzira* AJ, para. 86; *Taylor* AJ, para. 475.
- 2131 Given the overarching requirement that assistance, encouragement or moral support must have a substantial effect on the commission of the crime, the necessary causal link cannot exist where assistance is provided *exclusively* after the time of perpetration. However, as long as the requirement of substantial effect is fulfilled, conduct such as an agreement made *before or during* the commission of a crime, of assistance to be provided *after the fact*, may suffice. See Case 002-E313 Case 002/01 TJ, paras 712-713; *Blagojević* TJ, para. 731; *Furundžija* TJ, para. 230; *Aleksovski* TJ, para. 62; *Brđanin* AJ, para. 277.
- 2132 *Mrkšić* AJ, para. 81; *Ntagerura* AJ, para. 372; *Fofana* AJ, para. 72.
- 2133 *Šainović* AJ, para. 1687; *Brđanin* AJ, paras 273, 277 [referring to the ‘silent spectator’]; *Ndahimana* AJ, para. 147; *Kayishema* AJ, paras 201-202 [referring to the ‘approving spectator’]; *Sesay* AJ, para. 541.
- 2134 *Ibid.* See also, e.g., *Muvunyi I* AJ, para. 80.
- 2135 *Blagojević* AJ, para. 195; *Nahimana* AJ, para. 672; *Sesay* AJ, para. 541.
- 2136 *Popović* AJ, para. 1812; *Mrkšić* AJ, paras 49, 146; *Nahimana* AJ, para. 482.
- 2137 *Šainović* AJ, para. 1677; *Nyiramasuhuko* AJ, para. 2205.
- 2138 *Popović* AJ, para. 1741; *Šainović* AJ, paras 1679, 1682, fn. 5510; *Mrkšić* AJ, paras 97, 100.
- 2139 *Krstić* AJ, para. 140; *Seromba* AJ, paras 57-58.
- 2140 Case 001-E188 *Duch* TJ, para. 535; Case 002-E313 Case 002/01 TJ, para. 704; *Blaškić* AJ, paras 45-46, 49-50; *Popović* AJ, para. 1732; *Nahimana* AJ, para. 482.
- 2141 *Blaškić* AJ, para. 50; *Šainović* AJ, para. 1772; *Nahimana* AJ, para. 482; *Sesay* AJ, para. 546.
- 2142 Case 002-E313 Case 002/01 TJ, para. 704; *Šainović* AJ, para. 1772; *Ndahimana* AJ, para. 157; *Brima* AJ, para. 244. As the ICTY Appeals Chamber explained in *Šainović*, “[t]he degree of knowledge pertaining to the details of the crime required to satisfy the *mens rea* of aiding and abetting will depend on the circumstances of the case, including the scale of the crimes and the type of assistance provided”: *Šainović* AJ, para. 1773.
- 2143 Case 001-E188 *Duch* TJ, para. 535; Case 002-E313 Case 002/01 TJ, para. 704; *Popović* AJ, para. 1830; *Krnjelac* AJ, para. 52; *Blagojević* AJ, para. 127; *Ndahimana* AJ, para. 157; *Fofana* AJ, para. 367; *Vasiljević* AJ, para. 142; *Krstić* AJ, para. 140; *Ntakirutimana* AJ, paras 500-501.
- 2144 Case 001-E188 *Duch* TJ, para. 535; *Milutinović* TJ (Vol 1), para. 94.

- 2145 Case 001-E188 *Duch* TJ, paras 476-478; Case 002-E313 Case 002/01 TJ, paras 714, 718-719; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, paras 190-232; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 413-460; Case 002-D427 Closing Order, paras 1307, 1318-1319, 1558.
- 2146 ECCC Law, art. 29^{new} contains the specific requirement that the superior must have "effective command and control or authority and control over the subordinate." This is consistent with the case law of the *ad hoc* Tribunals where it has been held that, for criminal liability to arise on the basis of a superior-subordinate relationship, it must be shown that the superior had effective control over the perpetrators. This same interpretation has been used by the ECCC Trial Chamber. See Case 001-E188 *Duch* TJ, para. 540; Case 002-E313 Case 002/01 TJ, para. 715.
- 2147 ECCC Law, art. 29^{new}; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, para. 191; Case 001-E188 *Duch* TJ, para. 538; Case 002-E313 Case 002/01 TJ, paras 715-716 and e.g. *Gotovina* AJ, para. 128; *Gacumbitsi* AJ, para. 143; *Sesay* AJ, paras 842, 873.
- 2148 Case 001-E188 *Duch* TJ, para. 477; Case 002-E313 Case 002/01 TJ, para. 720; Case 002-D427/2/15 Nuon Chea and Ieng Thirith Closing Order Decision, paras 230, 232; Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 418, 459-460; Case 002-D427 Closing Order, paras 1319, 1558; *Čelebići* AJ, para. 195; *Kajelijeli* AJ, para. 85; *Brima* AJ, para. 257.
- 2149 Case 001-E188 *Duch* TJ, paras 477, 540; *Čelebići* AJ, paras 193-197, 303; *Halilović* AJ, paras 59, 210; *Nyiramasuhuko* AJ, para. 995; *Brima* AJ, paras 257, 289.
- 2150 ECCC Law, art. 29^{new}; Case 001-E188 *Duch* TJ, para. 540; Case 002-E313 Case 002/01 TJ, para. 720; *Čelebići* AJ, paras 196-197, 303; *Blaškić* AJ, para. 69; *Gacumbitsi* AJ, paras 143-144; *Fofana* AJ, para. 175.
- 2151 Case 001-E188 *Duch* TJ, para. 540; Case 002-E313 Case 002/01 TJ, para. 715; *Popović* AJ, para. 1857; *Nahimana* AJ, para. 625; *Brima* AJ, para. 257.
- 2152 Case 002-E313 Case 002/01 TJ, para. 720; *Aleksovski* AJ, para. 76; *Bagilishema* AJ, para. 50; *Brima* AJ, para. 257.
- 2153 *Čelebići* AJ, paras 197-198; *Bagilishema* AJ, paras 50, 52, 55; *Kajelijeli* AJ, para. 87; *Nahimana* AJ, paras 605, 785.
- 2154 Case 002-E313 Case 002/01 TJ, para. 720; Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 459; *Strugar* AJ, para. 254; *Bizimungu (Augustin)* AJ, para. 115.
- 2155 Case 001-E188 *Duch* TJ, para. 541; *Halilović* AJ, para. 66. Although *de jure* control is neither necessary nor sufficient to prove effective control, it constitutes *prima facie* a reasonable basis for assuming that an accused has effective control over his subordinates. See, e.g., *Čelebići* AJ, para. 197; *Hadžihasanović* AJ, paras 20-21; *Nahimana* AJ, para. 625; *Ntabakuze* AJ, para. 169.
- 2156 Case 001-E188 *Duch* TJ, para. 541; *Halilović* AJ, para. 66.
- 2157 Case 001-E188 *Duch* TJ, para. 541; *Strugar* AJ, paras 253-254, 256; *Nyiramasuhuko* AJ, paras 1000, 2109. However, the absence of proof of orders is not demonstrative of a lack of effective control, and the fact that subordinates might perpetrate crimes independently of orders does not show that a superior lacks the ability to prevent or punish those crimes. See *Bagosora* AJ, para. 472.
- 2158 Case 001-E188 *Duch* TJ, para. 541; *Strugar* AJ, paras 260-262.
- 2159 Case 001-E188 *Duch* TJ, para. 541; *Čelebići* AJ, para. 206.
- 2160 *Popović* AJ, para. 1857.
- 2161 Case 001-E188 *Duch* TJ, para. 543; *Bagilishema* AJ, para. 37; *Kordić* TJ, para. 427; *Taylor* TJ, para. 497.
- 2162 Case 001-E188 *Duch* TJ, para. 544; *Blaškić* AJ, para. 62; *Popović* AJ, paras 1910, 1912; *Nahimana* AJ, para. 791; *Sesay* AJ, paras 852-853.
- 2163 Case 002-E313 Case 002/01 TJ, para. 715; Case 001-E188 *Duch* TJ, para. 544; *Popović* AJ, para. 1910; *Strugar* AJ, para. 298.
- 2164 *Strugar* AJ, para. 304.
- 2165 Case 001-E188 *Duch* TJ, para. 544; *Čelebići* AJ, para. 226; *Blaškić* AJ, paras 62-64; *Bagilishema* AJ, paras 34-35; *Taylor* TJ, paras 498-499.
- 2166 Case 001-E188 *Duch* TJ, para. 544; *Čelebići* AJ, para. 226; *Blaškić* AJ, para. 406; *Taylor* TJ, para. 499. (*Emphasis added.*)
- 2167 Case 001-E188 *Duch* TJ, para. 544; *Čelebići* AJ, para. 238; *Bagilishema* AJ, para. 42; *Nahimana* AJ, para. 791.
- 2168 *Čelebići* AJ, para. 239.
- 2169 *Blaškić* AJ, paras 56-57.

- 2170 *Nahimana* AJ, para. 865; *Bagosora* AJ, paras 384, 399.
- 2171 ECCC Law, art. 29^{new}; Case 001-E188 *Duch* TJ, paras 545-547; Case 002-E313 Case 002/01 TJ, para. 716; *Boškoski* AJ, para. 230; *Popović* AJ, para. 1943; *Nahimana* AJ, para. 484; *Sesay* AJ, paras 502, 842.
- 2172 Case 002-E313 Case 002/01 TJ, para. 720.
- 2173 *Blaškić* AJ, para. 77; *Hadžihasanović* AJ, paras 38-40.
- 2174 *Bizimungu (Augustin)* AJ, para. 104; *Bagosora* AJ, para. 685.
- 2175 Case 001-E188 *Duch* TJ, para. 545; Case 002-E313 Case 002/01 TJ, para. 716; *Blaškić* AJ, paras 72, 417; *Halilović* AJ, para. 63; *Orić* AJ, para. 177; *Hadžihasanović* AJ, para. 33; *Kayishema* AJ, para. 302; *Bagosora* AJ, paras 672, 683.
- 2176 *Boškoski* AJ, para. 231; *Popović* AJ, para. 1928; *Bagosora* AJ, para. 672.
- 2177 *Bagosora* AJ, para. 672.
- 2178 *Halilović* AJ, para. 182; *Boškoski* AJ, paras 230, 234-235; *Hadžihasanović* AJ, para. 154; *Popović* AJ, para. 1932; *Bagosora* AJ, para. 510.
- 2179 Rule 67(3)(c).
- 2180 2008 Code of Criminal Procedure of the Kingdom of Cambodia, Art. 247(3).
- 2181 Case 002-D427 Closing Order, 16 December 2010, EN 00604836, para. 1321.
- 2182 Case 001-D99 Closing Order, 18 August 2008, EN 00210815, para. 130.
- 2183 Case 002-D427 Closing Order, 16 December 2010, EN 00604836, para. 1321.
- 2184 Case 002-D427 Closing Order, 16 December 2010, EN 00604837, para. 1323.
- 2185 Case 002-D427 Closing Order, 16 December 2010, EN 00604837, para. 1323.
- 2186 Rule 87(1).
- 2187 Case 002-D427 Closing Order, 16 December 2010, EN 00604836, para. 1321.
- 2188 2017 Criminal Procedure Code of the French Republic, Art. 177 [“Si le juge d'instruction estime que les faits ne constituent ni crime, ni délit, ni contravention, ou si l'auteur est resté inconnu, ou s'il n'existe pas de charges suffisantes contre la personne mise en examen, il déclare, par une ordonnance, qu'il n'y a lieu à suivre.”].
- 2189 Case 002-D427 Closing Order, 16 December 2010, EN 00604836, para. 1322.
- 2190 ICC Statute, art. 61(5) [“At the hearing, the Prosecutor shall support each charge with sufficient evidence to establish substantial grounds to believe that the person committed the crime charged. The Prosecutor may rely on documentary or summary evidence and need not call the witnesses expected to testify at the trial.”].
- 2191 *Al Mahdi* Confirmation Decision, para. 15, citing: *Lubanga* Confirmation Decision, para. 37; *Abu Garda* Confirmation Decision, para. 39; *Banda & Jerbo* Confirmation Decision, para. 31; *Mbarushimana* Confirmation Decision, para. 41.
- 2192 *Al Mahdi* Confirmation Decision, para. 18, citing: *Lubanga* Confirmation Decision, para. 39; *Katanga & Ngudjolo* Confirmation Decision, para. 65; *Bemba* PTC Decision on Charges, para.29; *Abu Garda* Confirmation Decision, para. 37; *Mbarushimana* Confirmation Decision, para. 40; *Muthaura et al.* Confirmation Decision para. 52; *Ntaganda* Confirmation Decision para. 9; *Gbagbo* Confirmation Decision para. 19; *Bemba et al.* Confirmation Decision para. 25; *Blé Goudé* Confirmation Decision para. 12; *Ongwen* Confirmation Decision, para. 17.
- 2193 MICT Rules of Procedure and Evidence, Rule 48(B) [“The Prosecutor, if satisfied in the course of an investigation that there is sufficient evidence to provide reasonable grounds for believing that a crime within Article 1, paragraph 4, of the Statute has been committed, shall prepare and forward to the Registrar an indictment together with supporting material, for confirmation by the Judge.”]; ICTY Rules of Procedure and Evidence, Rule 47(B) [“The Prosecutor, if satisfied in the course of an investigation that there is sufficient evidence to provide reasonable grounds for believing that a suspect has committed a crime within the jurisdiction of the Tribunal, shall prepare and forward to the Registrar an indictment for confirmation by a Judge, together with supporting material.”]; ICTR Rules of Procedure and Evidence, Rule 47(B) [“The Prosecutor, if satisfied in the course of an investigation that there is sufficient evidence to provide reasonable grounds for believing that a suspect has committed a crime within the jurisdiction of the Tribunal, shall prepare and forward to the Registrar an indictment for confirmation by a Judge, together with supporting material.”].
- 2194 *Ntakirutimana* Preliminary Motion Decision, para. 6.
- 2195 Updated Statute of the International Criminal Tribunal of the former Yugoslavia, updated in September 2009, Article 19(1) [“Review of the Indictment - The judge of the Trial Chamber to whom the indictment has been

transmitted shall review it. If satisfied that a prima facie case has been established by the Prosecutor, he shall confirm the indictment. If not so satisfied, the indictment shall be dismissed.”]: Statute of the International Criminal Tribunal for Rwanda, Article 18(1) [“The judge of the Trial Chamber to whom the indictment has been transmitted shall review it. If satisfied that a prima facie case has been established by the Prosecutor, he shall confirm the indictment.”].

- 2196 *Kordic et al.* Indictment Review Decision, p. 4; *Milosevic et al.* Indictment and Application Review Decision, para. 2; *Rajic* Indictment Review, p. 6.
- 2197 ECCC Agreement, arts 1, 2; ECCC Law, arts 1, 2^{new}.
- 2198 Case 001-F28 *Duch* AJ, paras 46-57.
- 2199 Case 001-F28 *Duch* AJ, paras 52, 61.
- 2200 Case 001-F28 *Duch* AJ, para. 57 (internal citations omitted).
- 2201 **D298.1** ICIJ Personal Jurisdiction Decision, para. 27.
- 2202 United Nations Security Council Resolution 1534 (2004), 26 March 2004, UN Doc. No. S/Res/1534, paras 5-6; United Nations Security Council Resolution 1503, 28 August 2003, UN Doc. No. S/Res/1503, preamble recital 7.
- 2203 ICTY Rules of Procedure and Evidence, Rule 11^{bis}. Rule 11^{bis}(C) references Security Council Resolution 1534 and states that the ICTY will consider the “gravity of the crimes charged” and the “level of responsibility of the accused” in deciding whether to transfer cases. *See also Milošević (Dragomir)* Referral Decision, paras I-3.
- 2204 *Lukić* Referral Decision, paras 26-28.
- 2205 *Fofana* Personal Jurisdiction Decision, para. 22.
- 2206 ICC OTP, *Paper on some policy issues before the Office of the Prosecutor, International Criminal Court*, September 2003, p. 7.
- 2207 Case 001-E188 *Duch* TJ, paras 22-24.
- 2208 Case 001-F28 *Duch* AJ, para. 71.
- 2209 Case 003-D48 Personal Jurisdiction Decision I, para. 15; Case 003-D49 Personal Jurisdiction Decision II, para. 15.
- 2210 Case 001-F28 *Duch* AJ, para. 62.
- 2211 *Ademi* Referral Decision, para. 28.
- 2212 *Janković* Referral Decision, para. 19; *Ademi* Referral Decision, para. 28; *Kovačević* Referral Decision, para. 20; *Lukić* Referral Decision, para. 27; *Todović* Referral Appeal Decision, paras 13, 16. The ICTY Appeals Chamber has emphasised, however, that too much stress should not be placed on the local character of the crimes, since local leaders may in fact wield significant influence warranting their inclusion within the category of those most responsible. *See Lukić* Appeal Decision, para. 22.
- 2213 *Lukić* Referral Decision, para. 27.
- 2214 *Lukić* Referral Decision, para. 27.
- 2215 *Janković* Referral Decision, para. 19; *Kovačević* Referral Decision paras 12, 20; *Lukić* Referral Decision, paras 27 and 29; *Rašević* Referral Decision, para. 23; *Todović* Referral Appeal Decision, para. 25.
- 2216 *See Ntaganda* Article 58 Appeal Decision, para. 76.
- 2217 *Ademi* Referral Decision, para. 29; *Lukić* Referral Decision, para. 28; *Lukić* Appeal Decision, para. 21.
- 2218 *Ademi* Referral Decision, para. 29; *Kovačević* Referral Decision, para. 20; *Milošević (Dragomir)* Referral Decision, para. 23; *Lukić* Referral Decision, para. 28; *Lukić* Appeal Decision, para. 21.
- 2219 *Milošević (Dragomir)* Referral Decision, para. 23; *Lukić* Appeal Decision, para. 21.
- 2220 *Lukić* Referral Decision, para. 28; *Ademi* Referral Decision, para. 29.
- 2221 *Ademi* Referral Decision, para. 29.
- 2222 *Milošević (Dragomir)* Referral Decision, para. 23.
- 2223 *Milošević (Dragomir)* Referral Decision, para. 23.
- 2224 *Kovačević* Referral Decision, para. 20.
- 2225 Case 001-F28 *Duch* AJ, paras 76-77 citing *The First Session of the Third Term of the Cambodian National Assembly*, October 4-5 2004, p. 23; Case 002-E188 *Duch* TJ, para. 19 citing Group of Experts Report at para. 109.
- 2226 *Milošević (Dragomir)* Referral Decision, para. 22; *Lukić* Referral Decision, para. 28.
- 2227 The Co-Prosecutors have previously described their position in relation to the statute of limitations for the crimes within the jurisdiction of the ECCC pursuant to Article 3^{new} before the Trial Chamber and Pre-Trial

Chamber. The Co-Prosecutor respectfully refers the CIJs to Case 002-E51/5/3/1 Co-Prosecutors' Joint Response to Defence Rule 89 Preliminary Objections, 21 March 2011; Case 002-E51/7/1 Co-Prosecutors' Submission on Statute of Limitation for National Crimes, 27 May 2011 ("OCP Statute of Limitations Submission"); Case 002-D427/1/17 Co-Prosecutors' Joint Response to Nuon Chea, Ieng Sary and Ieng Thirith's Appeals Against the Closing Order, 19 November 2010.

2228 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 271-292, 297.
 2229 Criminal Code of the Kingdom of Cambodia (1956), promulgated on 21 February 1955 (Kram No. 933NS) ("1956 Penal Code"), arts 501, 503, 504, 505, 506, 507, 508.
 2230 1956 Penal Code, art. 500.
 2231 1956 Penal Code, arts 209, 210.
 2232 1956 Penal Code, art. 109 provides, in relevant part, that "[a] perpetrator shall not be punishable in respect of a felony committed more than ten years previously" (unofficial translation used by the Trial Chamber and adopted by the PTC. See Case 002-E187 Decision on the Defence Preliminary Objection Concerning the Statute of Limitations of Domestic Crimes, 26 July 2010 ("TC Statute of Limitations Decision"), fn. 13). See also 1956 Penal Code, art. 111 (indicating that the prescriptive period starts to run at the time the alleged acts were committed) and arts 112-114 (providing that any act of investigation or of prosecution interrupts the time limit, which resumes after the last such act (in the case of a felony), for a new period of 10 years).

2233 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 285-286, citing, *inter alia*, Case 001-E187 TC Statute of Limitations Decision, paras 14, 16-17, 27, 29 (confirming that statutes of limitation do not run where the judicial institutions are not functioning), 19, 20, 25 (findings of the three Cambodian Trial Chamber Judges regarding lack of judicial capacity in Cambodia until at least 24 September 1993).

2234 Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 286, quoting Case 001-E187 TC Statute of Limitations Decision, para. 20.
 2235 ECCC Law, art. 3.
 2236 ECCC Law, art. 3*new*.
 2237 Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 287.
 2238 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 288-292.
 2239 Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 279-280.
 2240 Case 001-E187 TC Statute of Limitations Decision, in which the three-Judge majority of Judge Nil Nonn, Judge Thou Mony and Judge Ya Sokhan found that the statute of limitations had been suspended until at least 1993, whereas Judge Silvia Cartwright and Judge Jean-Marc Lavergne concluded that the limitation period had expired in 1989, and that the purported extension in 2001 was therefore impossible.

2241 The same issue is currently subject to an appeal before the Pre Trial Chamber. See Case 004/1-D308/3/1/1 International Co-Prosecutor's Appeal of Closing Order (Reasons), 9 August 2017.

2242 Case 002-D198/1 Order Concerning the Co-Prosecutors' Request for Clarification of Charges, 20 November 2009, para. 6.
 2243 Case 002-D198/1 Order Concerning the Co-Prosecutors' Request for Clarification of Charges, 20 November 2009, para. 10.
 2244 D242 Written Record of Initial Appearance, EN 01096767; D303 Written Record of Further Appearance, 14 March 2016, EN 01213491.
 2245 Extraordinary Chambers in the Courts of Cambodia, Internal Rules (Rev. 9), as revised on 16 January 2015, Rule 67(1).
 2246 See, e.g., D121/4/1/4 Considerations of the Pre-Trial Chamber on Ta An's Appeal against the Decision Denying his Requests to Access the Case File and Take Part in the Judicial Investigation, 15 January 2014, Opinions of Judges Chang-Ho Chung and Rowan Downing, para. 9 ["principles of natural justice and procedural fairness require that any party or other concerned individual whose rights or interests may be affected by accorded the right to be heard prior to such decision being made"], citing with approval, *inter alia*, Case 002-E163/5/1/13 Decision on the Co-Prosecutors' Immediate Appeal of the Trial Chamber's Decision Concerning the Scope of Case 002/01, 8 February 2013, para. 42 ["The need to respect the right to be heard in criminal proceedings [...] is dictated by common sense and the interests of meaningful justice and conforms with comparable international legal standards."]; International Court of Justice, *Australia v. France*, Judgment (Nuclear Tests Case - Dissenting Opinion of Judge Sir Garfield Barwick), 20 December 1974, p. 391 ["In any case the Applicant must have been entitled to make submissions as to all the matters involved in the decision of the Court."]; ECtHR, *Niderost-Huber v. Switzerland*, Application No. 18990/91, Judgment, 18

February 1997, para. 29 [emphasising that the “litigants’ confidence in the workings of justice [...] is based on, *inter alia*, the knowledge that they have had the opportunity to express their views on every document in the file”].

2247 See para 15 *supra*.

2248 See para 15 *supra*.

2249 **D1.3.29.7** Kaing Guek Eav alias Duch UNHCHR Interview, 4-6 May 1999, EN 00184998 [“Concerning Ke Pauk, he was a full rights member of the central committee, chairman of the Central Zone, and later when he went to fight the Yuon he was the deputy commander under Professor Son Sen (deputy commander of the high command headquarters of the army).”]; **D6.1.379** Ke Pich Vannak Written Record of Interview, 4 June 2009, EN 00346158 [“In the [Central] Zone, Ta An took over my father role because my father was busy with his work on the battlefields along with the border.”]; **D1.3.30.13** Telegram 02 from Comrade Pauk to Respected Committee 870, 12 April 1978, EN 00185199-200 [describing fighting in the East Zone]; **D1.3.30.16** Telegram 10 from Comrade Pauk to Beloved and Missed Committee 870, 4 May 1978, EN 00185254 [describing fighting in the East Zone]; **D1.3.30.17** Telegram 11 from Comrade Pauk to Missed Brother, 6 May 1978 [describing fighting in the East Zone]; **D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 00678698-703 [describing Ke Pauk’s involvement in fighting in the East Zone]. See also **D1.3.30.3** Telegram 16 from Comrade Pauk to Respected and Loved Chief of 870 [describing the situation in Oudat Mean Chey].

2250 **D1.3.15.2** Article by Timothy Carney entitled *The Organisation of Power* in book by Karl Jackson ed entitled *Cambodia 1975-1978 Rendez Vous with Death*, 1989, EN 00105143 [“In the region and sector committees, the deputy secretary was the military chairman as well. He could order the troops out. Both the secretary and the deputy had authority over civil and military affairs.”]; **D1.3.15.1** Craig Etcheson Written Record of Analysis, 18 July 2007, EN 00142827 [“Zones were governed by three-person Party Committee composed of Secretary, a Deputy Secretary responsible for security, and a Member responsible for economics.”]; **D1.3.32.1** DC-Cam DK Prison List, 23 August 2006, EN 00194822-25.

2251 **D1.3.15.2** Article by Timothy Carney entitled *The Organisation of Power* in Book by Karl Jackson ed entitled *Cambodia 1975-1978 Rendez Vous with Death*, 1989, EN 00105151-00105152 [identifying Central Zone Deputy Secretary An as one of the likely members of the Central Committee based on “his important position”]. EN 00105140 [“At the top, the Central Committee, as of August 1978, had about thirty members [...] counting full and candidate members [...]. Most were regional and sector secretaries and deputy secretaries or, presumably, senior commanders.”]; **D1.3.36.1** Khieu Samphan Written Record of Interview of Charged Person, 13 December 2007, EN 00156750-51 [“In the central committee, the only persons who had real power were the chairman of the military unit and the zone secretary and sector secretaries. [...] The central committee consisted of more than 30 members, but I don’t remember the names of all those members.”].

2252 See para. 78 *supra*.

2253 See para. 79 *supra*.

2254 See, e.g., para 80 *supra*.

2255 See para. 86 *supra*.

2256 See para. 61 *supra*.

2257 See paras 19 and 31 *supra*.

2258 See paras 9-72 *supra*.

2259 See paras 441-461 *supra*.

2260 See para. 279 *supra*.

2261 See paras 128,157, 262-263, 323-326 *supra*.

2262 See paras 129-134, 158-163, 177-187, 216-222, 232-238, 264-268, 294-295, 327-334, 404.

2263 See paras 133-134, 162-163, 189-192, 217-218, 237, 265, 337 *supra*.

2264 See paras 284-291 *supra*.

2265 See paras 134, 162, 191, 217-218, 238, 264-267, 338-339 *supra*.

2266 Genocide Convention, arts 4-5.

2267 See para. 275 *supra*.

2268 Some of those who can be named based on the evidence on the case file include the following: Kang Meas District: Pheap, secretary of Peam Chi Kang Commune; Kampong Siem District: Si, secretary of Kaoh Mitt Commune (and Prak Yut’s deputy); Chea, secretary of Vihear Thom Commune; You Vann, secretary of

- La'ang Commune (also transliterated as Ro'ang); Loeung, secretary of Krala Commune prior to Rom's appointment; Rom, secretary of Krala Commune (and Prak Yut's cousin); Nan, secretary of Kokor Commune; Kim, secretary of Rumchek Commune; Moeun, secretary of Koh Tontin Commune; Van, secretary of Ampil Commune; Hum, secretary of Kokor Commune; and Phan, secretary of Trean Commune.
- 2269 Some of those who can be named based on the evidence on the case file include Phon, chief of the district military for Kampong Siem District; Phaen, Phon's deputy in the Kampong Siem District military; Ni, a cadre in either the military or security structure of Kampong Siem District; and Han, the chief of security for Kang Meas District.
- 2270 Some of those who can be named based on the evidence on the case file include May, Huot, Sae, Pon, and Lay.
- 2271 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025311 ["Dara: Was there anything in Kampong Cham which prompted them to transfer you there? An: They said that they sent me to Kampong Cham because all the leaders there had become traitors. Dany: Who said that at that time? An: Ta Mok did."].
- 2272 See "Ao An's Order to Prepare a Second List Shortly Before the Vietnamese Invasion" subsection.
- 2273 See paras 17, 306 *supra*.
- 2274 See para. 17 *supra*.
- 2275 See para. 17 *supra*.
- 2276 **D219/731** Nhem Chen Written Record of Interview, 15 March 2016, A90, EN 01224112 ["Q: Did you know who was in charge the killings of cadres? A: It seemed there were orders from above. KE Pork called the sectors, and Ta An ordered the security office to dig up the grass roots and all."].
- 2277 See para. 18 *supra*.
- 2278 See paras 19-20 *supra*.
- 2279 See para. 21 *supra*.
- 2280 See para. 24 *supra*.
- 2281 See para. 27 *supra*.
- 2282 See paras 27 and 34 *supra*.
- 2283 See para. 27 *supra*.
- 2284 See para. 32 *supra*.
- 2285 See para. 34 *supra*.
- 2286 See para. 41 *supra*.
- 2287 See para. 43 *supra*.
- 2288 See para. 41 *supra*.
- 2289 See paras 43 and 45 *supra*.
- 2290 See paras 47-50 *supra*.
- 2291 **D219/855** Nhem Chen Written Record of Interview, 27 October 2016, A42, EN 01374646 ["Q: What did Ta An say about Wat Phnom Pros Pagoda? A: He said that when further letters were issued by our comrades to arrest the East Zone people, the arrestees could be placed at his place where they would be given some good food to eat as parts of the political ploy and manipulation. After that they would be loaded onto the trucks and sent for execution at Phnom Pros Phnom Srei."].
- 2292 See para. 172 *supra*.
- 2293 **D219/582** Toy Meach Written Record of Interview, 2 September 2015, A83-87, EN 01179832-33 ["Q: You have mentioned that after the congress, there was killing. How many people were killed? A: About five persons were killed. That site was able to hold four or five persons. They probably did not want to take them to a higher-level location. Therefore, they them and buried them close by. Q: What do you mean when you said that 'they did not take them to a higher level place'? A: In this case there were only four or persons, so they did not want to take them to be killed at Kor Security Office. For this reason they killed those people and buried them close by. Q: What does 'higher-level' mean? A: Higher level, meaning Kor Security Office. Q: Did you know who gave the orders to kill those people? A: Ta An, the Sector Chairman. The Sector Office was there, and the soldiers were his."].
- 2294 **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A33-37, EN 01224087-88 ["Q: Who ordered the killings of those [prisoners transferred to Kor Security Centre]? A: The orders came from Sector Chairman. Q: What was the name of the Sector Chairman? A: His name was Ta An. Q: As for you personally, were you present when Ta An issued the orders to kill those prisoners? A.35: I was there personally when Ta An ordered the military to tell security. Q: Was Ta An at the security office when he

- ordered the killings? A: He was in the Inner Office. He ordered the military to go to security. Q: When Ta An gave orders through the military, where were you? A: I was in the Inner Office with him.”].
- 2295 **D219/837** So [Sau] Saren Written Record of Interview, 22 September 2016, A75-77, EN 01364062-63 [“I did see one event involving the pregnant wife of someone in the sector military. her husband, was arrested. The wife of this person in the military kept coming often to ask Ta An about her husband. Ta An ordered his military to take [her] to be killed and to cut her stomach open. Q: Was this event at Wat Ta Meak Pagoda or somewhere else? A: At the sector office, but in the paddy fields out back. Q: So the person who killed that lady was Run. Is that correct? A: I do not know who the killer was. Someone came to tell me about this. I only knew that she had already been taken to be killed.”].
- 2296 **D219/732** Nhem Chen Written Record of Interview, 17 March 2016, A30-40, EN 01224087-88 [“Q: When they were transported from the Sector Office to Kor Security Office did the transported people walk freely? They were called and placed in trucks and told that they would go to study or to attend meetings, like that. Upon arriving at Kor Security Office, they were called one by one to go inside room and then tied up. [...] shortly afterwards they were taken to be executed right away that night or the following night. Q: Who ordered the killings of those people? A: The orders came from Sector Chairman. Q: What was the name of the Sector Chairman? A: His name was Ta An. Q: As for you personally, were you present when Ta An issued the orders to kill those prisoners? A: I was there personally when Ta An ordered the military to tell security. [...] Q: Did Ta An ever go to that Security Office? A: He did. Q: Did you go with him? A: Yes. I went. Q: What did Ta An go there for? A: He wanted to know whether his orders were fully implemented or not. That was all he wanted to know.”].
- 2297 *See para. 52 supra.*
- 2298 *See para. 307 supra.*
- 2299 *See para. 307 supra.*
- 2300 *See paras 56-59 supra.*
- 2301 *See para. 60 supra.*
- 2302 *See paras 61-62 supra.*
- 2303 *See para. 73 supra.*
- 2304 *See para. 73 supra.*
- 2305 *See para. 73 supra.*
- 2306 *See para. 73 supra.*
- 2307 *See para. 73 supra.*
- 2308 *See para. 274 supra.*
- 2309 *See para. 274 supra.*
- 2310 *See para. 281 supra.*
- 2311 *See para. 74 supra.*
- 2312 **D191.2** Ao An DC-Cam Statement, 1 August 2011, EN 01025311-13 [“Q: You were transferred to Kampong Cham. Why were you transferred to Kampong Cham? A: Ah, it is difficult to speak about that. Q: Was it a plan or anything else? A: It was Ta Mok's decision. Q: Was there anything in Kampong Cham which prompted them to transfer you there? A: They said that they sent me to Kampong Cham because all the leaders there had become traitors. Dany: Who said that at that time? An: Ta Mok did.”].
- 2313 *See para. 12 supra.*
- 2314 *See para. 18 supra.*
- 2315 *See para. 18 supra.*
- 2316 *See paras 40-42 supra.*
- 2317 *See paras 40-46 supra.*
- 2318 *See para. 49 supra.*
- 2319 *See para. 50 supra.*
- 2320 *See para. 52 supra.*
- 2321 *See para. 52 supra.*
- 2322 *See para. 53 supra.*